



The State of Justice Syria 2020



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Syria Justice and Accountability Centre (SJAC)
March 2020

About the Syria Justice and Accountability Centre

The Syria Justice and Accountability Centre (SJAC) strives to prevent impunity, promote redress, and facilitate principled reform. SJAC works to ensure that human rights violations in Syria are comprehensively documented and preserved for use in transitional justice and peace-building. SJAC collects documentation of violations from all available sources, stores it in a secure database, catalogues it according to human rights standards, and analyzes it using legal expertise and big data methodologies. SJAC also supports documenters inside Syria, providing them with resources and technical guidance, and coordinates with other actors working toward similar aims: a Syria defined by justice, respect for human rights, and rule of law. Learn more at SyriaAccountability.org

*The State of Justice in Syria, 2020
March 2020, Washington, D.C.*

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Cover Photo — A family flees from ongoing violence in Idlib, Northwest Syria. (c) Lens Young Dimashqi

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Executive Summary

Executive Summary

The “State of Justice in Syria, 2020” is a report by the Syria Justice and Accountability Centre, which aims to keep the Syrian and international communities informed and engaged on justice efforts, highlight key violations that have occurred in 2019, and map justice efforts taken through the United Nations, universal jurisdiction, violations documentation, and other paths to justice. After nine years of violence, efforts to bring perpetrators to justice have just begun. This report highlights the following developments:

- Special War Crimes Units in Europe continue to pursue cases involving those responsible for atrocity crimes in Syria, helping to fill a judicial vacuum left by the international community. A significant development in 2019 was the confirmation of charges in the case of Anwar R. and Eyad A. The trial will be the first against high-level Syrian government officials and could be significant in shedding light on systems of abuse.
- The international community has failed to provide a coordinated response to administer justice for tens of thousands of captured ISIS fighters and their families. With the judiciary system under severe strain in Northeast Syria, foreign states must repatriate their nationals for prosecution or to serve out their sentences.
- ISIS prosecutions in Syria and Iraq currently fail to meet international standards. There should be support for the judicial system in Northeast Syria, and an international monitoring mechanism should be established to ensure that perpetrators of serious crimes face justice, while due process and fair sentences are administered.
- The United Nations approved full annual funding for the International, Impartial and Independent Mechanism, established to assist in investigations and prosecutions of the most serious crimes committed in the Syrian conflict. With full funding secured, the IIIM should focus its efforts on building cases against government and organizational leaders, as these cases require significant time and resources.
- The sanctions regime continues to preclude most business activities from US and European companies in Syria. In 2019, new sanctions passed by the EU and US further tightened restrictions. Sanctions have contributed to an economic crisis in Syria, with the Syrian pound losing more than 50% of its value in 2019. With limited evidence that such widespread sanctions achieve their intended policy objectives, their impact on the lives of Syrian civilians is of significant concern.
- Syrian groups are facing growing challenges in their efforts to document violations. As the government continues to reclaim territory, conducting interviews and obtaining documentation within Syria is becoming increasingly dangerous. For Syrian groups seeking to preserve digital evidence from social media, automated removals by Facebook and YouTube continue to erase important evidence of violations in the Syrian conflict.
- In Northeast Syria, mass graves containing thousands of bodies, have been discovered in areas formally under ISIS rule. The local First Responders’ Team (FRT) working to exhume these graves lacks sufficient resources and expertise to preserve evidence and identify missing persons. SJAC is currently providing training to the FRT and families of the missing, but more support and resources are needed for exhumations and missing persons programs across Syria.
- Syrian victims and their families continue to develop their capacities while taking a leading role in justice processes. In 2019, families of the missing and former detainees brought the issue of missing persons and detainees to the top of the agenda, protesting before the Brussels III conference and briefing the United Nations Security Council on the issue.



Introduction

Introduction

In 2019, Syrians continued to suffer in Northwest Syria, with more than 1,500 killed and hundreds of thousands displaced since the Syrian military began its latest offensive to retake the last opposition stronghold in April.¹ In a cynical strategy to crush hope and resistance, Syrian and Russian forces have deliberately targeted hospitals and schools, destroying 41 medical facilities and more than 70 schools between April and November.² The strategy has sparked outrage but limited action from the international community. With the border to Turkey now closed, civilians in Idlib are helplessly trapped under the government's onslaught.

In Northeast Syria, the territorial defeat of the Islamic State (ISIS) by the Syrian Democratic Forces (SDF) and the international coalition in March brought a temporary respite for local residents. But the coalition states have subsequently failed to provide adequate solutions to address the fate of detained ISIS members and their families, and to investigate the fate of missing persons disappeared or killed under ISIS rule. Conditions have been especially dire in Al Hol, an internment camp of some 70,000 women and children associated with ISIS, where more than 500 inhabitants have died from malnutrition, hypothermia, and poor healthcare since April 2019.³

The situation in Northern Syrian was further destabilized by a new Turkish incursion in October. Turkish-backed opposition forces under the Syrian National Army (SNA) captured the towns of Tell Abyad and Ras al-Ayn, accompanied by reports of arbitrary killings, widespread looting, and ethnic displacement. Their advances were halted by a hasty agreement between the SDF and Syrian government, allowing the re-entry of government forces into Northeast Syria.

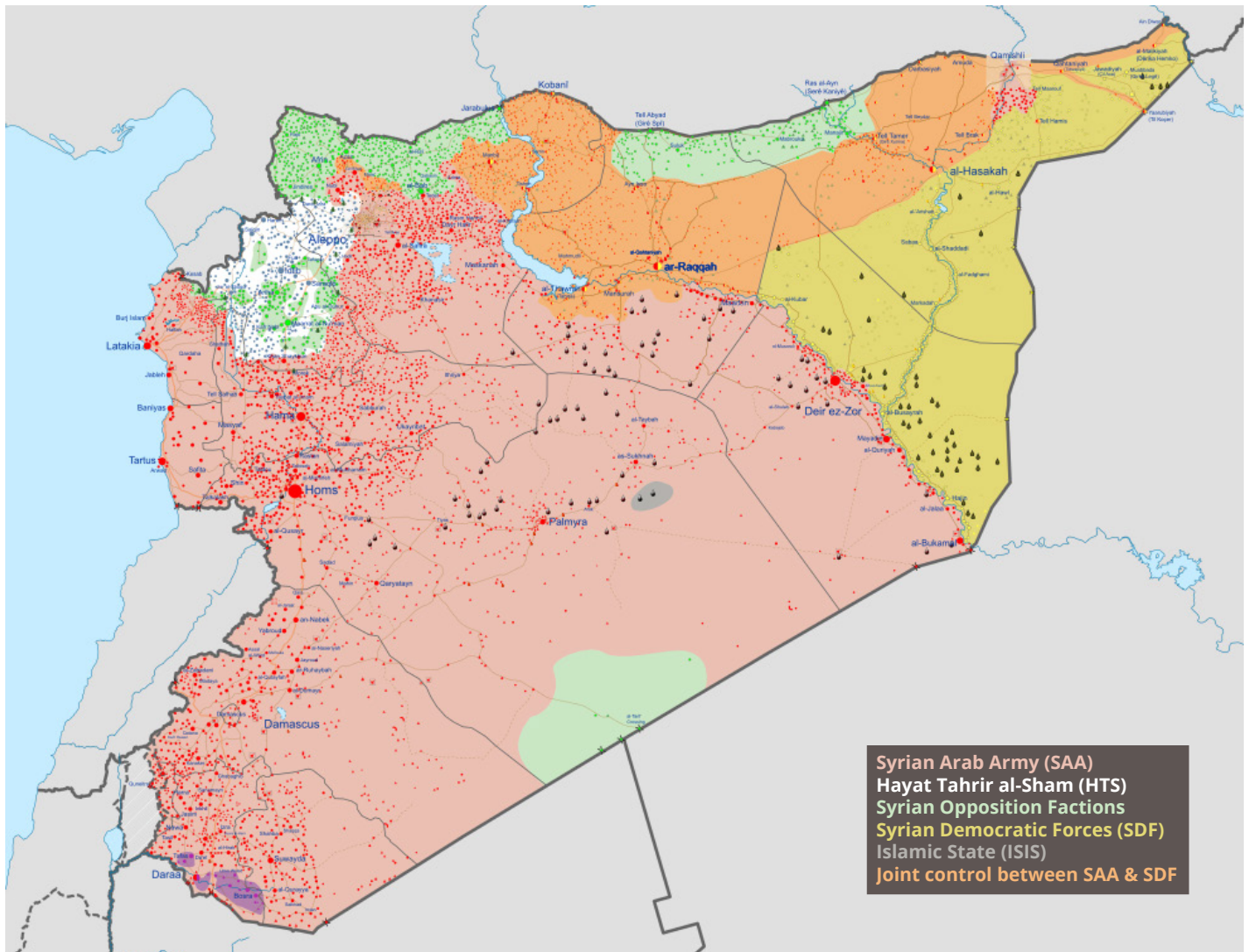
The return of Syrian government control forebodes danger for many Syrians. In reconciled areas, there continues to be widespread reports of arbitrary detention, enforced disappearances, harassment, and other violations by the Syrian government, despite reconciliation agreements in place. New

reports have highlighted the government's use of reconstruction and reconciliation frameworks to punish opponents, stifle dissent, and continue its repressive rule.⁴

Meanwhile, Syrians abroad felt growing economic and political pressures. Fueled by domestic economic woes and the false narrative that Syria has stabilized, anti-Syrian sentiments in Lebanon and Turkey were stoked, leading to new policies that have resulted in the forced deportation of thousands of Syrians in violation of the principle of *non-refoulement*. The notion of safe returns has also reached Europe, where recent decisions by Danish and Swedish authorities have deemed some areas of Syria safe, risking a dangerous precedent for deportations and denial of asylum claims.

Against the backdrop of these violations, however, efforts to bring perpetrators to justice made important advances in 2019. Under the principle of universal jurisdiction, Special War Crimes Units in Europe have actively pursued a number of cases involving those responsible for atrocity crimes in Syria, helping to fill a judicial vacuum left by the international community. Most notably in 2019, the arrest of Anwar R. And Eyad A. marks the first trial of a high-level government official for complicity in thousands of acts of torture. Further efforts were made to prosecute corporate entities for complicity in war crimes or terrorism. In 2019, charges were upheld against the cement company Lafarge, and an investigation continues against technology company Qosmos. The majority of cases in Europe, however, continued to involve lower-level perpetrators affiliated with ISIS or opposition groups, whose members have fled to Europe in greater numbers.

Because of the difficulties in convicting fighters for crimes committed in Syria, European states have largely avoided their responsibility to repatriate and prosecute their own citizens. Instead, most local ISIS fighters, and some foreign ISIS fighters, are being detained and prosecuted in Northeast Syria and Iraq, where the SDF is struggling to process and maintain a massive detainee population with few



Areas of control, Feb 2020. Source: Wikimedia Commons.

resources, and the Iraqi judiciary remains notorious for torture, scant due process, and frequent death sentences.

In 2019, states also imposed new sanctions on Syrian individuals and businesses, strengthening what is widely acknowledged as one of the most comprehensive and extreme sanctions regimes ever imposed. In December, the U.S. Congress passed the Caesar Syria Civilian Protection Act, authorizing additional sanctions and financial restrictions on institutions and individuals doing business with the Syrian government. But with little evidence as to whether widespread sanctions achieve their intended policy objectives, the adverse impacts on the lives of ordinary Syrian civilians is of significant concern.

Ultimately, it is Syrians who continue to lead the

fight for justice and accountability in Syria. In 2019, Syrian groups continue to tirelessly document violations in the face of dangerous conditions inside Syria. SJAC and other Syrian groups are also innovating new ways in which digital evidence on social media can be preserved and utilized for criminal accountability. Syrian activists and documentation groups continue to reach out to the victim community and serve as a bridge to UN investigators and universal jurisdiction prosecutors. Activities to memorialize the events and those lost are moving forward concurrently through visual art, writing and cinema, ensuring that history is accurately recorded, and the truth exposed. As public interest in the Syrian conflict fades among false narratives that the conflict is ending, families and survivors are serving as tireless advocates, sustaining the long-term momentum that is key to achieving meaningful justice.



V i o l a t i o n s

Major Violations

Targeting of Hospitals & Schools

Since the start of the conflict, hospitals and schools have been systematically targeted by the Syrian government and its allies. In 2019, attacks against schools and hospitals reached an unprecedented rate with the government's drive to retake the last opposition strongholds in Idlib and Hama. Between April and November alone, 61 medical facilities were reported to have been targeted in the Russia-backed offensive.⁵ Schools and childcare facilities have also been systematically targeted in Syria. The Commission of Inquiry for Syria (COI) reported in August that "70 schools in the demilitarized zone of Idlib had been destroyed or damaged by hostilities, depriving over 200,000 pupils from receiving formal education."⁶ This has occurred despite the fact that medical facilities and schools are both civilian objects protected by international humanitarian law.

The United Nations deconfliction system has come under heavy criticism for inadvertently facilitating these attacks.⁷ The deconfliction system works by permitting NGOs that are operating hospitals and healthcare facilities in Syria to provide their coordinates to the UN Office for the Coordination of Humanitarian Affairs (OCHA). OCHA then shares the coordinates with the parties involved in the conflict in order to prevent inadvertent targeting of the facilities.⁸ The system is voluntary, but NGOs have reported that they felt pressure by the UN to share their coordinates.⁹ Although the purpose of the deconfliction system is to protect healthcare facilities and humanitarian personnel from becoming targets, the pattern of attacks indicates the policy is doing the opposite by providing coordinates for deliberate attacks. An investigation by *The New York Times* found that at least 27 facilities on the deconfliction list were intentionally targeted by Russian or Syrian military forces.¹⁰

On August 1, 2019, the UN Secretary-General announced the establishment of a Board of Inquiry (BOI) to conduct an investigation to "cover destruction of, or damage to facilities on the deconfliction list" in Northwest Syria.¹¹ However,

the scope of the investigation is limited, with the investigation covering only seven incidents.¹² The investigation is expected to be completed by early 2020, and groups are calling on the Secretary-General to make these findings public.¹³

Attacks by the Syrian government and Russian forces against facilities such as hospitals and schools constitute not only war crimes but a cynical strategy to crush hope and resistance by targeting the most vulnerable civilians under opposition control. An internal UN inquiry is insufficient. If it is shown that UN member states turned the deconfliction system into a targeting system, a case should be brought before the International Court of Justice (ICJ). Such blatant violations of the core principles of humanitarian law must be punished. SJAC also recommends that the findings of the Secretary-General become public, and that the BOI attribute responsibility for these attacks so that accountability measures can be taken. It is imperative that there is a permanent and lasting ceasefire in areas of active hostilities from all sides. A ceasefire should be accompanied with close monitoring of any violations, with accountability measures taken against violators.

Detainees and Missing Persons

More than 100,000 people have been detained, abducted or gone missing since the start of the conflict, largely at the hands of the Syrian government.¹⁴ In 2019, the Syrian government continued its practice of arresting and detaining perceived political opponents, including political activists, humanitarian workers, and journalists. Detention has been particularly widespread in 'reconciled' territories, where long-term residents and recent returnees have been arrested regardless of their compliance with reconciliation processes. This follows a pattern from the last eight years whereby the Syrian government, as well as non-state actors, have been responsible for enforced disappearances and crimes committed at detention centers, including torture, sexual violence, and extra-judicial killings.

“Do you know what happens here?”

SJAC and other human rights organizations continue to document abuses in detention, largely through the collection of interviews with survivors. In 2019, SJAC published ‘Do You Know What Happens Here,’ which analyzes 50+ interviews with survivors to shed light on the use of sexual violence in government detention.

To a lesser scale, kidnapping and detention have become tools of control and financial coercion for non-state actors. In Idlib, Hayat Tahrir Al Sham (HTS) and other extremist groups have kidnapped wealthy civilians for ransom. They have also arrested, tortured, and killed political opponents as well as those deemed to be in violation of the group’s extreme interpretation of Islamic law.¹⁵ Similar violations, particularly financially motivated kidnappings and the arrests of Kurdish activists, have been reported in Turkish controlled territories, many attributed to the Turkish-affiliated Syrian National Army.¹⁶ There have also been some reports of detention by the Syrian Democratic Forces in Northeast Syria, including the August arrest of six humanitarian workers.¹⁷

In addition to ongoing arrests, thousands of civilians who were detained early in the conflict, or even before it began, remain unaccounted for. The territorial defeat of ISIS in the spring of 2019 left the families of those who had been detained by the group hopeful for the return of their loved ones; however, the majority remain missing. Recent rescues indicate that some detainees are still being held by individual ISIS members; many others lie in the mass graves scattered across former ISIS territory.¹⁸

Detainees themselves are not the only victims of the crime of enforced disappearances. The families of the missing face a unique emotional struggle, dealing with the uncertainty of their loved ones’ fates and processing this grief without the traditional ceremonies and social support that accompany a death in the family. Additionally, women with

missing husbands or fathers often face economic hardship and social exclusion in the absence of a traditional head of household.¹⁹

A number of important reports helped to raise the prominence of this issue in 2019. The Association of Detainees and the Missing in Sednaya Prison released a report on detention in the notorious Sednaya government prison, including details on the long-term psychological and physical toll of detention.²⁰ Physicians for Human Rights investigated the detention of medical workers specifically, publishing a report that included testimonies about the government’s use of torture to gather information about the location of hospitals and identity of medical workers.²¹ Similarities in the patterns of violations provide convincing evidence that abuses were committed pursuant to official governmental policies.

Resolving the issue of missing persons must be a cornerstone of any future justice process. All political detainees must be released, and international monitors must gain access to both government and non-state detention facilities. Families of the missing have the right to know their loved ones’ fates, and in the case of death, be given access to their remains and personal possessions. In the meantime, families need psychological support to deal with their loss, economic support to help replace lost income, and a missing persons law to allow spouses and children of the missing to access the missing persons’ property and deal effectively with legal issues during prolonged absences

Violations in Reconciled Areas

The Syrian government has now recaptured a majority of Syrian territory, either by direct military conquest or through local ‘reconciliation agreements’ with opposition forces. These agreements, in theory, offer a path for peaceful reintegration for rebels. But across reconciled areas, widespread reports of abuses and violations have emerged, suggesting that Damascus intends to use the framework of reconstruction and reconciliation to punish opponents and stifle dissent.

Under the agreements, opposition fighters and local residents were required to either evacuate to opposition-held Idlib, or accept government control

and submit to a vetting process by state security agencies.²² In its assessment of these agreements, SJAC has found that they fail to meet minimum standards of fairness expected in an amnesty.²³ The documents do not explicitly state the crimes and circumstances for which a signatory will not be prosecuted, nor do they provide provisions that would be binding on the government. Instead, participants are forced to sign away their basic rights, including freedom of speech and right to peaceful assembly. All males under the age of 42 are also required to complete their mandatory military service, despite the continuation of human rights violations carried out by the Syrian military.²⁴

Furthermore, amnesty is not a guaranteed to those who present themselves for the reconciliation process.²⁵ The government has arbitrarily detained and disappeared thousands of former fighters and opposition activists in reconciled areas. In Daraa, a local documentation center estimates that around 650-1000 people were arrested by pro-government forces in the 12 months following the July 2018 reconciliation agreement.²⁶ Some of those arrested had obtained clearance papers through the reconciliation process prior to their arrest.

Individuals who reconcile with the government also risk retaliation from opposition forces. In 2019, SJAC recorded 165 cases of targeted assassination

against reconciled individuals who joined or became informants for the government, in addition to 25 assassinations likely perpetrated by the government. Taken together, these widespread arrests, disappearances, and killings have perpetrated what locals describe as a “pervasive” sense of fear across government-held areas.²⁷

Reconciled areas are further mired by economic depravity. More than one year after reconciliation, residents in Daraa still lack access to basic necessities such as water, electricity, and education.²⁸ Whether by choice or lack of funds, the Syrian government has largely failed to rehabilitate infrastructure and provide essential services following the withdrawal of international organizations. Civilians have also been hurt by mass dismissals of civil servants who worked under opposition control.²⁹ Finally, reports in 2019 have provided new evidence of the government’s efforts to co-opt reconstruction efforts to serve its political objectives, by diverting international funds and restricting access to humanitarian actors.³⁰ Such actions by the state indicate that reconciled areas may suffer political and economic collective punishment for years to come. To prevent a full return to government oppression in these areas, open access for international monitors and impartial humanitarian actors is essential.



A displaced family in Idlib, Northwest Syria. June 2019. (c) Lens Young Dimashqi



A man bikes past a destroyed building. Eastern Ghouta, April 2019. (c) Lens Young Dimashqi

Property Rights Violations

In 2019, the Syrian government continued its policies of expropriation from Syrians who have fled the conflict, whether internally or to other states. The government has passed a series of laws, including Decree 66 and Law No. 10, which authorize the rezoning of residential areas for reconstruction, effectively expropriating lands without any compensation to those displaced.³¹ Although there are some provisions for notice, these are entirely inadequate to properly inform displaced landowners of their property rights and procedures to assert them. According to a report by *Syria Direct*, Syrian authorities have also ramped up the use of long-standing laws to deprive Syrians of their property in cases of suspected terrorism, interpreted broadly as anyone opposing the government. The Counterterrorism Court has issued orders to seize the property of medical workers, journalists, and members of the Syrian Civil Defense.³² An amendment to the Military Service Law in December 2019 imposes an \$8,000 fine for those not fulfilling the requirement for mandatory military service by age 42 and subjects the property of those in default to executive seizure.³³ As calls for reconstruction begin, the property rights of those displaced by the conflict remain in the balance.³⁴

SJAC has proposed that a property restitution framework be implemented and made a condition of any peace negotiations.³⁵

Further property rights violations arose as a result of Turkey's Operation Peace Spring in October 2019, which displaced an estimated 160,000 people, including 70,000 children, from Northern Syria.³⁶ Repeating a trend from prior incursions, Turkish-backed militias looted property and occupied homes in Turkish designated "safe-zones" within 20 miles of the Turkish-Syrian border.³⁷ The majority of properties looted and occupied belonged to Kurdish residents.

Turkey has suggested that it is planning a giant construction project in Northern Syria to resettle millions of Syrian refugees currently living in Turkey.³⁸ There is a significant risk that resettled Syrians will be forced into the homes of those who were forcibly displaced by Turkish-backed militias in so-called "safe-zones", creating an untenable situation and violating the property rights of displaced Syrians.

A third issue relates to recent admissions by the U.S. government concerning Syrian oil. Although the United States announced the withdrawal of its troops from Syria in October 2019, it quickly

reversed course and stated that it would maintain troops in Syria to protect oil fields.³⁹ According to legal experts, if the United States keeps Syrian oil for its own benefit, this would constitute pillage and a violation of IHL.⁴⁰ American officials later asserted that it had secured the oil fields to protect them from continued exploitation by ISIS, Russia, and the Syrian government, and that “the oil is being worked by the local authorities for the benefit of the local communities.”⁴¹ Whatever the case, the abrupt withdrawal and repositioning of U.S. troops to oil installations left the people in the region vulnerable to further abuses from the remaining powers.

Forced Returns

Millions of Syrian asylum seekers were put at increased risk of forced return to Syria under new refugee policies in Turkey, Lebanon, and Europe, and deteriorating conditions in Rukban camp

Turkey passed a series of policies in mid-2019 requiring all Syrians to return to their provinces of registration in Turkey, which displaced nearly 100,000 Syrians from Istanbul alone. As part of the crackdown, sweeping police raids and checkpoints in public spaces instilled widespread fear among refugees.⁴² A report by Amnesty International estimates that hundreds of Syrians were subsequently detained and deported to Northwest Syria into areas of active conflict.⁴³ Many of those deported state that prior to their deportations, they were forced to sign “voluntary return” documents under intimidation and coercion by Turkish authorities.⁴⁴ In October 2019, Turkey and Russia concluded an agreement authorizing Turkish control over a 20-mile wide and 75-mile long “safe zone” in Northeast Syria.⁴⁵ If carried out, Turkey’s plans to resettle one million Syrian refugees in the area would constitute forced repatriation on a massive scale.⁴⁶

In Lebanon, refugees were pressured to return through both direct and indirect means. Two decisions issued by the Supreme Defense Council (on April 15) and General Director of the General Security (on May 13) made it possible for Lebanese authorities to deport Syrians who entered the country irregularly.⁴⁷ As a result, nearly 2,500 Syrians were deported to Syria between May and August

2019, the majority to areas under government control.⁴⁸ Additional government decrees that have dismantled refugee shelters and heightened employment restrictions, along with anti-Syrian rhetoric from leading Lebanese politicians, forced many to return to Syria despite the risks.⁴⁹

In 2019, three-fourths of the population of Rukban camp on the Syrian-Jordanian border was forced to leave as conditions deteriorated to bleak levels under Syrian blockcade. By September 2019, only 12,700 residents remained.⁵⁰ In February 2019, Russia announced it would establish a humanitarian corridor to allow residents to return to government-held areas, opening the way for a rapid exodus of starved residents. Calls by inhabitants for transfers to opposition held areas, however, have remained unanswered.⁵¹ Russia had announced that it would begin dismantling the camp, a decision immediately rejected by the camp committee.⁵² With the issue at a standstill, the fate of residents remains precarious

Consequently, Syrian asylum seekers have again looked to Europe as a refuge despite worsening conditions there for refugees.⁵³ In February 2019, Danish Immigration Service decided that Damascus is now safe for return, meaning that origin in Damascus is no longer sufficient basis for an asylum claim, putting at risk the status of thousands of Syrians.⁵⁴ In August 2019, Sweden followed in Denmark’s footsteps, announcing that the government will no longer offer automatic protected status to new arrivals coming from Damascus and a number of other governorates.⁵⁵ While Syrians in these countries are not at immediate risk for deportation, the policies set a dangerous precedent.

As highlighted in this report, Syrians who return face death and displacement in areas where the conflict remains active, while returnees to government held areas are at risk of arbitrary detention, disappearances, assassinations, forced conscription, and deprivation of their livelihoods and basic needs. Forced returns thus violate international law, including the principle of *non-refoulement*. SJAC calls on host countries to reverse such discriminatory programs, uphold the right to voluntary return of refugees, and respect the principle of *non-refoulement*, with support and financial assistance from the international community.



Justice Efforts

Justice Efforts

Universal Jurisdiction Prosecutions

In 2019, Special War Crimes Units in Europe have actively pursued a number of cases involving those responsible for atrocity crimes in Syria (SJAC has compiled a list of 92 cases, which can be accessed in Annex I). This has helped to fill a judicial vacuum left by the international community. Syria is not a state party to the Rome Statute, and Russia and China have vetoed UN Security Council referrals to the International Criminal Court (ICC).⁵⁶ This deprived the ICC of jurisdiction to investigate crimes committed during the conflict which is now entering its tenth year. The international community has also failed to create an *ad hoc* tribunal – such as those for Rwanda and the former Yugoslavia – which might be expected given the scale of crimes committed, including crimes against humanity, war crimes, and genocide. The remaining alternative is prosecutions initiated by national authorities pursuant to domestic laws giving authorities the jurisdiction to investigate serious crimes committed outside their national borders, known as universal jurisdiction.

Universal jurisdiction can permit the prosecution of crimes with no connection at all with the prosecuting state. The last ten years have seen a dramatic rise in the number of such cases globally, including cases involving Syria.⁵⁷ Special war crimes units have been created in numerous, mainly European, states with the purpose of prosecuting international crimes and/or terrorism-related offences.⁵⁸ These units are constrained by their own national mandates – which include varying jurisdictional requirements – as well as resources allocated by their national governments. Many of these units coordinate their work through the Genocide Network, an organization convened biannually in The Hague to share information and discuss areas of mutual interest.⁵⁹

In the case of crimes committed in Syria, prosecutors are more likely to take up a case if either the victim(s) or perpetrator or both are located in

the country. For example, in 2019 France sentenced several former ISIS fighters residing in France on terrorism related charges.⁶⁰ Likewise, an alleged commander of Jabhat al-Nusra was arrested in the Netherlands in May on charges of committing war crimes as well as terrorism.⁶¹ Universal jurisdiction has therefore opened a window of opportunity for Syrian victims, providing a venue for the prosecution of some crimes committed in Syria. Notably, the case selection has skewed towards lower-level perpetrators and members of extremist organizations rather than those most responsible or members of the Syrian government, and this has been a source of frustration in the Syrian community.⁶² One reason for this bias is the fact that few Syrian government officials reside in the European states pursuing universal jurisdiction cases.

This begs the question as to what is the most appropriate prosecutorial strategy for achieving justice in the realm of international crimes committed in Syria. The default strategy has been a “no-safe-haven” approach whereby states prevent the use of their territory for suspects of international crimes.⁶³ As noted above, this is illustrated by the prosecution of former fighters present in Europe. By contrast, the “global-enforcer” approach prioritizes the investigation of the most serious criminals regardless of the location of the crime or the accused. One example of this latter approach is the German prosecutor’s unsuccessful attempt to seek extradition of Jamil Hassan, the chief of Syria’s Air Force Intelligence Directorate from Lebanon where he was seeking medical treatment.⁶⁴ Special War Crimes Units should balance the “Global-Enforcer” and “No-Safe-Haven” approaches to pursue those most responsible for atrocity crimes as well as those present in their states.

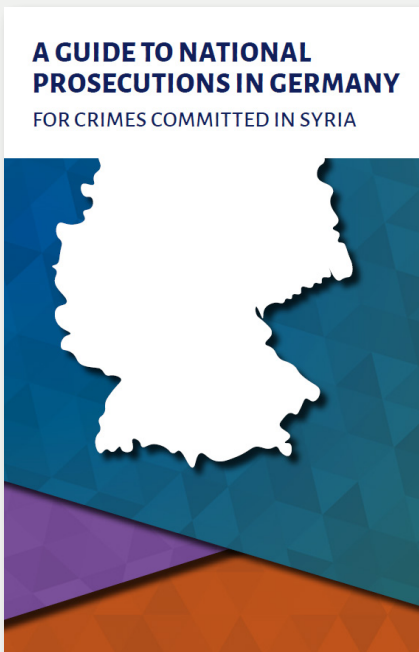
A significant development in 2019 was the confirmation of charges in the case of Anwar R. and Eyad A. who were arrested in Germany in February 2019.⁶⁵ Anwar R. worked in the General Intelligence Al-Khatib Branch in Damascus until 2012 and is charged with complicity in torture of at least 4,000

people between 2011 and 2012, resulting in the deaths of 58 people and including cases of sexual violence.⁶⁶ The European Centre for Constitutional and Human Rights, as well as the Caesar Files Group, helped to coordinate complaints by Syrian victims and made submissions to the German investigators. The trial is scheduled to begin in early 2020 and could be significant in shedding light on systems of abuse, as it will be the first trial of a high-level Syrian government official. However, there has been some debate in the Syrian community as to whether the prosecution of Anwar R. constitutes justice given that he defected from the government in 2012 and ultimately joined the opposition.⁶⁷ This will likely form part of Anwar R.'s legal defense and argument in favor of sentence mitigation.

Further efforts were underway in 2019 in cases seeking to bring to justice corporate entities allegedly complicit in war crimes or terrorism. In November, charges for complicity in war crimes were upheld by the Court of Appeal in Paris against

the cement company Lafarge (now LafargeHolcim), although charges for complicity in crimes against humanity were dismissed.⁶⁸ Leaked documents from the company showed that it had purchased fuel from ISIS and paid ransoms to free Alawite workers (while ignoring hostages of other groups), among other allegations.⁶⁹ In a setback for efforts by NGOs to pursue accountability on behalf of victims, several organizations were denied civil party organizational status by the Court for reasons that remain unexplained, since the decision was not made public.

In addition to the Lafarge case, there is an ongoing criminal investigation in France against the technology company Qosmos for complicity in acts of torture by providing and installing large-scale electronic surveillance equipment for the Syrian government.⁷⁰ It is unclear whether this case made any meaningful progress in 2019 due to the requirements of confidential investigations in France. As there was no announcement of a



SJAC's Efforts to Support Universal Jurisdiction Prosecutions

Since 2014, SJAC has counted universal jurisdiction prosecutions as the most viable option available for justice and accountability for Syrians, until an international body is given prosecutorial authority. Throughout 2019, SJAC provided access to relevant and reliable evidence to Special War Crimes Units in France, the Netherlands, Sweden, Germany, and the United Kingdom to support investigations and/or prosecutions of serious crimes arising out of the Syrian conflict.

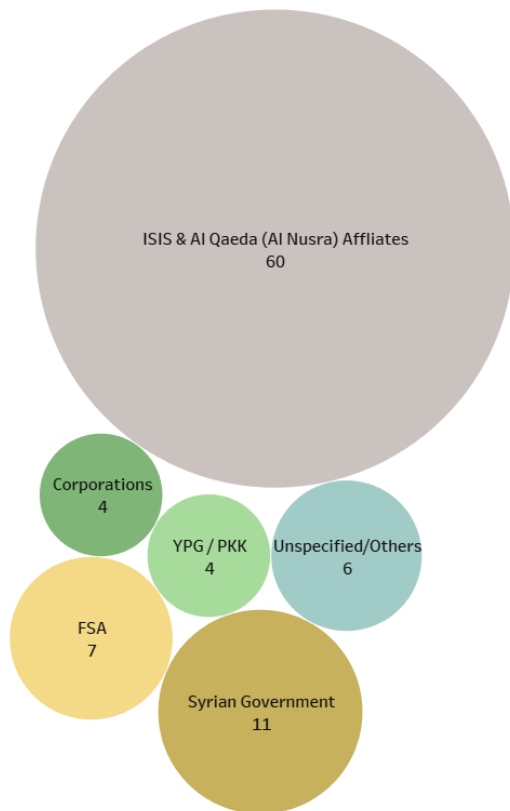
Victims also have the right to engage with such prosecutions to bring complaints against perpetrators and, in some cases, to seek reparations for crimes they suffered. In 2019, SJAC published a series of universal jurisdiction guides for six states that have undertaken universal jurisdiction prosecutions. These guides are available in Arabic and English in an effort to apprise Syrians of their rights, help them understand how universal jurisdiction prosecutions work, and encourage them to bring relevant information, investigative leads, and evidence to Special War Crimes Units that can put them to use in accountability processes. SJAC launched the guides at an event held in Berlin given Germany's large population of Syrian refugees and its centrality in pursuing justice for Syrians through universal jurisdiction cases. SJAC continues to build relationships with prosecutors, to share information, and to advocate for the prosecution of such cases in an effort to obtain justice for Syrian victims.

Read the guides at: syriaaccountability.org/universal-jurisdiction

dismissal, it can be presumed that the case remains open.

Given their strong contribution to fighting against impunity, and particularly in the absence of any international tribunal with jurisdiction to address Syrian war crimes, states should fully-fund (and create) special war crimes units to investigate and prosecute crimes against humanity, war crimes, and genocide.

International human rights lawyers have also begun testing whether the ICC's recent decision on Myanmar's treatment of Rohingya Muslims can be used as a precedent to bring the Syria case to the ICC. In November, ICC judges authorized the opening of an investigation into the situation in Bangladesh/Myanmar, based on the rationale, that even though Myanmar is not a State Party to the ICC Statute, the ICC has jurisdiction over the crime of deportation to Bangladesh because the latter is a State Party.⁷¹



SJAC has compiled a list of 92 Syria-related universal jurisdiction cases from publicly available sources (see Annex I). In the figure above, cases are broken down by the affiliation of alleged perpetrators. The large majority of cases have prosecuted members of extremist groups.

In March 2019, Guernica 37 filed a communication with the ICC Prosecutor arguing that the ICC should open an investigation into the deportation of civilians from Syria to Jordan, based on Jordan's status as a State Party to the ICC Statute. There are a number of obstacles to opening and successfully pursuing an investigation at the ICC regarding the Syrian conflict, including the prosecution's ability to establish the intent of the Syrian government to forcibly displace civilians across an international border, and Jordan's own willingness to cooperate with an ICC investigation. Nevertheless, these developments may signal new openings for Syrians to pursue symbolic, as well as concrete, justice on the international stage.

Prosecuting ISIS

In March 2019, ISIS lost its final remaining territory in Syria, raising the question of how to administer justice to the ISIS fighters and their families captured during hostilities. There are an estimated 11,000 men in SDF prisons in Syria, with 2,000 or more of those being foreign fighters from about 50 different nations.⁷²

Coalition states have failed to provide a coordinated response to the problem. With no public support to repatriate fighters back home, France has proceeded with trials *in absentia* and is negotiation with Iraq to have French fighters prosecuted in Iraq courts.⁷³ For its part, Sweden proposed an international tribunal be created to prosecute foreign ISIS fighters in the region (presumably Iraq or a neighboring state).⁷⁴ SJAC joined a number of other groups in opposition to the proposal as a case of selective justice and there has been little movement on the proposal since June.⁷⁵ Though this group of foreign fighters is a relatively small part of the overall contingent of ISIS fighters, there remain worries that if left in the region, fighters could build a resurgent ISIS organization. Others remain concerned that if fighters are returned home, they will commit acts of terrorism.⁷⁶ SJAC has taken the position that states should repatriate their nationals who committed war crimes or terrorism in Syria for prosecution or to serve out their sentences in their home countries.⁷⁷ Appropriate safeguards should be put in place to ensure that returned fighters do not commit offenses pending trial.



(Photo) A sign reads: “The Islamic State- Al Baraka Province. The Islamic Police in Ash Shadadi. Al-Shaddadah, 2019. Zana Omar (VOA) [Public Domain]

In January 2020, SJAC published the report **“Judge, Jury and Executioner: The ISIS Bureau of Justice and Grievances”** unveiling the culpability of a previously unknown organ of the ISIS hierarchy, the Bureau of Justice and Grievances, and calling upon the international community to prioritize the prosecution of members of the Bureau, in addition to ISIS fighters, to achieve complete justice.

Inside Syria, Kurdish authorities have created *ad hoc* anti-terrorism tribunals known as the “Defense of the People” courts to prosecute Syrian and Iraqi ISIS suspects accused of committing crimes in Syria.⁷⁸ As of April 2019, these courts, characterized by a panel of three judges, have tried and sentenced over 7,000 ISIS suspects with nearly 6,000 still awaiting trial.⁷⁹ Aspiring to meet international human rights standards, gain legitimacy, and encourage Arab-Kurdish reconciliation, the courts have abolished the death penalty, prohibited torture, prioritized reconciliation and leniency, and implemented reforms such as establishing appeals courts and providing defense lawyers.⁸⁰

However, with limited resources, they have basic capabilities, lacking effective documentation methods or forensic evidence and a detention facility for female suspects.⁸¹ Convictions have therefore largely stemmed from confessions following the capture of suspects on the battlefield, and the discovery of incriminating photos and videos on their phones.⁸² Moreover, most suspects

have been convicted of violations of terrorism laws rather than substantive crimes, which require significantly more evidence than available.⁸³ Thus, fighters may be convicted for the same crime despite varying degrees of personal culpability and participation in specific acts. The harshest sentence is life-in-prison, which carries with it a maximum 20-year sentence⁸⁴

Ultimately, jurisdiction is the greatest hurdle to successful judicial processes in Northeast Syria. International recognition and support for trials in Syria are complicated by the SDF’s status as a non-state actor. Meanwhile, the Syrian government has deemed the judiciary in Northeast Syria “illegal” and issued arrest warrants for judges and staff⁸⁵ Lack of jurisdiction specifically affects the large number of foreign fighters held in Kurdish prisons.⁸⁶ With no jurisdiction over these suspects, reluctance to bear the burden of trying foreign citizens, and unwillingness of foreign countries to repatriate their citizens, such suspects have been sent to Iraq to face trial as the Iraqi law confers

jurisdiction in such cases where foreign nationals commit crimes affecting Iraq.⁸⁷

However, ISIS proceedings in Iraqi courts have been rife with due process violations, including the extensive use of torture.⁸⁸ While judiciaries of the Iraqi government and the KRG similarly try ISIS defendants under their respective counterterrorism laws, Iraq's 2005 counterterrorism law authorizes death sentences and life in prison based solely on vague definitions of terrorism.⁸⁹ Iraqi courts are known for harsh and swift verdicts based on revenge.⁹⁰ Described as 'five-minute trials,' proceedings are often characterized by their reliance on coerced confessions and low evidentiary standards, and the deprivation of basic rights for defendants, including their rights to legal representation and an opportunity to confront their accusers.⁹¹

Meanwhile, tens of thousands of ISIS women and their children are also being detained in makeshift camps in Northeast Syria. Without sufficient evidence for prosecution, and fearful that some inhabitants remain loyal to ISIS, the SDF has continued to detain them without due process or plans for future release, effectively leaving detainees in legal limbo. Coalition states have failed to provide local authorities with adequate support, allowing camp conditions to deteriorate to deplorable levels. Conditions have been especially dire in Al Hol, an internment camp of some 70,000 women and children associated with ISIS. Since April, 500 inhabitants, including more than 300 children, have died from malnutrition, hypothermia, and poor healthcare in Al Hol.⁹²

At present, the current situation is untenable for SDF authorities charged with securing a massive number of detainees with minimal support. As a first step, the international community has a responsibility to repatriate their citizens, both to ensure fair trials and to prevent their return to resurgent extremist groups. An international mechanism should be established to monitor ISIS trials for Syrians and Iraqis in their respective countries to, at minimum, prevent torture, arbitrary death sentences, and other serious violations. The international community should also provide support for SDF authorities to relieve conditions in Al Hol and other detention camps for ISIS families.

United Nations Efforts

The International, Impartial and Independent Mechanism (IIIM) was established by the UN General Assembly and tasked with assisting in the investigation and prosecution of persons responsible for the most serious crimes committed in Syria since March 2011. In April 2019, the Head of the IIIM informed the General Assembly that the IIIM has created a "central repository" of information to support the prosecution of cases and that two case files have been opened, including one that relates to a domestic criminal process.⁹³ In June, the IIIM met in Switzerland with SJAC and other civil society groups, including victims organizations, to share information and discuss best practices. In December, regular annual funding of about \$18 million was secured for the IIIM over the objections of Syria and Russia.⁹⁴ With full funding secured, the IIIM should focus its efforts on building cases against those most responsible for war crimes in Syria, including government and organizational leaders, as these cases require significant time and resources to build. This would complement the work of prosecutors who are pursuing universal jurisdiction cases, often against low-level perpetrators living in Europe.

In its most recent report, the **Organization for the Prohibition of Chemical Weapons (OPCW)** noted that an assessment team was deployed to Syria in October 2019 and will report its findings to the Executive Council in due course.⁹⁵ A separate team, the Identification and Investigation Team, was established to identify those responsible for the use of chemical weapons in Syria, and will submit its next progress report to the Council in March 2020.⁹⁶ The report should be made public and those responsible for chemical weapons attacks against civilians should be named.

Under the mandate of the UN Human Rights Council, the **Independent International Commission of Inquiry (COI)** on the Syrian Arab Republic published reports in February and September 2019. The first report highlighted significant risks to civilians due to ongoing hostilities in Idlib, western Aleppo, Afrin, and Deir Ez-zor governorates, particularly arbitrary detention and enforced disappearances perpetrated by pro-government forces, armed groups, and criminal gangs.⁹⁷ Noting that the current situation does not

allow for the safe return of internally displaced persons and refugees, the Commission emphasized the need for:

- Unimpeded access to humanitarian and medical relief for civilians;
- Genuine guarantees by all parties that returnees will not face persecution or any other form of mistreatment;
- The immediate disclosure of the fates of the detained, disappeared and missing individuals, and the release of arbitrarily detained persons;
- The restoration of critical infrastructure and access to basic services; and
- Efficient, accessible, and affordable mechanisms to address housing, land and property issues.⁹⁸

The September 2019 report highlighted the ineffective provision of basic services in Dar'a, Douma, and eastern Ghouta (Rif Dimashq) and called for the Syrian government to allow unconditional access for independent monitors and humanitarian organizations to all places of detention. The Commission also recommended that the international community suspend sanctions that directly harm the Syrian population, in particular the realization of children's rights. Additionally, it pressed the U.S.-led coalition to conduct post-operation reviews and investigations, ensuring transparency by publishing results, in response to allegations of civilian casualties from aerial and night operations.⁹⁹

In September, Russia, Turkey, and Iran announced that an agreement on the composition of a **Syrian Constitutional Committee** was reached between the Syrian government and opposition parties.¹⁰⁰ The formation of the Committee, first begun under UN Security Council Resolution 2254 in 2017, is seen as a cornerstone of the Geneva peace process. Its objective is to amend the current Constitution of Syria or to adopt a new one, though its decisions are not binding under Syrian law. The September announcement was initially hailed as a breakthrough, but talks in Geneva were unsuccessful after government and opposition representatives failed to agree on an agenda for the

session.¹⁰¹ No date has been set for a future meeting nor has any agreement been reached as to whether transitional justice would be on the agenda



A man fuels his car in Damascus, August 2019.
(C) Lens Young Dimashqi

Economic Sanctions

The sanctions regime applied to Syria is widely acknowledged as one of the most comprehensive and extreme ever imposed.¹⁰² Sanctions have been imposed by the U.S. Office of Foreign Assets Control (OFAC), Her Majesty's Treasury (UK), the European Union, the United Nations, and several other regulatory entities.¹⁰³ Currently imposed sanctions include trade restrictions, travel bans, and asset freezes on Syrian officials, in addition to a ban on Syrian investments by private persons.¹⁰⁴ Sanctions have been further imposed on the sale, transfer, supply, or export of 'jet fuel' and 'fuel additives' to Syria since January 2015.¹⁰⁵ The sanctions regime continues to preclude most business activities from US and European companies in Syria.

In February 2019, the EU issued new sanctions against several Syrian businessmen and companies operating inside the country. On May 2019, the Council of the EU extended EU restrictive measures against the Syrian regime until June 2020. The Council also removed one entity from the list as there were "no longer grounds to keep it under

restrictive measures.”¹⁰⁶ The list now includes 269 persons and 69 entities targeted by a travel ban and an asset freeze for “being responsible for the violent repression against the civilian population in Syria, benefiting from or supporting the regime, and/or being associated with such persons or entities.”

In December 2019, the U.S. Congress passed the National Defense Authorization Act of 2020, which included a section known as the Caesar Syria Civilian Protection Act, authorizing additional sanctions and financial restrictions on institutions and individuals doing business with the Syrian government. The new law authorizes the imposition of sanctions against the Syrian government, as well as businesspersons who have economic ties to the government, the security sector, the central bank, or state-run infrastructure, including airlines, energy agencies, and construction projects.¹⁰⁷

Consequences for the Syrian economy

The sanctions regime has caused fuel and other shortages as well as a broader economic downturn.

In November 2018, OFAC issued an advisory sanctioning Iranian and Russian private and public sector entities involved in procuring Iranian oil for Syria. The advisory contributed to Syria’s most serious gas crisis in recent years, causing insurance companies to cut ties with vessels going to Syria and ships to halt cargo shipments to the country. In response, the Syrian government asked prominent businesses to buy vessels and transport gas from Iran and Russia, uninsured. The cost of shipping has now soared.¹⁰⁸

A financial crisis in Lebanon has further worsened the Syrian economy, as Syria’s banking ties to Lebanon have increased substantially throughout the conflict. Lebanese banks have imposed tight controls on currency withdrawals and transfers abroad, which has effectively halted financial flows from Syria to Lebanon.¹⁰⁹

The Syrian pound has lost more than 50% of its value since the beginning of 2019.¹¹⁰ There have been record hikes in key goods such as sugar and rice, while blackouts in government-held areas have increased amid fuel shortages.¹¹¹ In January 2020, the Syrian pound traded at 1,250 Syrian pounds to the dollar, compared to 47 Syrian pounds to

the dollar before the conflict began in 2011.¹¹² In parallel, there has been hyperinflation, with prices increasing more than 22-fold since the start of the war, or by 2,400 percent.¹¹³ A kilo of sugar now costs SP600, compared to SP250 in September 2019, while one kilo of lamb meat jumped to more than SP12,000, after it was approximately SP7,000.¹¹⁴

As of January 2020, the average monthly wage of workers in the public sector ranges between \$90-180 (SP20,000-40,000), and in the private sector between \$460-700 (SP100,000-150,000). The minimum income needed to provide the basic monthly necessities is SP 100,000. Studies and reports confirm that more than 93 percent of Syrians live below the poverty line.¹¹⁵

Further, sanctions inadvertently hinder the work of humanitarian actors in Syria. Burdensome bureaucratic red tape, increased legal costs, fears of violations from foreign suppliers, and wide definitions of dual-use products in sanctions have created a ‘chilling effect’ that has limited aid organizations’ access to critical supplies in Syria, including life-saving cancer medication and hospital equipment.¹¹⁶ Although medical imports are supposedly exempt from western sanctions, aid workers on the ground in Syria say that “the indirect effect of sanctions [...] makes the import of medical instruments and other medical supplies immensely difficult, nearly impossible.”¹¹⁷

With little evidence that such widespread sanctions achieve their intended policy objectives, the impact they wreak on the lives of Syrian civilians is of significant concern. Sanctions can be a powerful tool to coerce countries into changing policy, for example by disrupting the practical ability of the government to wage war or by incentivizing countries to negotiate and make concessions in exchange for the lifting of sanctions. Targeted sanctions, particularly related to reconstruction efforts, have the potential to be effective to justice efforts in Syria.¹¹⁸

However, as SJAC has previously emphasized, sanctions against the Syrian government since the outset of the current conflict have had little effect on government action and policy.¹¹⁹ Even targeted sanctions against specific regime allies, like Rami Makhlof, have proved ineffective as a result of

SJAC's Database

Since its creation, SJAC has devoted a significant portion of its resources to building a database of documentation from social media and other digital sources, as well as documenters working on the ground. To date, SJAC's database has preserved more than one million videos on the Syrian conflict, and its team of data analysts has assessed and labeled more than 229,000 videos and 149,000 actors. The processed data is organized into a *relational database*, which allows users to identify and view relationships between related data. So far, around 5,000 videos have been identified as “high priority”, containing critical evidence of violations. SJAC has utilized its database to find relevant data in response to requests made by national prosecutors in Europe. SJAC also shares its data with the International, Impartial and Independent Mechanism (IIIM). Beyond criminal prosecutions, SJAC works with the belief that the preservation and analysis of digital data will be critical to a range of transitional justice efforts in the future, including truth-telling and memorialization.

a lack of sufficient cross-border cooperation and political will.¹²⁰

Economic sanctions must therefore be viewed as an instrument of statecraft and one aspect of a larger diplomatic strategy, rather than a substitute for accountability.¹²¹ Justice cannot be achieved by sanctions alone. While sanctions regimes are a form of punishment that achieve some level of retribution, they fail to compel truth or prevent recurrence and are far removed from victim-centered processes of transitional justice. As such, to achieve real accountability, economic sanctions must be implemented in tandem with genuine political will to encourage a negotiated transition and proper opportunities for redress.

Open-Source Documentation Efforts

Given that millions of videos of potential violations have been recorded by Syrians during the conflict, open-source documentation has become an important source of evidence for identifying perpetrators, ascertaining the fate of loved ones, and creating an historical record.¹²²

Organizations like Syria Archive and SJAC have scraped millions of videos from sources such as YouTube and Facebook in an effort to identify perpetrators and incidents that violate international law as well as to share relevant videos with

authorities with the capacity to pursue justice and accountability. These organizations face a Big Data problem in attempting to differentiate potentially useful information from other noise. SJAC has created a purpose-built database to permit its human reviewers to screen videos, to identify those most relevant to particular investigations, and to find and record relationships between different sources.¹²³ This has proved useful to information sharing efforts with prosecutors and UN entities.

In-depth reporting by journalists has also relied upon open-source videos to attribute responsibility for unlawful attacks. For example, in 2019 the *New York Times* Visual Investigations Team explained how it collected hundreds of photos and videos from social media channels to find visual evidence of the bombing of Syrian hospitals and to link these attacks to Russian pilots.¹²⁴

One significant challenge posed to documentation efforts is the gradual removal of important sources of evidence by social media companies. YouTube and Facebook continue to use automated tools to delete videos that may violate their terms of use, such as the inclusion of extremist content. However, automated removal often deletes videos that are of high value in the transitional justice context. Syria Archive estimates that 10% of videos documenting violations in Syria in 2017 were deleted.¹²⁵

Other social media applications have become important in documentation efforts as they have been adopted by Syrians. For example, in 2019 the messaging app Telegram became an important tool for documenting violations committed by Turkish-supported militias operating in Northern Syria.¹²⁶ Documentation organizations are thus adapting their methodologies to capture information available on different platforms.

Field Documentation Efforts

While open-source documentation offers valuable evidence, documentation from the field, often in the form of first-hand testimonials and interviews with witnesses and survivors, remains integral to understanding ongoing violations, pursuing accountability, and creating a historical record of the conflict.

In 2019, a wide network of Syrian groups continued to document current violations, as well as collect new evidence on violations from throughout nine years of conflict. SJAC's team on the ground in Syria and neighboring countries continues to collect interviews with survivors, with a special focus on former detainees and survivors of sexual and gender-based violence. The territorial defeat of ISIS in 2019 created new opportunities for SJAC and its peers to access and interview survivors of ISIS crimes, including Yazidi women and children who were kidnapped by ISIS and are now returning home. In 2019, SJAC collected 112 interviews with Syria victims, including 19 interviews with survivors of sexual and gender-based violence.

Among SJAC's partners, Justice for Life (jfl.ngo) is working to document violations occurring in Deir ez-Zor and Eastern Syria, while Human Rights Guardians (hrguardians.org) focuses on documenting enforced disappearances and extra-judicial killings through interviews with victims' families. Syrians for Truth and Justice (stj-sy.org) collected a wide variety of documentation from across Syria in 2019, releasing 42 thematic reports on topics including malnourishment in IDP camps, detainees who died in Syrian security services' detention facilities, and the forced return of refugees from Turkey. These groups represent a small fraction of the organizations and individual activists who are continuously working to collect field documentation.

Field documentation can be extremely risky, both for the organizations and activists that collect it, and for the survivors and witnesses that share their stories. Safely conducting documentation

“Walls Have Ears”

In May 2019, SJAC released “*Walls Have Ears*”, a report based upon SJAC's analysis of 5,000 pages of documents obtained from intelligence agency offices that were abandoned by the government during the Syrian war. The analyzed documents provide a unique, contemporaneous record of the decision-making processes of the Syrian intelligence agencies, exposing not only serious human rights violations but also the extent to which these agencies permeate every aspect of Syrian life.



The First Responders' Team exhume the remains of a body in Raqqa. (C) First Responders Team, 2019

is particularly challenging within government-controlled areas, a challenge that increased in 2019, as the government continued to reclaim territory. Not only must organizations be vigilant when conducting interviews, but they also must maintain strict digital security measures to ensure that the names of survivors who cooperate with them remain confidential.

Collecting interviews also poses a psychological risk for survivors, who are forced to relive difficult experiences. Documenters must always prioritize the health of survivors, providing a detailed explanation to interviewees as to the content and purpose of an interview before it begins, and ensuring that they understand that they have the right to end an interview at any time.

In order to address these challenges and to ensure that interviews are of sufficient quality for use by justice mechanisms, SJAC has created a documentation training program that provides technical training on how to conduct interviews to SJAC team members and partner organizations. In 2019, SJAC offered trainings on universal jurisdiction, documentation of sexual and gender-based violence, documentation of violations related to detention, and maintaining physical safety and security. These trainings are made available to

human rights organizations and activists working in Syria and beyond.

Field documentation can be effective in support of public advocacy efforts, but it will only be useful for criminal accountability if shared with authorities with relevant jurisdiction. That is why SJAC and other groups are sharing field documentation with investigators and prosecutors with such capacity. A looming question remains as to who will be left to shape the broader historical narrative of the conflict. Creating a comprehensive and publicly accessible archive of documentation from the Syria conflict will be key to this process.

Exhuming Graves in N.E. Syria

ISIS's crimes in Northeast Syria resulted in a network of mass graves containing the remains of thousands of unknown victims. Families of these victims have the right to know the fate of their loved ones and reclaim their remains. These graves could also contain valuable evidence of ISIS's crimes.

In early 2018, the First Responders' Team (FRT) formed in order to recover bodies left among the rubble in the aftermath of the Global Coalition's bombings. Shortly thereafter, their work expanded to also include the exhumation of mass graves. By December 2019, twenty-two graves had been

discovered and exhumed in Northeast Syria, containing a total of 3,700 bodies. An additional 1,900 bodies have been recovered from the rubble or in ad hoc graves created under coalition bombardment.¹²⁷ While bodies have been relocated in order to protect public health and allow for the reclamation of grave sites, the exhumation process has involved limited documentation. Overall about 500 bodies have been identified, but the vast majority of these were removed from the rubble or temporary graves. Only a handful of remains removed from mass graves have been successfully identified. The First Responders' Team is doing extraordinary work in extremely difficult circumstances, but they lack technical expertise on preserving and documenting remains, risking the possibility of damaging the bodies and complicating future efforts at identification.

In the winter of 2019, SJAC and the Argentine Anthropology Team (EAAF) began providing technical trainings in forensic anthropology and documentation to the first responders. The EAAF has over thirty years of experience in mass grave exhumation, dating back to Argentina's own search for the missing after the Dirty War of the 1970s and 80s. While the drawdown of U.S. troops in October of 2019 prevented EAAF team members from travelling to Raqqa, EAAF has provided a series of custom training videos and participated in a remote discussion with the FRT. These technical trainings are being provided in addition to psychosocial support to help team members manage the traumatic nature of their work.

EAAF plans to work with SJAC and the FRT in 2020 to expand the training program and help restructure the FRT to allow for more in-depth trainings. Currently the majority of team members have the same job description and are receiving identical trainings. Creating sub-team specializations will allow team members to increase the quality of their work and receive trainings in specific areas, such as how to map grave sites or photograph remains and accompanying personal objects.

The expanded expertise of the first responders will allow for more thorough documentation of these graves, with the long-term goal of identifying remains and collecting evidence regarding the crimes committed. While this work is currently

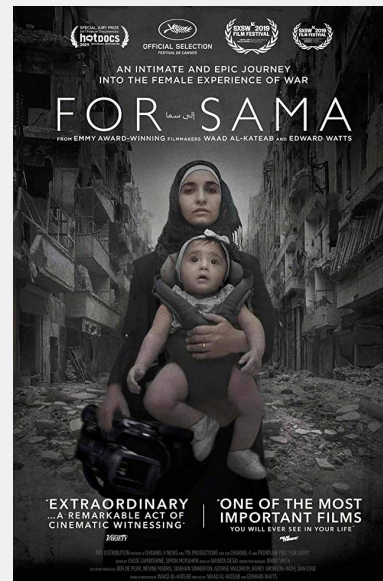
taking place in Northeast Syria, where the security situation is more stable, graves have also been discovered in Idlib and elsewhere in the country. Building the forensic capacity of Syrians to exhume and investigate these sites will lay the groundwork for future investigations of graves across the country.

Victims and Families Activism

Syrian victims and their families are taking a leading role in setting the agenda for justice processes and ensuring that crimes committed in Syria are not forgotten. Organizations made up of victims and their families are uniquely positioned to become effective advocates. As public interest in the Syrian conflict fades among false narratives that the conflict has ended, families and survivors serve as tireless advocates, sustaining the long-term momentum that is key to achieving meaningful justice. The direct involvement of families and victims is also vital to the effectiveness of justice mechanisms. Victims often possess integral information about the crimes they suffered, making their direct participation in trials a cornerstone of accountability mechanisms. They are equally necessary to inform other transitional justice mechanisms, ensuring that such mechanisms will effectively and meaningfully address their needs, and not the priorities of outside observers or funders. In the almost nine years of conflict in Syria, a wide variety of victim and family led groups have formed. The majority of these groups represent former detainees and the families of those who remain missing, which remains a key human rights concern for many Syrians.

In 2019, families of the missing and former detainees continued to tell their stories on the international stage. Below is just a small sample of some of the important work done this year. Many other victims' groups not mentioned continue to do vital work in advocacy, documentation, and humanitarian aid provision.

Families for Freedom is a group of families of the missing working tirelessly for the release of all detainees. Their ongoing activism ensures that Syria's missing and the violations they suffer are not forgotten on the international stage. In March 2019, when policymakers gathered for the Brussels III Conference on 'Supporting the Future of Syria and the Region,' Families for Freedom brought



From left to right: Film posters for *Douma Underground*, *The Cave*, and *For Sama*

Films as Memorialization

In 2019, three documentaries by Syrian filmmakers drew international attention and praise. *For Sama*, *The Cave*, and *Douma Underground* document the lives of civilians and medical workers living under siege. Two of the films, *For Sama* and *The Cave*, are told from female perspectives, shedding light on experiences often ignored in reporting on the Syrian war. At a time when international audiences have grown increasingly desensitized to violations occurring in Syria, the films offer visceral experiences that have shaken audiences and brought renewed focus on the suffering of civilians in the Syrian conflict. *For Sama* and *The Cave* have subsequently received Academy Awards nominations, with the former also winning the BAFTA for best documentary after becoming the most nominated documentary in the award's history.

their 'freedom bus,' bearing the faces of Syria's missing people. They held demonstrations in front of the conference, reminding attendees that any discussion of Syria's future must include freedom for detainees.¹²⁸ On August 7, shortly after the adoption of a new UN Security Council resolution calling upon states to search for those missing due to armed conflict, the UNSC held its first ever briefing on missing persons in Syria. Two activists with Families for Freedom, Amina Khouli and Dr. Hala Ghawi, spoke about their missing loved ones and the horrific crimes documented in Syria's prison facilities.¹²⁹

The Association of Detainees and the Missing in Sednaya Prison is made up of former detainees and families of missing detainees who were held in Sednaya Prison, one of the Syrian government's most notorious detention facilities. The Association advocates for the release of political prisoners, seeks to learn the truth about their fates, and undertakes documentation among its network of members,

collecting valuable information on the experience of imprisonment, and accompanying violations, both before and during the conflict. A new report released in 2019, "Detention in Sednaya,"¹³⁰ sheds light on crimes committed in Sednaya, relying on interviews with the Association's extensive network of members.

In May 2019, a group of families of those kidnapped by ISIS formed a new coalition in order to pressure the international community to support a missing persons program in Northeast Syria, including exhuming mass graves and collecting information on the missing from detained ISIS fighters.¹³¹ The group plans to work, along with other families of the ISIS missing, with the platform **Maseer** in order to begin public advocacy in 2020. Along with advocacy, Maseer will also play a direct role in the search for the missing, allowing families to communicate their priorities directly to those conducting exhumations in the Northeast and provide valuable antemortem documentation of the missing.



Recommendations

Recommendations

In 2020, the most urgent priority for the international community is to end the ongoing slaughter of Syrians, who continue to die under relentless bombings in Idlib, torture and mass executions in Syrian prisons, deplorable conditions in Al Hol, and under other brutal circumstances across Syria. SJAC continues to monitor, document and advocate for concrete steps that the international community should take to end the ongoing humanitarian crisis.¹³²

The pursuit of justice should not be forestalled by an elusive peace. As Bashar Al-Assad's government inches its way towards a military victory over a shattered land, justice is now more critical than ever for the millions of Syrians who have been—and continue to be—victimized in the war. It is imperative that international actors re-energize their efforts to pursue accountability against the conflict's worst perpetrator, so that the government responsible for the vast majority of war crimes will not be legitimized, and its strategy of slaughtering its own people into submission will not be normalized. Sustainable peace in Syria can only be achieved when the egregious crimes of the past nine years have been accounted for.

To move towards justice and accountability for Syria, SJAC urges the following actions for the involved parties:

International Community, Coalition States

- Create and fully-fund national special war crimes units such as those that exist in Germany and the Netherlands to investigate and prosecute crimes against humanity, war crimes, and genocide (atrocities crimes).
- Repatriate nationals who travelled to Syria to fight in the conflict, for prosecution or to serve out sentences in their home country.
- Support the establishment of an international mechanism to monitor ISIS trials for Syrians and Iraqis in their respective countries so that, at a minimum, torture, arbitrary death sentences, and other serious violations will not be committed. The international community should also provide support for Kurdish authorities to relieve conditions at Al Hol and other camps for ISIS families.
- Fund and train the First Responders' Team in Northeast Syria, to help families of the missing learn the fate of loved ones. Coalition states supporting the SDF and opposition factions should call on these groups to release information as to the status, whereabouts, and charges against any prisoners in their custody.
- Investigate civilian casualties that resulted from coalition airstrikes, provide condolence payments to surviving family members of victims, and support reconstruction in areas destroyed by the coalition.
- Work with international human rights and humanitarian organizations to negotiate greater access in government-held areas, to ensure that humanitarian aid and reconstruction will be implemented in accordance with humanitarian principles of neutrality, impartiality, independence, and humanity, without undue interference from the Syrian government.
- Condition reconstruction funds for housing and infrastructure upon the implementation of property restitution programs and the UN Human Rights Council's Guiding Principles for Business and Human Rights.

- Immediately halt forced returns to Syria, whether through deportation or indirect means such as the elimination of livelihood opportunities and basic services for refugees. At the same time, European states should increase aid to regional host countries on condition of fair treatment for refugees, and respect for the principle of *non-refoulement*.
- Assess ongoing sanctions against the Syrian government to ensure that they do not disproportionately affect civilian populations and restrict humanitarian access.
- Host countries should uphold the right to voluntary return of refugees and respect the principle of *non-refoulement* by not forcibly returning refugees to the on-going conflict in Syria.

United Nations, UN Special Envoy to Syria

- Expand upon the UN Board of Inquiry's investigation on the targeting of facilities of its deconfliction list, to include an investigation on criminal culpability of all attacks conducted against protected sites in Idlib and publicly release findings.
- Reassert UN leadership over the Syrian peace process by disengaging from the Astana track and refocusing efforts in Geneva. The envoy should move UN efforts away from its focus on the creation of a new constitutional committee, and work towards concrete goals which could facilitate reform, such as the provision of security for political opponents in reconciled areas, and property restitution for displaced persons. Legal reform of counterterrorism laws is also called for.
- Highlight the need for property restitution with the Syrian government by calling for a halt to

rezoning and expropriation efforts, and a halt to new property laws until the conflict has ended. The envoy should also add a property restitution expert to his team that can help advise and guide negotiations on a detailed property restitution framework.

- Prioritize calls for an immediate release of all political detainees (not limited to fighters or prisoners of war) during negotiations with the Syrian government, in addition to access to detention facilities by the ICRC.
- Publicly release the findings of the new Identification and Investigation Team in its investigation to identify the perpetrators of past chemical attacks.

Justice Actors (IIIM, European prosecutors, human rights organizations)

- The IIIM should focus its efforts on building cases against those most responsible for war crimes in Syria, including government and organizational leaders, as these cases require significant time and resources to build.
- Special War Crimes Units should pursue those most responsible for atrocity crimes, as well as those present in their states.
- Prosecutors and legal rights organizations should actively engage the Syrian community on universal jurisdiction trials in Europe, and work to ensure that the priorities and perspectives of Syrian victims are reflected in the cases pursued.
- Human rights organizations should collaborate with one another to deduplicate documentation and data collection efforts.

Annex I: Universal Jurisdiction Cases

The following information has been compiled based on publicly available sources and is not intended to be a comprehensive list of Syria-related Universal Jurisdiction cases. While the information in Annex I is true to the best of SJAC's knowledge, information may be subject to change without notice. SJAC reminds its readers that all accused have the right to the presumption of innocence until proven guilty.

Prosecuting Country	Alleged Perpetrator	Nationality	Affiliation	Status	Date	Alleged Crimes / Conviction	Sentence
Australia	Hamdi Alqudsi	Australian	ISIS	Convicted	2016	Supporting engagement in armed hostilities in Syria	8 years imprisonment
Australia	Amin Mohamed	Australian	ISIS	Convicted	2016	Attempting to travel and fight in Syria	5.5 years imprisonment
Austria	Turkish minor (14)	Turkish	ISIS	Convicted	2015	Terrorism	2 years imprisonment
Austria	Mirsad Omerovic, a.k.a. Ebu Tejma	Serbian	ISIS	Convicted	2015	Membership in a terrorist organization, promoting terrorist activities	20 years imprisonment
Austria	Asylum Seeker (27)	Palestinian (b. Syria)	FSA (Farouq Brigade)	Convicted	2017	Murder as a terrorism offense	Life imprisonment
Austria	24 Senior Officials in the Assad government	Syrian	Syrian Government	Complaint Filed	2018	Torture as a crime against humanity and as a war crime	
Austria	Bulgarian Male (24)	Bulgarian	ISIS	Convicted	2018	Possession of plans for a terrorist attack	7 years imprisonment
Austria	Austrian Male (28)	Austrian	ISIS	Convicted	2018	Recruitment for a terrorist organization	8 years imprisonment
Austria	Asylum Seeker (25)	Syrian	ISIS	Convicted	2018	Affiliation with an international terrorist organization, ISIS	7 years imprisonment
Belgium	Sharia4Belgium members: Fouad Belkacem (leader), 45 other members	Belgian	Sharia-4Belgium (ISIS)	8 Convicted, 1 acquitted	2015	Membership in a terrorist organization	12 years imprisonment (Belkacem), 3-5 years (7 other members)
Belgium	Hamza B., Harris C-K., Abdelfattah A., Younes H.A., Kamal A., Sami L.	Belgian	Al Nusra, Al Shabab	Convicted	2015	Attempt to participate in terrorist activity	3 - 10 years imprisonment
Belgium	Hakim Elouassaki	Belgian	ISIS	Convicted	2017	Murder	38 years (combined) imprisonment and surveillance

Prosecuting Country	Alleged Perpetrator	Nationality	Affiliation	Status	Date	Alleged Crimes / Conviction	Sentence
Belgium	Nora M., Hafsa M., Ilhame H.	Belgian	ISIS	Convicted (inabsentia)	2019	Membership in a terrorist organization	5 years imprisonment, citizenships to be stripped upon release
Belgium	Three Flemish companies (AAE Chemie Trading, Anex Customs and Danmar logistics); two managing directors (Rolf Rippen, Herman Van Landeghem)	Belgian	Belgium Companies	Convicted	2020	Violation of EU export licensing requirements	Fined €75,000 and €500,000 for companies; 4 months imprisonment (Rolf Rippen); 1 year imprisonment (Landeghem)
Bosnia	Ebru Kivorovich	Bosnian	ISIS	Convicted	2019	Joining and assisting a terrorist organization	4 years imprisonment
Canada	Ashton Larmond, Carlos Larmond, Suliman Mohamed	Canadian	ISIS	Convicted	2016	Attempt to leave Canada to join a terrorist group	17 years imprisonment (A. Larmond); 7 years imprisonment (C. Larmond, Mohamed)
Canada	Ismael Habib	Canadian	ISIS	Convicted	2017	Attempt to leave Canada to join a terrorist group	8 years imprisonment
Canada	Othman Ayed Hamdan	Palestinian	ISIS	Acquitted	2017	Counseling the commission of murder, assault causing great bodily harm, and mischief in relation to property, as well as knowingly instructing any person to carry out a terrorist activity	
Canada	Ikar Mao	Canadian	ISIS	Awaiting Trial	2019	Participation in the activity of a terrorist group, leaving Canada to participate in the activity of a terrorist group	
Denmark	Joanna Palani	Danish	YPG	Convicted	2016	Violation of travel restrictions to Syria	9 months imprisonment
Denmark	Tommy Mørck	Danish	YPG	Convicted	2018	Violation of travel restrictions to Syria	6 months imprisonment
Denmark	Ahmad Salem Alhaj	Danish	ISIS	At Trial	2019	Terrorism related offenses	
Denmark	3 males	Danish	ISIS	At Trial	2019	Supporting a terrorist organization	
France	Nathalie Haddadi	French	ISIS	Convicted	2017	Financing Terrorism	2 years imprisonment
France	Nicolas Moreau	French	ISIS	Convicted	2017	Association with a terrorist organization	10 years imprisonment
France	Albertine S., Mustafa S., Saeed Y.	French	ISIS	Convicted	2018	Intent to commit terrorist crimes.	5- 9 years imprisonment

Prosecuting Country	Alleged Perpetrator	Nationality	Affiliation	Status	Date	Alleged Crimes / Conviction	Sentence
France	Ali Mamlouk, Jamil Al hassan, Abd Salam Mahmoud	Syrian	Syrian Government	Arrest Warrants Issued	2018	Collusion in war crimes and crimes against humanity	
France	Lafarge S.A. (company)	French	French company	Ongoing Investigation	2019	Terrorism Financing	
France	Jehan Makhzoumi	French	ISIS	Convicted	2019	Terrorism, kidnapping	14 years imprisonment
France	Anne-Diana Clain, Mohamed Amri	French (Clain), Tunisian (Amri)	ISIS	Convicted	2019	Association with a terrorist organization, attempts to join ISIS	9 years imprisonment (Clain), 10 years imprisonment and ban from French territory (Amri)
France	Abd Al Hamid A.	Syrian	Syrian Government	Ongoing investigation	2020	Complicity in crimes against humanity	
France	Qosmos S.A. (company)	French	French company	Ongoing investigation	2014	Complicity in human rights abuses (torture)	
Germany	Harun P.	German	Junud al-Sham	Convicted	2015	Membership in a foreign terrorist organization; accessory to attempted murder; attempted murder	11 years imprisonment
Germany	Aria Ladjevardi	German	ISIS	Convicted	2016	Gravely degrading and humiliating treatment	2 years imprisonment
Germany	Asylum seeker	Syrian	Jabhat al-Nusra	Convicted	2016	Membership in a foreign terrorist organization	5 years imprisonment
Germany	Abdelkarim El. B.	German	ISIS	Convicted	2016	Desecration of a corpse, membership in a terrorist organization, violation of the Military Weapons Control Act	8.5 years imprisonment
Germany	Abu Aldeeb	Syrian	Free Syrian Army	Convicted	2016	War crimes, torture, kidnapping	Life imprisonment
Germany	Abdalfatah H. A.	Syrian	Jabhat al-Nusra	Awaiting Trial	2017	War crimes	
Germany	Suliman Al-S.	Syrian	Jabhat al-Nusra	Convicted	2017	Committing a war crime against humanitarian operations, abduction for the purpose of blackmail, unlawful imprisonment, attempted blackmail, use of force or threats against life or limb, membership in a foreign terrorist organization.	4 years 9 months imprisonment

Prosecuting Country	Alleged Perpetrator	Nationality	Affiliation	Status	Date	Alleged Crimes / Conviction	Sentence
Germany	Ibrahim Al F.	Syrian	Free Syrian Army	Convicted	2017	War crimes, torture, killing persons protected under international humanitarian law, murder, extortionist kidnapping, the commission of war crimes.	Life Imprisonment
Germany	Seven high-ranking Syrian military officials, including Defense Minister Lieutenant General Fahd Jassem al-Frei, Military Prosecutor Brigadier General Mohammed Hassan Kenjo, Head of the Military Police, Head of Saydnaya military prison	Syrian	Syrian Government	Complaint Filed	2017	Torture	
Germany	Kalifa S.	Syrian	Jabhat al-Nusra	Convicted	2017	Membership in a foreign terrorist organization, violation of the Military Weapons Control Act	3 years imprisonment
Germany	Mahir Al-H. (17), Mohamed A. (26), Ibrahim M. (18)	Syrian	ISIS	Convicted	2018	Membership in a terrorist organization	
Germany	Six high-level officials of the Syrian Military Intelligence Service	Syrian	Syrian Government	Complaint Filed	2018	Torture	
Germany	Syrian Telecom, Utimaco, High-ranking officials of the Syrian military intelligence service	Syrian	Syrian Government, Syrian and German Corporations	Criminal Complaint Filed	2018	Aiding and abetting crimes against humanity and war crimes.	
Germany	10 high-ranking officials of the National Security Office and Air Force Intelligence, including Head of Air Force Intelligence Jamil Al Hassan.	Syrian	Syrian Government	Criminal Complaint filed, arrest warrant issued against Jamil Hassan	2018	Crimes against humanity, war crimes	
Germany	Anwar R., Eyad A.	Syrian	Syrian Government	Awaiting Trial	2019	Crimes against humanity involving more than 4,000 cases of torture	
Germany	Mohammad K.	Syrian	Free Syrian Army	Convicted	2019	War crimes, torture, kidnapping	4.5 years imprisonment
Germany	Kasem A.	Syrian	Free Syrian Army	Convicted	2019	War crimes, including posing with the head of a decapitated corpse	3.5 years imprisonment
Germany	Nasim A.	German	ISIS	In custody	2019		

Prosecuting Country	Alleged Perpetrator	Nationality	Affiliation	Status	Date	Alleged Crimes / Conviction	Sentence
Germany	Abdul Jawad al-K.	Syrian	Al Nusra	Convicted	2020	War crimes, terrorism	Life Imprisonment
Hungary	Hassan F.	Syrian	ISIS	At Trial	2019	Mass execution, terrorist acts, crimes against humanity	
Ireland	Lisa Smith	Irish	ISIS	Released on bail	2019		
Italy	Lara Bombonati	Italian	Al Nusra	Convicted	2019	Support for a terrorist group	2 years 8 months imprisonment
Netherlands	Omar H., Mohammad G.	Dutch	Unspecified group	Convicted	2013	Preparing for murder, planning “arson or explosions” and adhering to “jihadist ideas”	1 year imprisonment (Omar), psychiatric treatment (Mohammad)
Netherlands	Imane B., Oussama C., Azzedine C., Rudolph H., Jordi de J., Moussa L., Hicham El O., Hatim R., Anis Z	Dutch	ISIS/ Al Nusra	Convicted	2015	Incitement to join a terrorist group, the dissemination of inciting materials, the recruitment of people to travel to Syria, the participation in training to commit terrorist crimes, participation in a criminal and terrorist organization, and other charges relating to inciting hate and defamation.	6 years imprisonment (Azzedine C, Hatim R, Anis Z); 5 years imprisonment (Hicham El O.); 3 years imprisonment (Rudolph H, Oussama C); 155 days imprisonment (Jordi J.); 43 days imprisonment (Moussa L); 7 days imprisonment (Imane B.)
Netherlands	Shukri F.	Dutch	ISIS	Convicted	2016	Dissemination of inciting materials	6 months suspended sentence, 2 years probation
Netherlands	Maher H.	Dutch, Moroccan	Unspecified group	Convicted	2016	Preparing to commit terrorist crimes	4 years imprisonment
Netherlands	Mohammed G.	Dutch	ISIS	Convicted	2016	Committed crimes with terrorist intent	3 years imprisonment and a hospital order
Netherlands	Laura Hansen	Dutch	ISIS	Convicted	2017	Traveling to Syria to join the Islamic State terror group	2 years imprisonment (suspended)
Netherlands	Thierry K., Victor D., Jihad S., Yago R., Marouane B., Khalid B., Jeroen van D., Khalid B., Adil B., Ridvan O.,	Dutch	ISIS	Summons issued	2018	Terrorism related offenses	
Netherlands	Unnamed Former Syrian Government Officials	Syrian	Syrian Government	Ongoing Investigation	2019		
Netherlands	Ahmad al Khedr	Syrian	Al- Nusra Front	At Trial	2019	War crimes, summary execution	

Prosecuting Country	Alleged Perpetrator	Nationality	Affiliation	Status	Date	Alleged Crimes / Conviction	Sentence
Netherlands	Oussama Achraf Akh-lafa	Dutch	ISIS	Convicted	2019	War crimes, participating in a terrorist organization, and preparing terrorist crimes	7.5 years imprisonment
Netherlands	Reda Nidalha	Dutch	ISIS	Convicted	2019	Membership in a terrorist organization	4.5 years imprisonment
Netherlands	Xaviera S., Fatima H.	Dutch, Moroccan	ISIS	Awaiting Trial	2019	Participation in a terrorist organization	
Norway	17 intelligence officials	Syrian	Syrian Government	Filed Criminal Complaint	2019	Crimes against humanity, torture, murder and rape	
Portugal	8 Portuguese men	Portuguese	ISIS	Awaiting Trial	2019	Joining, supporting and recruiting on behalf of a terrorist organization	
Spain	7 individuals	Spanish, Jordanian, Moroccan	ISIS, Al Nusra Front	Arrested	2016	Providing support for a terrorist organization	
Spain	9 Syrians officials: Ali Mamlouk, Abdel Fatah Qudsiya, Mohammad Deeb Zeitoun, Jamil Hassan, Farouk al-Shara, Mohammed Saeed Bakhitan, Mohammed al-Haj Ali, Jalal al-Hayek, al-Yousef	Syrian	Syrian Government	Complaint Dropped	2017	Crime against humanity, war crimes, enforced disappearance	
Spain	10 individuals	Spanish	Al Qaeda	Arrested	2019	Financing a terrorist organization	
Spain	Syrian Male	Syrian	ISIS	Detained (without bail)	2019	Financing a terrorist organization	
Sweden	Mouhannad Droubi	Syrian	Free Syrian Army	Convicted	2015	War Crimes, torture, assault	8 years imprisonment
Sweden	Hassan Mostafa al-Mandlawi, Sultan al-Amin	Swedish	Unspecified group	Convicted	2015	Terrorism	Life imprisonment
Sweden	Mohammad Abdullah	Syrian	Syrian Government	Convicted	2017	War Crimes, violating personal dignity of the dead and injured	8 months imprisonment
Sweden	Haisam Sakhanh	Syrian	Free Syrian Army	Convicted	2017	War Crimes, including murder	Life imprisonment
Sweden	25 Security Officers	Syrian	Syrian Government	Criminal complaint filed	2019	Crimes against humanity, torture	
United Kingdom	Mashudur Choudhury	British	unspecified group	Convicted	2014	Preparation of terrorist acts	4 years imprisonment

Prosecuting Country	Alleged Perpetrator	Nationality	Affiliation	Status	Date	Alleged Crimes / Conviction	Sentence
United Kingdom	Mohammad Hassan Nawaz, Hamza Nawaz	British	unspecified group	Convicted	2014	Preparation of terrorist acts	4.5 years imprisonment (Mohammad), 3 years imprisonment (Hamza)
United Kingdom	Yusuf Sarwar, Mohamed Ahmed	British	Liwa al-Muhajireen wal-Ansar	Convicted	2015	Preparation of terrorist acts	15.25 years imprisonment
United Kingdom	Junead Ahmed Khan	British	ISIS	Convicted	2016	Preparation of terrorist acts	Life imprisonment
United Kingdom	Shazib Ahmed Khan	British	ISIS	Convicted	2016	Preparation of terrorist acts	8 years imprisonment
United Kingdom	Mahmoun Rashid	British	ISIS	Awaiting Trial	2019	Preparation of terrorist acts	
United Kingdom	Amaani Noor, Victoria Webster	British	ISIS	Convicted	2019	Financing terrorism	1.5 years imprisonment (Noor); 17 months imprisonment (Webster)
United Kingdom	Aidan James	British	YPG / PKK	Convicted (PKK training), Acquitted (YPG training)	2019	Attending training camp of a terrorist organization	1 year imprisonment (terrorism offence), 3 years imprisonment (unrelated drug charge)
United Kingdom	Paul Newey, Sam Newey	British	YPG	At trial	2019	Financing terrorism	
USA	Shannon Conley	American	ISIS / Al Qaeda	Convicted	2014	Conspiring to provide material support to a designated foreign terrorist organization	4 years imprisonment
USA	Mufid A. Elfgeeh	American	ISIS	Convicted	2015	Providing support, recruitment, and financial assistance to ISIS	22.5 years imprisonment
USA	Tairod Nathan Webster Pugh	American	ISIS	Convicted	2016	Support and attempted membership in ISIS, obstruction of justice	35 years imprisonment
USA	Nader Elhuzayel, Muihanad Badawi	American	ISIS	Awaiting sentencing	2016	Providing material support to ISIS	
USA	Ahmad Khalil Elshazly	American	ISIS	At Trial	2016	Attempt to provide material support to ISIS	
USA	Arafat Nagi	American	ISIS	Awaiting sentencing	2017	Providing material support to ISIS	

Annex II: Acronyms

BOI	UN Board of Inquiry
COI	Independent International Commission of Inquiry on the Syrian Arab Republic
EAAF	Argentine Forensic Anthropology Team
FRT	First Responders' Team (Northeast Syria)
FSA	Free Syrian Army
HM Treasury	Her Majesty's Treasury (United Kingdom)
HTS	Hayat Tahrir al-Sham
ICC	International Criminal Court
ICJ	International Court of Justice
IIM	International, Impartial and Independent Mechanism to assist in the investigation and prosecution of persons responsible for the most serious crimes under International Law committed in the Syrian Arab Republic
ISIS	Islamic State of Iraq and Syria
OCHA	UN Office for the Coordination of Humanitarian Affairs
NES	Autonomous Administration of North and East Syria
OFAC	Office of Foreign Assets Control (United States)
OPCW	Organisation for the Prohibition of Chemical Weapons
SAA	Syrian Arab Army
SDF	Syrian Democratic Forces
SJAC	Syria Justice and Accountability Centre
SNA	(Turkish-backed) Syrian National Army

Annex III: Footnotes

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