



The State of Justice in Syria 2023



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March 2023



The Syria Justice and Accountability Centre

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

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SJAC would like to thank Bassam Khabieh for contributing many of the photos featured in this report. His book, [Witnesses to War: The Children of Syria](#), is available for purchase.

Cover: Naim Square - Raqqa, 2022

Credit: SJAC's Missing Persons Documentation Team

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Acronyms

AANES	Autonomous Administration of North and East Syria
ADMSP	Association of Detainees and the Missing in Sednaya Prison
COI	United Nations Independent International Commission of Inquiry on the Syrian Arab Republic
CSO	Civil Society Organization
EU	European Union
ICRC	International Committee of the Red Cross
IDF	Israel Defense Forces
IDPs	Internally Displaced Persons
IHL	International Humanitarian Law
ISIS	Islamic State of Iraq and Syria
HLP	Housing, Land, and Property
HTS	Hay'at Tahrir al-Sham
MHPSS	Mental Health and Psychosocial Support
OSINT	Open-Source Intelligence
SDF	Syrian Democratic Forces
SJAC	Syria Justice and Accountability Centre
SMFT	Syrian Missing Persons and Forensic Team
SNA	Syrian National Army
UJ	Universal Jurisdiction
UK	United Kingdom
UN	United Nations
U.S.	United States
YPG	People's Protection Units



Traces of destruction in Barzeh Towers, Damascus. ©Damascus Voice

Introduction

Introduction

The “State of Justice in Syria, 2023” is the Syria Justice and Accountability Centre’s (SJAC’s) annual report on Syrian human rights violations and justice efforts in 2022. This report highlights major human rights and international humanitarian law (IHL) violations committed against Syrians inside the country and refugees who fled violence, while also providing an update on justice efforts undertaken in 2022. SJAC concludes with a series of recommendations.

SJAC has noted throughout the report how the February 2023 earthquake in Türkiye and Syria altered the landscape of Syrian justice issues. The 7.4 magnitude earthquake devastated cities and has killed thousands of Syrians.¹ The slow United Nations (UN) response and the Syrian Government’s efforts to block aid to affected areas outside government control left many rescue operations under-supplied and contributed to loss of life and feelings of being abandoned for thousands of Syrians. The earthquake has left many homeless at a time when internally displaced Syrians were already struggling for their survival.. At the time of writing, the full impact of the earthquake has yet to be realized.

In 2022, much of the world’s attention shifted to Ukraine as Russia committed human rights atrocities, spurring mass migration and global economic turmoil. However, Syrian civilians continued to face arbitrary detention, displacement, indiscriminate attacks, and a worsening humanitarian crisis.

Ongoing outbreaks of COVID-19 and cholera, coupled with wheat and water shortages, compounded the humanitarian emergencies Syrians faced daily. The United Nations Independent International Commission of Inquiry on the Syrian Arab Republic (COI) declared that 2022 marked the worst economic and humanitarian situation since the start of the conflict, with 14.6 million people in need of humanitarian assistance.² By the end of the year, there were an estimated 28,000 cases of cholera in Idlib and Aleppo,³ and medical teams worked to contain the outbreak spurred by a lack of water and crowded conditions in camps for internally displaced Syrians. Syria’s economy faced a continued downturn as 90% of Syrians lived below the poverty line and inflation soared. The end of government subsidies,



Queue of cars waiting for gas - Damascus, March 2022. ©Damascus Voice

worsening drought, and a shrinking wheat supply contributed to food insecurity.⁴ Despite the need for assistance, parties to the conflict continued to block humanitarian aid access⁵ and attack vital infrastructure, such as healthcare centers and water treatment facilities.⁶

The past year also saw a fresh resurgence of violence across the country. In January, the Ghweiran Prison break led to a nine-day battle between the Islamic State of Iraq and Syria (ISIS) and Syrian Democratic Forces (SDF), an umbrella formation which includes various Kurdish military forces. Throughout the year, ISIS was active in SDF-controlled areas, particularly as insecurity increased in the face of another potential Turkish invasion. ISIS also reemerged in other areas of Syria, leading to more frequent airstrikes and raids by the United States (U.S.) and the Global Coalition to Defeat ISIS. In November, Türkiye began launching airstrikes into northern Syria and threatened a ground invasion. Such an invasion would decrease the relative stability in northeast Syria and lead to new waves of displacement.⁷ In northwest Syria, Hay'at Tahrir al-Sham (HTS) continued its military incursion, momentarily controlling Afrin before being pushed out by Turkish forces. Clashes between rival factions near Afrin, as well as renewed strikes by Russian forces in the area, left several dead.⁸ In southern Syria, Israel repeatedly launched missiles at Syrian forces and militant groups.⁹

Despite the worsening humanitarian crisis and increasing instability, Syrians continued to work towards a more just and peaceful future. Syrian civil society pushed for information on the fates of missing persons who have been arbitrarily detained by the government and other actors. As the fate of the missing remain unknown, civil society advocated throughout 2022 for an independent mechanism to search for Syria's missing. The UN Human Rights Office sent a report to the Secretary General detailing a possible structure and mandate for an institution

tasked with searching for missing persons in Syria. In European courts, perpetrators of crimes in Syria have been held accountable under universal jurisdiction. Documentation activists preserved photos, videos, and interviews, drawing attention to ongoing human rights abuses in an attempt to halt those practices and end impunity.

"The State of Justice in Syria, 2023" maps these conflict and justice updates from 2022, as well as Turkish crimes in northern Syria, SDF violations in the northeast, ongoing government detention practices, and the growing weariness of host nations in fulfilling their legal obligations to support Syrian refugees. It also highlights the efforts made in universal jurisdiction cases, developments made by Syrian civil society in missing persons investigations, and documentation. Moreover, it provides recommendations to stop human rights violations and improve ongoing and future justice processes.

Memorialization and Truthseeking

Throughout this report, SJAC will be sharing art from Syrian artists around the world who work to preserve the experience of the Syrian war through visual storytelling. It is a process that can be therapeutic and a means of sharing one's story with the world. It can also be part of building a collective memory of the Syrian conflict. Through art and community engagement, there are many ways for Syrians to create a narrative that will help current and future generations understand the history of their country and their people.



A framed photo dangles from a damaged wall in a house in Jobar near Damascus. ©Bassam Khabieh

Violations

Violations

Airstrikes

The use of aerial bombardment remained a prominent feature of the Syrian conflict in 2022. While airstrikes did not occur as frequently as in prior periods of the conflict, they continued to cause civilian harm and infrastructure damage.

Throughout 2022, the Syrian government and its Russian allies periodically bombarded opposition positions, primarily in the Idlib Governorate. Although these strikes were less frequent than they were at the height of the conflict, they resulted in civilian casualties.¹⁰ In some cases, harm to civilians appeared to be intentional; Russian forces employed double-tap strikes designed to maximize harm to civilians and first responders.¹¹ Russian forces also employed cluster munitions that are banned by most of the international community. Although Russia itself is not party to any agreement banning their use, these weapons put civilians at greater risk of grievous harm.¹² Continued attacks on civilian populations and infrastructure, including the targeting of medical facilities, are clear violations of IHL and, in most cases, constitute war crimes and crimes against humanity.

Türkiye launched repeated airstrikes in northern Syria against the Kurdish People's Protection Units (YPG) and affiliated forces, which fall under the umbrella of the SDF. Throughout the summer of 2022, Turkish drones struck several vehicles suspected of carrying YPG leadership and affiliates.¹³ Following the November 2022 Istanbul bombing, which the Turkish government attributed to YPG affiliates, Turkish forces bombarded military and civilian targets across northern Syria in advance of a possible ground offensive.¹⁴ Turkish strikes in Syrian territory also involved IHL violations, including double-tap strikes and attacks on civilian infrastructure such as grain silos and power plants.¹⁵

Israel and the U.S. also bombed targets inside Syria throughout 2022.¹⁶ Israeli airstrikes tended to target military facilities, material, and personnel linked to the Syrian government, Hezbollah, and Iran. Nonetheless, these strikes killed civilians in Tartous, Hama, and Damascus governorates.¹⁷ In November, Israel expanded the scope of its air campaign to the Iraqi border, targeting an Iranian truck convoy destined for Lebanon with a drone strike in November.¹⁸ The U.S.-led Global Coalition to Defeat ISIS conducted a limited number of special forces raids by helicopter to kill or capture ISIS leadership.¹⁹ Although these raids were more precisely targeted than airstrikes, some of these raids appeared to have resulted in civilian casualties.²⁰ The coalition also continued to provide close air support to the SDF, such as during the battle to retake the Ghweiran Prison, which caused civilian casualties and damage to civilian infrastructure.²¹ Civilians faced the threat of injury, death, and property destruction as a result of such bombings.

Al-Hol

Over 65,000 women and children continued to be detained in Al-Hol Camp and Roj Camp in northeast Syria, with no charges and no information on when they may be allowed to return home. While some camp residents are active ISIS affiliates, others are civilians who lived under ISIS control but claim to have no affiliation with the organization. In 2022, these civilians faced poor living conditions, insufficient medical care, and inadequate food and water. Tensions flared as residents were exposed to growing violence, occasionally mounted by ISIS affiliated detainees, while governments made efforts to control overcrowding through repatriation.

At the end of 2022, Al-Hol housed 42,400 foreigners and 23,200 Syrians, most of whom

were children.²² The camp remained split into eight sections: with four each for Iraqi nationals and Syrians respectively. An annex housed foreigners who hailed from fifty countries. The largest non-Iraqi foreign populations were from Russia, China, and Türkiye.²³ According to Human Rights Watch, more than 3,100 foreigners were repatriated in 2022, marking a significant increase from 2021. Returnees originated from Iraq, Australia, Canada, France, Germany, the Netherlands, Russia, and the United Kingdom. Most returnees were women and children.²⁴

Those who remain in Al-Hol and Roj faced violent conditions at the hands of ISIS affiliates. In November, two Egyptian sisters were found beheaded and dumped in a sewage system. Relatives alleged that the girls, ages 12 and 15, were killed by ISIS affiliates after being raped several days earlier.²⁵ These were among dozens of suspected murders throughout the year, including 34 between January and August.²⁶ In September, security forces found six women, including a Yazidi woman, who had been chained and tortured by ISIS affiliates. Some of the women had been captured as children and sold and tortured by ISIS captors for as many as eight years.²⁷ Aid workers have also been threatened, robbed, and killed.²⁸

In addition to security threats from ISIS, camp residents also faced heightened security measures imposed by the Autonomous Administration of North and East Syria (AANES) and SDF. Responsibility for Al-Hol remained with local authorities who lack the resources and training to manage the camp. Consequently, their practices have fallen short of international human rights standards. Residents' movements within the camp were restricted, security raids happened regularly, and armored vehicles patrolled the camp.²⁹ Children faced particularly grim challenges, with an estimated 300 boys separated from their mothers and transferred to detention facilities, incommunicado.³⁰

Further complicating matters, Turkish airstrikes targeted the Kurdish Asayish security forces

who guarded Al-Hol in November.³¹ The strikes caused power cuts, suspended critical services to camp residents, and effectively risked a disastrous ISIS prison break.³²

SDF/AANES Violations

The SDF operated in areas of northeast Syria within the AANES. Both the SDF and the AANES, as well as other groups operating in areas under its control, committed human rights violations throughout 2022. The SDF and affiliated forces were complicit in the recruitment of minors into combat and support roles, despite a 2019 pledge by the SDF to end child recruitment.³³ Human rights organizations, including SJAC, documented child recruitment by the Revolutionary Youth, an organization linked to the SDF that prepares youth for service with the YPG and the Asayish, the AANES' internal security and intelligence arm. Some minors conscripted into combat roles were under the age of fifteen, a practice that constitutes a war crime.³⁴

While the SDF established a Child Protection Office³⁵ in 2020 to prevent child recruitment, all six branches of the office were shut down in 2022, putting children at greater risk of conscription. Media reports indicated that a common route to recruitment is through extracurricular classes led by the Revolutionary Youth in subjects such as music or sports.³⁶ These classes gradually trained the children in the organization's ideology, and in many instances, they are then disappeared into military training camps without notifying parents of their child's whereabouts.³⁷ Others are lured under the pretext of employment.³⁸ Documentation suggests that the Revolutionary Youth increased recruitment of children throughout 2022, a trend that may be linked to the anticipation of another Turkish incursion.³⁹ SJAC also documented several instances of the Revolutionary Youth and other SDF affiliates intimidating and harassing the families of recruited and missing children when they attempted to obtain information about their children.

Throughout 2022, the SDF and its affiliates also increased the arbitrary detention of critics, including journalists, activists, and members of rival political parties.⁴⁰ In February 2022, the AANES revoked the license of Rudaw, a Kurdish-language media outlet.⁴¹ Journalists were monitored by the AANES and have been arrested in areas under SDF control.⁴² Journalists were required to join a professional syndicate dominated by the AANES to perform their duties inside SDF-held areas.⁴³ Media outlets and political parties critical of the SDF-linked Democratic Union Party were also subject to attacks.⁴⁴ In September 2022, the Revolutionary Youth and the Asayish reportedly attacked peaceful protestors and journalists attempting to cover the protest.⁴⁵

Türkiye and its Proxies

Syrians living in areas under the control of Türkiye continued to endure numerous abuses in 2022, whether at the hands of Turkish occupation forces or their proxies in the Syrian National Army (SNA). Many of these violations were ongoing from previous years, but in 2022 they occurred amid new economic pressures emanating from Türkiye and the acute threat of another full-scale Turkish military operation in northern Syria.

As multiple reports in 2022 demonstrated, the rebel armed groups that make up the SNA relied on extortion and looting of local civilian populations as a primary means of extracting revenue and maintaining control over territory and resources.⁴⁶ SNA factions also diverted humanitarian aid by allocating new housing settlements in Afrin for their own members rather than displaced civilians.⁴⁷ Opposition to SNA abuses or Turkish policy in northern Syria resulted in arbitrary detention, enforced disappearance, and deportation to Türkiye where they were imprisoned.⁴⁸ The competition among SNA factions over these sources of revenue escalated into armed conflict at multiple points in 2022, with civilians bearing the cost of these

clashes. In October, following the HTS attack on Afrin with the support of certain SNA factions, clashes reportedly led to the death or injury of dozens of civilians and the displacement of several thousand families.⁴⁹

SNA leaders made only superficial attempts to achieve greater discipline within their ranks and curb the many violations for which their militias are responsible. Türkiye has actively obstructed attempts by the civilian-led Syrian Interim Government, which governed nominally.⁵⁰

Deteriorating Living Conditions

The intensification of SNA abuses occurred as an economic crisis in Türkiye reverberated through the Turkish-controlled areas of Syria and led to a sharp rise in the prices of basic goods. Turkish authorities imposed the Turkish lira soon after occupying northern Syria, while also imposing mandatory educational instruction in Turkish. With the severe devaluation of the Turkish lira in 2022, however, the price of basic goods in Turkish-controlled areas of Syria skyrocketed.⁵¹ Displaced Syrian families who were already struggling to meet their daily needs saw the costs of basic foods such as rice double. The continued spread of the COVID-19 pandemic and a new cholera outbreak in August further deteriorated conditions for displaced Syrians in the region. As the occupying power, Türkiye is obligated to ensure communities in northern Syria have access to food and medical supplies, whether by subsidizing goods that are available locally or importing them if necessary.

Attacks on SDF-Held Territory

As early as May 2022, Türkiye threatened another military operation to expel SDF forces from the territory between Jarablus and Tel Abyad in order to join the territories under its control in northern Syria. These threats mounted between July and November when Türkiye began launching airstrikes on SDF-held territory. These airstrikes targeted critical infrastructure, such as electrical power stations, and resulted in

almost a dozen civilian deaths.⁵² A full ground invasion by Turkish forces and their SNA proxies would likely entail even more serious violations of international humanitarian law, given the numerous war crimes that occurred during previous Turkish military operations.

Housing, Land, and Property

Multiple groups, including the Syrian government, SNA, HTS, and the SDF, violated international law protecting civilian rights to housing, land, and property (HLP). As reported by the COI,⁵³ the Syrian government continued to violate civilians' rights, confiscating detainees' property⁵⁴ and land through court orders and other official decisions.

The Syrian Army engaged in numerous HLP violations by continuing its practice of frequent civilian property seizures, preventing many displaced Syrians from returning home. These property seizures had a disproportionate impact on women, as property deeds were often registered to men. This made it difficult for women to access their family's property—particularly when their husbands or male relatives have been killed, detained, or gone missing. The COI determined that such property seizures without due process or compensation may amount to HLP violations and the war crime of pillaging.⁵⁵ In addition, in Hama and Deir Ezzor, the Syrian Army seized civilian property along the border between government and opposition-held territories. Syrian Armed Forces occupied civilian homes, displacing families and preventing them from returning to their homes.

In 2020, the Turkish-backed SNA constructed housing settlements in areas of Afrin formerly occupied by Kurdish communities that had been displaced by Turkish-led military operations. The alleged purpose of these settlements was to house IDPs with funding from donors in Kuwait, Qatar, and elsewhere, although Turkish officials also made clear their intention to rehouse hundreds of thousands of Syrian refugees in these settlements.⁵⁶ However, according to

new documentation from Syrians for Truth and Justice, most of the settlement housing units went to SNA fighters rather than civilian IDPs.⁵⁷ These actions were demonstrated at the beginning of September 2022, when one of the factions of the Syrian National Army expelled several families in the Afrin region from their homes to house SNA families and fighters. The discriminatory allocation of land and property violates Article 27 of the Fourth Geneva Convention, which Türkiye and its proxies are obligated to uphold as the occupying power exercising effective control over this region of Syria. If such discriminatory allocation were part of a broader Turkish effort to forcibly displace Kurdish communities from the area, this would constitute a crime against humanity.

In the city of Idlib, HTS forces seized⁵⁸ a number of properties belonging to the Druze minority. In its September 14, 2022 report, the COI confirmed that it continued to receive reports of property confiscation by members of HTS, during the reporting period between January 1 and June 30, 2022.

Following the Ghweiran Prison break in January 2022, the SDF, with the support of the Global Coalition, initiated Operation “People’s Hammer” to recover escaped ISIS prisoners. Throughout January and February, the SDF damaged or destroyed at least 140 private homes in al-Hasakah alone, using the search for ISIS prisoners as justification. While some escapees used civilian homes as hideouts, the SDF damaged or destroyed many homes without evidence of ISIS presence. Some residents recalled that the SDF searched their homes and found nothing, but proceeded to bulldoze it. In other cases, the SDF bulldozed homes while residents were still inside without alerting them beforehand. Many residents, who either fled or were ordered to evacuate, only learned about the damage to or destruction of their homes upon returning. The SDF repeatedly failed to notify residents before or after demolishing their homes and failed to release any information about



Security clearances required to travel in and out of government-controlled territory posed a barrier for civilians trying to access their private property. Former detainees, for example, were often denied security clearances—meaning they are likewise denied access to their areas of former residence and any property they may hold there. Syrians who are denied security clearances are therefore denied their right to HLP, as well as their right to freedom of movement.⁶³

Captagon

The Syrian government heavily relied on proceeds stemming from the production and transportation of captagon, an amphetamine-based stimulant of varying quality and makeup.⁶⁴ Despite growing international efforts in 2022 to combat the captagon trade, there were massive hauls of this and other drugs produced to meet regional demand in the Middle East and North Africa, reaching as far as Morocco where smugglers could access West African markets.⁶⁵ Proceeds from captagon went directly toward maintaining the culture of impunity that allows the government to silence internal opposition and ignore the basic rights of the Syrian people.

Following the 2021 reopening of the Jordan-Syria border,⁶⁶ transfers of drugs into Jordan in 2022 spurred intense border skirmishes as security forces attempted to shutter complex smuggling operations. Documentation collected by SJAC showed the growing dangers for Jordanian and Syrian civilians caught in the crossfire as violence erupted in border villages and along important smuggling routes. This fighting further increased the threat of displacement for Syrians and Jordanians who witnessed the damage and destruction of their homes, businesses, and farmland whenever gun battles broke out.⁶⁷

Lebanon was pulled deeper into the captagon trade as its financial situation worsened and people were forced to seek illicit and dangerous means to meet their basic needs, a situation also faced by Syrians and Jordanians. Although most captagon production occurred on the Syrian border, Hezbollah was heavily engaged

future compensation, reconstruction efforts, or alternative housing options for newly displaced people.⁵⁹

In determining what constitutes a war crime, the Rome Statute defines HLP crimes as “extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly.”⁶⁰ The SDF’s excessive demolition of civilian homes in search of ISIS suspects may constitute war crimes, as it was not justified by military necessity. The rules of IHL also require actors to take all possible precautions to avoid damaging civilian objects, verify that any target has a military objective, and provide civilians with advance warnings of any attacks that may affect them.⁶¹ Although the SDF did order some civilians to evacuate, it did not provide advance warning to all residents before damaging non-military targets. The SDF did not perform proper searches prior to bulldozing homes, caused damage after conducting searches that yielded no results, and, in some cases, unnecessarily placed civilians in danger.⁶²

in smuggling operations which the Lebanese security forces lacked the capacity to prevent.⁶⁸

By and large, the majority of captagon's impacts were felt in Syria, where revenue from the trade allowed the Syrian government to continue financing itself despite a chronic shortage of foreign exchange. The captagon trade likewise helped the Assad family sustain patronage networks that were important to maintain its position within the government.⁶⁹ Drug money was funneled to essential powerbrokers such as the president's younger brother and head of the powerful Fourth Division, Maher Al-Assad, who reportedly netted his unit \$300,000 in profits for each dispatchment of the drug.⁷⁰ A 2021 report by *Der Spiegel* estimated that the captagon trade netted Assad and his supporters \$5.7 billion, a number that likely grew in 2022.⁷¹ Compared to Syria's official 2022 government budget of \$5.3 billion,⁷² it is clear how valuable this shadow budget is. However, it comes with the price of a growing domestic addiction crisis.⁷³

States engaged in combatting captagon need to be cognizant of the challenges in controlling a state-sanctioned black market. This type of economic activity is outside traditional market controls and can be exacerbated by sanctions, which only push actors deeper into illicit activities. Intercepting shipments fails to impact the Syrian government, which in most cases has already received its portion of the profits from smugglers. A recent act passed by the U.S. Congress, which calls on various government entities to draft an anti-captagon strategy within 180 days, highlighted the lack of options currently available.

While endpoint controls like awareness and rehabilitation programs could limit the demand for the drug, these efforts are expensive and not always successful.⁷⁴ Despite these challenges, states have few other options but to continue gathering information, degrading trade networks, and limiting market demand for a drug that fuels conflict in Syria.

Arbitrary Detention and Enforced Disappearances

Arbitrary detention and enforced disappearances occurred throughout Syria in 2022, with little meaningful progress despite the Syrian government's claims of reform. Syrians were arbitrarily detained by all actors to the conflict, with the fates of tens of thousands of people unknown.⁷⁵

The Syrian government's supposed reforms on the arbitrary detention and enforced disappearances file included new laws and decrees related to torture at detention facilities and the release of detainees. In March, the Syrian government announced the passage of Law No. 16, which ostensibly aligns government policy with international conventions by criminalizing torture. Yet Law No. 16 guaranteed neither redress to past victims of torture nor effective mechanisms of enforcement that would prevent recurrence.⁷⁶ For example, the law contained no provisions to allow independent monitors to access those government detention facilities where torture is systematic and frequently leads to the deaths of detainees.

A month later, the Syrian government issued Presidential Decree No. 7, which granted a general amnesty to those detained after 2011 on charges related to terrorism. The decree was accompanied by the chaotic and discriminatory release of several hundred detainees from Sednaya Prison in early May, but no additional releases have occurred since the first release.⁷⁷ In the absence of an official mechanism to coordinate releases and deliver information about detainees or investigate their whereabouts, families of the detained and missing remained desperate for any information about the fate and whereabouts of their loved ones.

Despite the failure of these policies to adequately address the issue of arbitrary detention and enforced disappearances, the Syrian government falsely promoted them as reforms. Doing so may

have helped expedite diplomatic normalization with other governments in the region, while also diverting attention from new documentation that emerged in April of the Tadamon massacre in 2013. Reporting on the massacre brought renewed attention to the fate and whereabouts of those whom government forces disappeared during the conflict. Senior government officials remained involved in the practice of arbitrary detention and enforced disappearance on a mass scale. New documentation from the Association of Detainees and the Missing in Sednaya Prison (ADMSP) in 2022 confirmed the close links between these officials and the administration of detention facilities, as well as how the Syrian government confiscated over \$1.5 billion in property and assets of detainees through both judicial and extrajudicial means.⁷⁸

Parties to the Syrian conflict outside of government-held areas also regularly engaged in arbitrary detention in 2022, albeit on a much smaller scale. A report by the COI found that, in Idlib, the general security directorate under the control of HTS arbitrarily detained journalists and civilian activists and deprived them of legal representation and medical attention. HTS institutions nominally responsible for informing families about the fate and whereabouts of detained relatives were non-responsive.⁷⁹ Meanwhile, in Turkish-controlled areas of northern Syria, factions within the SNA arbitrarily arrested civilians (especially from Kurdish communities) and subjected them to torture, rape, and other forms of cruel treatment. There were reports of deaths in SNA detention facilities, and the lack of information provided to families of the missing means that these arrests may amount to enforced disappearances.⁸⁰

In the northeast, the SDF increasingly relied on the arbitrary detention of civilians as a tool to silence political opponents or as part of conscription campaigns.⁸¹ SJAC documentation coordinators reported a marked increase in SDF raids on private homes and the abduction of male civilians at checkpoints—including children—on the pretext of recruiting forces to counter Turkish

military threats or on the basis of alleged ISIS connections. Meanwhile, the SDF continued to detain ISIS affiliates and their relatives on a mass scale. Tens of thousands of women and children allegedly related to ISIS affiliates remained in arbitrary detention at Al-Hol and Roj camps, some of the thousands of civilians who went missing during the period of ISIS rule may be among them. Across more than two dozen prisons, the SDF also held at least 10,000 suspected ISIS affiliates – among them as many as a thousand individuals were minors at the time of their detention.⁸² A February ISIS attack on an SDF prison in Hasakah revealed the serious security, humanitarian, and justice weaknesses in the SDF detention system, which require a comprehensive strategy from members of the Global Coalition to Defeat ISIS.⁸³



Title: We Did Not Forget You

Artists: Anis Saleh Hamdoun, Aziz Al-Asmar, and Salam Hamed

*“we did not forget you
our detainees are not just numbers
the detainees are our open wound”*

The artists painted this mural in Azaz, a city in northwest Syria near Aleppo as an expression of solidarity with the families of detainees from Azaz.



Title: Untitled

Artist: Abu Malek Al-Shami

The Syrian government issued a decree in April 2022 granted general amnesty for terrorism-related crimes committed prior to the issuance date. As a result, hundreds of detainees were released from some of Syria's most notorious prisons, including Sednaya Prison. Many were left with nowhere to go as their homes were destroyed and neighborhoods abandoned during the conflict. Abu Malek Al Shami's caricature portrays the harsh reality facing former detainees re-entering the outside world, as well as the pain felt by families searching for loved ones lost in the Syrian detention system.

Refugees and Forced Returns

In 2022, Syrian refugees once again faced the risk of being forcibly returned to Syria or transferred to an unsafe third country. The war in Ukraine led to a wave of Ukrainian refugees throughout Europe, and the economic ramifications of the war and COVID-19 were felt throughout refugee host countries. These factors led several host countries to look for ways to cut support for Syrian refugees or force Syrians to leave. Consequently, Syrian refugees in Europe and the Middle East faced the risk of *refoulement*, or unlawful return to a country where an individual may be subjected to persecution.

The United Kingdom (UK), Austria, Denmark, and Sweden made several attempts to outsource the responsibility of hosting refugees to third countries. In June 2022, the UK set plans to deport 15 Syrians under the Nationality and Borders Act and UK-Rwanda Asylum Partnership Agreement.⁸⁴ The partnership, signed earlier in the year, was designed to shift the burden of hosting refugees off the UK. While these deportations were stopped at the last minute by the European Court of Human Rights (ECtHR),⁸⁵ the UK has continued exploring opportunities to send Syrians to a third country. In December, a London high court ruled that transferring refugees to a third country was legal.⁸⁶ Many critics however still have serious human rights concerns about this policy. Outsourcing threatens the safety of Syrians, as third-party countries, such as Rwanda or Türkiye, lack the protection

mechanisms needed to ensure that Syrians are not forcibly returned to Syria. Outsourcing continues to be considered a policy option by countries including Austria and Denmark.

Denmark pressured Syrians to return to Syria or face indefinite detention in one of the government detention centers.⁸⁷ The Danish government sent letters to Syrian children studying in Denmark, threatening them and their parents to leave the country.⁸⁸ Following the new wave of Ukrainian refugees, European countries, including Denmark and Sweden, reallocated foreign aid money to domestic refugee hosting for Ukrainians. This reallocation came at the expense of other refugee populations, such as Syrians who continued to face pressure from these governments to prematurely return to Syria. Denmark reallocated 50 million Danish Kroner from Syrian aid, while Sweden reallocated 4.5 billion Swedish Krona from their foreign aid budget.⁸⁹

Syrians in Türkiye and Lebanon also faced pressure to prematurely return to Syria. In 2022, tensions towards Syrians in Türkiye escalated as politicians campaigned on sending Syrians back to Syria and the economic downturn led to the perception that Syrians were taking jobs from their Turkish counterparts. Increasingly these tensions resulted in violence, including the killing of a 22-year-old Syrian in Istanbul.⁹⁰ Human Rights Watch documented that, between February and July 2022, Turkish authorities arrested, detained, and deported hundreds of Syrian men and boys back to Syria. Several men reported

being forced to sign voluntary return papers and being beaten when they did not comply.⁹¹ SJAC independently verified this mistreatment and forcible returns through documentation and interviews. Lebanon also announced a plan to voluntarily deport thousands of Syrians per month. The first returns took place in October amidst international scrutiny that Lebanese officials coerced Syrians into returning.⁹² These returns came after years of Lebanon denying

Syrian access to refugee status and services, exacerbating the challenges Syrians already faced due to the economic crisis. In this environment, Syrians risked insecurity in both Lebanon and Syria. The lack of protections for Syrians in Lebanon and the unsafe conditions in Syria calls into question if these returns were voluntary.



Title: Untitled

Artist: Mohannad Orabi

In September 2022, a boat carrying refugees and migrants from Syria, Lebanon, and Palestine set off from Lebanon toward Cyprus. Technical issues caused the boat to capsize off the shore of Tartous, leading to the death of 88 people. Mohannad Orabi's painting depicts the women and children aboard the boat who risked their lives to reach safer shores. Their deaths were met by inaction by the Lebanese authorities who failed to curtail the growing trend of migration through Lebanese waters. Despite the dangers awaiting them at sea, refugees and migrants will continue to take the perilous journey to Europe so long as their situation at home remains precarious.



Civilians waiting for bread amidst the ongoing food crisis. Sign reads “Bashar Al-Assad Forever.” ©Damascus Voice

Justice Efforts

Justice Efforts

Universal Jurisdiction

Universal Jurisdiction allows states to domestically prosecute foreign perpetrators of crimes committed abroad against foreign victims.⁹³ It is currently the only means available to criminally prosecute alleged perpetrators of atrocity crimes in Syria, given the lack of an international justice mechanism.⁹⁴

In 2022, about 60 UJ cases involving crimes perpetrated in Syria were subject to an indictment, were at trial, or resulted in a verdict. Germany saw the largest number of cases, but cases also moved forward in Sweden, France, and the Netherlands. Charges include both war crimes and crimes against humanity [see Annex 2].

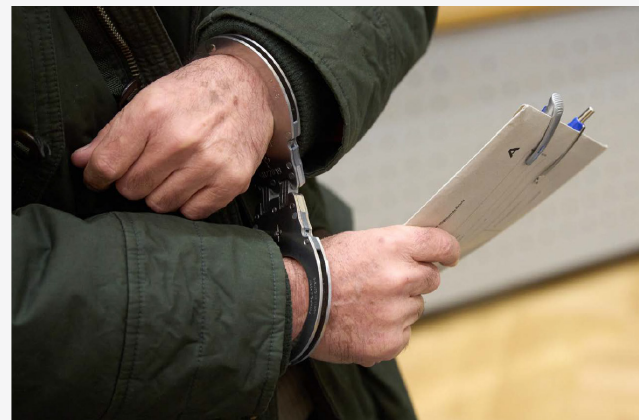
In January 2022, the landmark trial of Anwar Raslan concluded in Koblenz, Germany with a conviction and life sentence, or at least 15 years imprisonment, for the main Accused.⁹⁵ The trial involved a Syrian government official who was complicit in torturing detainees in Military Intelligence Branch 251. The trial spanned 110 hearing days over the course of nearly two years. Raslan was ultimately convicted of 27 murders along with 4,000 cases of torture and deprivation of liberty.

German law does not require the recording of verbatim transcripts. SJAC monitored each day of the Anwar Raslan proceedings and produced detailed notes in [English](#) and [Arabic](#), providing a historical record of the trial. In 2022, SJAC started monitoring the Alaa M. trial and continues to publish hearing [summaries](#).

In January 2022, another important case began in Frankfurt, Germany, involving a Syrian doctor accused of torturing his patients in a Syrian military hospital. The case against Alaa M. has fewer plaintiffs and survivor-witnesses than the Raslan trial, but already had 48 trial days in 2022. The trial was estimated to take a full two years to complete due to the complexity of international crimes and the overburdened court hearing the case.⁹⁶

Several cases moved forward against women who had joined ISIS in Syria. In February, five Dutch women were repatriated to the Netherlands from Roj camp in Syria and arrested on terrorism charges. They had been living in inhuman conditions along with their children, who were put into protective custody upon arrival in the Netherlands.⁹⁷ In March, a Swedish court convicted a Swedish woman of the war crime of

After the conclusion of the Anwar Raslan trial, SJAC reviewed its 1500+ pages of records from the trial and examined trends and challenges encountered during the trial. In its report, [Between Hope and Despair](#), SJAC concluded that the trial was an important step toward justice and accountability, and a valuable opportunity to learn lessons for future universal jurisdiction trials.¹³² In particular, it recommended that courts should improve public outreach, provide adequate PSS support to witnesses, and, in order to consolidate lessons from UJ proceedings, states should consider establishing a centralized chamber to hear all UJ cases.



Between Hope and Despair
A Way Forward after the Koblenz Trial

March 2022

recruitment of a child soldier, her son, to fight for ISIS in Syria, where he later died.⁹⁸

In April 2022 in Berlin, Germany, a war crimes trial began against Moafak D. who was a member of the Free Palestine Movement in Yarmouk camp outside of Damascus and is accused of throwing a grenade into a crowd of civilians in a food line.⁹⁹

In October, the U.S. Department of Justice announced an agreement with the Lafarge cement company (now owned by Holcim Corp.) which plead guilty to a criminal charge of material support for ISIS and agreed to fines and forfeiture of \$778 million.¹⁰⁰ Lafarge made security payments to ISIS and the Al-Nusra Front to maintain access to their cement plant in Raqqa and to permit unmarked Lafarge trucks to freely travel through ISIS checkpoints. Lafarge also entered into a profit-sharing agreement with ISIS whereby ISIS imposed a tax on a Turkish cement competitor.¹⁰¹ The case was an important breakthrough for corporate criminal liability.

Remaining challenges to war crimes units investigating these crimes include identifying Syrian witnesses key to such prosecutions and the inability to conduct investigations inside Syria. In this regard, such units were heavily reliant on Syrian civil society with contacts within Syria and the Syrian diaspora as well as the IIIM.

Throughout UJ proceedings, survivors recall the traumatic experiences they endured during the commission of serious international crimes. The recollection process can cause re-traumatization, impacting a person's mental and physical well-being. Despite this risk, many survivors are unaware of their right to mental health and psychosocial support (MHPSS) during the proceedings in some countries. In 2022, SJAC published [factsheets](#) for Syrian survivors of atrocity crimes to guide them through the MHPSS services available in Germany and the Netherlands. The factsheets map governmental and non-governmental actors who provide culturally-sensitive services in Arabic to Syrians and suggest tips for navigating the bureaucracy of mental health and PSS in the context of the criminal justice system.

Prosecuting ISIS Affiliates

Prosecuting the thousands of former male and female ISIS affiliates who participated in the conflict in Syria posed challenges to local authorities and foreign states alike, with no clear path forward. Foreign states struggle to formulate a comprehensive plan for managing the return of foreign fighters, and local authorities lacked the resources and capacity to prosecute Syrian fighters, leaving thousands languishing in SDF custody.

By October 2022, there were an estimated 10,000 fighters in SDF custody in northeast Syria, including 3,000 Iraqis and 2,000 fighters from outside Syria and Iraq.¹⁰² As such, the AANES and SDF were left to contend with the largest concentration of alleged terrorists in the world, despite their limited resources and training. Makeshift prisons held detainees in overcrowded cells with few provisions or due process rights. Among the detainees were hundreds of children as young as 12 years old.¹⁰³ While some Syrians were tried or released after tribal mediation, most cases remained at a stalemate. Further, the AANES did not have the legal framework or resources to try foreign fighters in their custody. The AANES and SDF's calls for repatriation were largely ignored by countries that viewed the fighters as a national security threat. Returnees who faced prosecution in their country of origin were predominantly women and children who were perceived to be less threatening than men [See Map 1: P. 26].¹⁰⁴

Bosnia and Herzegovina, Kosovo, and North Macedonia are an exception to this trend. As of June 2022, at least 24 adult men were repatriated to the Western Balkans and faced prosecutions under domestic terrorism laws.¹⁰⁵ Average sentences were 3.4 years in Bosnia and Herzegovina, four years in Kosovo, and 6.4 years in Macedonia.¹⁰⁶ The efforts of these countries provide other states with an example of how to create practical plans for controlled repatriation and prosecution.

Additionally, Iraq repatriated additional citizens in 2022, amounting to nearly 4,000 returnees since 2019.¹⁰⁷ However, 27,300 Iraqis remained in Al-Hol and Roj, and another 3,000 Iraqi men and boys remained in SDF detention facilities.¹⁰⁸ Detained returnees faced flagrant human rights violations in Iraqi custody, including torture. Further, Iraq still has not amended its criminal code to allow for prosecutions of serious international crimes despite draft legislation.

The United States also prosecuted former ISIS fighters, including *two of the ISIS Beatles* who were sentenced to life imprisonment for a hostage-taking scheme that resulted in the deaths of American, British, and Japanese citizens.¹⁰⁹ In May, a federal district court in New York found Mirsad Kandic, who was extradited from Sarajevo, guilty of providing material support to ISIS, including two counts resulting in death.¹¹⁰ In Syria, Kandic fought for ISIS in battles near Aleppo.¹¹¹ He was also responsible for recruiting foreign fighters, trafficking foreign fighters, and obtaining weapons, military equipment, maps, money, and false identifications for ISIS fighters. He faced life imprisonment for the two counts resulting in death and twenty years imprisonment for the remaining four charges.

While many adult foreign fighters evaded prosecution in their country of origin, states were more willing to repatriate children, including those involved in the commission of serious international crimes. As such, the issue surrounding the prosecution of child perpetrators, as well as adults who committed serious international crimes in Syria as children, was a topic of discussion this past year. One notable case was before a German Higher regional court. In May, the court found 22-year-old Leonora Messing guilty of joining a terrorist organization and gave her a two-year suspended sentence after she vowed to reintegrate herself and her children into German society.¹¹² Her case was scrutinized as German commentators questioned why a teenage girl who filmed makeup tutorials joined ISIS at age 15.

Missing Persons Investigations

The search for the tens of thousands who have gone missing during the Syrian conflict was at the center of justice efforts in 2022. In August, the UN Office of the Secretary General released a much-anticipated report detailing how a proposed UN institution could search for missing persons inside Syria.¹¹³ The report was the result of years of advocacy by Syrian families and civil society. While some families applauded the report, SJAC and a coalition of syrian civil society organizations (CSOs) demanded a more robust response to the crisis.¹¹⁴ Missing persons investigations in government-controlled Syria will not lead to meaningful progress until investigators can access prisons and gravesites inside Syria. The most important step in finding Syria's missing continues to be gaining the cooperation of the Syrian government, which is responsible for the vast majority of cases of enforced disappearance. If the international community wishes to assist in the search for the missing, states must dedicate sustained political will to securing such cooperation.

Meanwhile, in the AANES, SJAC and its partner, the Syrian Missing Persons and Forensic Team (SMFT)¹¹⁵ have halted the opening of mass graves to ensure the preservation of evidence¹¹⁶ and begun implementing innovative strategies to investigate the fates of those disappeared by ISIS.

To help authorities untangle issues surrounding the prosecution of child perpetrators, SJAC released a short [brief](#) in September.¹³³ The brief suggests that accountability efforts are critical for achieving justice on behalf of survivors, regardless of the perpetrator's age, gender, or the circumstances they faced when the crime was committed. But efforts to hold someone accountable will differ on a case-by-case basis because of the perpetrator's victim status, the nature of crimes, and the scope of victims connected to the crime.

Through collecting information from families, witnesses, survivors, and gravesites, SJAC and the SMFT sought to understand how ISIS detention systems functioned and to predict the movements and whereabouts of individual detainees. In April 2022, SJAC released a report, [*Unearthing Hope*](#),¹¹⁷ which provides an overview of SJAC's investigative strategy, as well as ISIS's detention system. SJAC and the SMFT applied this strategy to make concrete progress, piecing together documentation to link specific grave sites to certain detention centers, supporting



Missed Opportunities:

In the spring and summer of 2022, SJAC monitored the trial of ISIS “Beatles” perpetrators Alexandra Kotey and El Shafee Elsheikh, collecting extensive information on ISIS detention centers vital for missing persons investigations. In addition to collecting information from the public trial, SJAC conducted interviews with surviving hostages and, with the assistance of authorities, Alexandra Kotey. The results of this effort were published in a report, [*Missed Opportunities: Searching for the Missing While Prosecuting ISIS*](#). Unfortunately, despite increasing opportunities for accountability for ISIS perpetrators, many legal authorities are hesitant to collaborate with missing persons investigators, leading to the loss of vital information.

future identifications. SJAC and the SMFT also expanded the geographic scope of their work in 2022. SJAC [*grew its documentation*](#) efforts to include formerly ISIS-controlled areas of Idlib and Aleppo¹¹⁸ and began collaborating with partners in Iraq to search for detainees who may have been transferred across the Syrian-Iraqi border. The SMFT opened a new office in Deir Ezzor, where it is now documenting grave sites and missing persons.

While fieldwork is at the heart of missing persons investigations, SJAC also expanded its other investigative tools, utilizing every opportunity for progress. The team began using satellite imagery to identify and date graves,¹¹⁹ started open-source investigations within its online database, and monitored the trials of ISIS perpetrators to collect information relevant to missing persons.

While this progress in the AANES is significant, a comprehensive, country-wide investigation of all missing persons in Syria will be necessary in order to meet families' rightful demands to know the fates of their loved ones.

Sanctions

The United States, European Union, and their allies retained extensive sanctions on the Syrian government, as well as other parties to the conflict. These sanctions attempted to weaken the ability of the Syrian government and other actors to commit serious crimes by limiting their financial resources. However, to date sanctions have been largely unsuccessful in curbing the actions of the Syrian government, while resulting in unintended consequences for civilians who are suffering through a devastating economic crisis.¹²⁰

According to the UN, 90% of Syrians live in poverty, while over 12 million are food insecure and experience critical shortages of water, electricity, fuel, and medical supplies.¹²¹ This crisis is a result of many factors, including the legacy of over a decade of conflict, Syrian government mismanagement and corruption, Russia's declining economic support, a decrease in Ukrainian wheat imports, and severe drought in Syria's agricultural regions.¹²² Some of these factors have been amplified by sanctions. For example, the food crisis has been worsened by sanctions that inadvertently block essential “dual use” agricultural imports, such as fertilizer and heavy equipment, that can be retooled for military purposes.¹²³

As civilians suffer, the Syrian government has avoided the most damaging effects of sanctions, utilizing its allies, the illicit economy,

and even contracts procured by the UN.¹²⁴ Moreover, more recent sanctions have been issued against individuals, such as high-ranking military officers, who have limited exposure to international markets and are unlikely to be substantially impacted.¹²⁵

Nonetheless, sanctions remain a potentially valuable tool for blocking premature normalization with the Syrian government.¹²⁶ They can also be an effective tool against non-governmental actors attempting to build international recognition. Sources have informed SJAC that members of armed groups, such as the Suleiman Shah Brigade, are highly motivated to avoid sanctions. Meanwhile, sanctions against the government could more effectively influence behavior if states provided a clear path to relief. One example is that states could link cooperation with an international missing persons mechanism to the gradual lifting of sanctions.¹²⁷ States imposing sanctions must continue to calibrate sanctions to address current humanitarian needs while seeking avenues to ease unintended impacts that are crippling Syria's food and healthcare systems.

As Syria's traditional allies face their own internal crises, opportunities abound to force the government to reform its actions or face serious budgetary constraints. States need to examine the opportunities available to them in 2023 to protect the Syrian people and force corrective behavior from the government through targeted sanctions.

Technology and Human Rights

The Syrian conflict was one of the first to occur in the era of widespread social media use and access to digital technology. In 2022, Syrians continued to develop and improve upon technology and open-source tools for documentation of human rights violations and other justice and accountability efforts.

To further support documentation efforts, SJAC added several new features to *Bayanat* in late

2021 and early 2022, which helped improve security and allowed users to easily import and organize new data. SJAC recently launched a new import tool allowing interviews and other data collected in the field to be automatically uploaded to *Bayanat* in large batches. The tool reduced the need for manual analysis, as fields within the database auto generate, making interviews immediately searchable without any human analysis. Such innovations reduce the lag between the collection of an interview and the ability to use it in investigations, and can increase the amount of documentation that small organizations can reasonably collect and analyze. SJAC also developed an access control feature that allows administrators to restrict users' access to particular items. This feature enabled SJAC to easily share subsets of data with interested parties, such as reporters, for accountability purposes, without providing access to the dataset as a whole. SJAC continues its development of *Bayanat* to adhere to industry best practices for data security, and to add features to facilitate the work of human rights documenters in 2023 and beyond.

SJAC partnered with other organizations to innovate technology solutions for justice and accountability efforts related to the Syrian conflict. This year, SJAC tested a series of tools developed as part of Benetech's "Justice AI"¹²⁸ program, which uses machine learning and computer vision to improve analysis conducted as part of human rights documentation efforts. One such tool includes object recognition, allowing for the automated identification of videos containing a particular object of interest, such as a certain type of weapon or flag. More generally, Syrians and Syria-focused organizations continued to use technology in their work in 2022. For example, UK-based AirWars used social media and geolocation to document¹²⁹ civilian casualties resulting from Russian and Coalition airstrikes in Syria. Syrians also took advantage of technology to exchange ideas that may be difficult or impossible to address through other means, such as using Clubhouse, a social

networking application that allows users to connect in audio-only chat rooms. This has been another forum for Syrians to discuss ongoing UJ cases, learn documentation skills, and interact with civil society.

Documentation

Since 2012, Syrians have preserved millions of videos, witness testimonies, and other documentation, making the Syrian conflict one of the most documented in human history.¹³⁰ Today, Syrian organizations are faced with the challenge of simultaneously documenting the ever-changing human rights violations on the ground, while still working to preserve evidence and interview survivors of violations from earlier in the conflict. Increasingly, documenters are also tasked with chasing down specific pieces of evidence in order to support criminal investigations.

Open-Source Documentation

Some of the most exciting progress in the field of documentation is being made possible by open-source investigators, who are both collecting new types of documentation and using new tools to understand and analyze preserved documentation.

Investigations have increasingly relied on satellite imagery as a tool to geolocate events and corroborate other evidence. SJAC's missing persons team partnered with the American Academy for the Advancement of Science in early 2022 to analyze satellite imagery of nine previously exhumed mass graves in Northeast Syria. Through careful analysis, the team was able to establish timelines for when many of these graves were being used. This information could be vital to both missing persons and criminal investigations, as it provides clues as to which victims may be inside which graves, and which perpetrators may have been responsible.

Additionally, SJAC has been using new techniques to analyze the more than 400,000 pieces of data fully searchable within *Bayanat*. In 2022, SJAC's new Open-Source Intelligence (OSINT) team utilized advanced tools to ascertain the precise location and time of specific videos. Satellite imagery allows the team to identify notable buildings or other geographic features, to pinpoint the location of a video, while SunCalc,¹³¹ allows the team to measure the length of shadows within a video, to establish the time of day at a given location. In this way, investigators are able

At its inception, SJAC recognized the need for a sophisticated documentation system that could be used to preserve and analyze the volume of open-source documentation on the Syrian conflict, and could also support international efforts to hold perpetrators accountable. In response, SJAC created an open-source data management tool, Bayanat, which preserves and stores evidence related to the Syrian conflict, including more than 1.4 million videos. Bayanat is also designed to assist documenters analyze evidence.

*Bayanat focuses on linkages between evidence and intuitive search functions to assist documenters and analysts in connecting different documents, videos, or photos to examine instances of violations. In 2022, SJAC significantly built out the incidents section of Bayanat to further streamline and improve data analysis. Both Bayanat and SJAC's open-source analysis **methodology** are publicly available, and*

SJAC is working to localize Bayanat for use in other languages and contexts. SJAC currently provides support and training on Bayanat to partner organizations conducting documentation work in Asia, Africa, and the Middle East.

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to extract new information from documentation preserved years ago, shedding new light on the early violations of the conflict.

Field Documentation

Field documentation – especially interviews with survivors and witnesses of serious crimes – continued to be at the heart of documentation efforts. In 2022, SJAC conducted 340 interviews (36% with women), across the four main areas of political control in Syria: (1) areas held by the Syrian government; (2) the territory under SDF control in northeast Syria; (3) territory held by HTS and allied groups; and (4) the northwestern region under Turkish occupation with support from the Turkish-backed SNA and other groups. Of the violations reported, the most frequent were: detention; housing, land, and property violations; killing; torture; bombardment; and sexual and gender-based violence (SGBV). Interviews are crucial to corroborate evidence, identify perpetrators, and establish a historical record that reflects the voices of survivors and tells the stories of victims. Interviews with witnesses can be particularly important in capturing underreported violations, such as sexual and gender-based violence, which often happen in private, and are not generally captured in videos or other types of open-source documentation [See Chart 1: P. 27].

SJAC was able to achieve this level of documentation as a result of an improvement in field conditions in certain areas of Syria. In Deir Ezzor, for example, SJAC documentation coordinators found it easier to build trust with families of alleged ISIS affiliates who are now returning to their communities from elsewhere in Syria and Iraq. This access is possible, at least partly, because of reintegration activities undertaken by local CSOs such as Justice for Life and Mari Research and Development. In the same context, the repatriation and prosecutions of non-Syrian ISIS affiliates allowed for documentation, as was the case with the convicted ISIS Beatles member Alexandra Kotey. Relative political

stability in SDF-held areas also allowed human rights organizations and independent journalists to enter and photograph abandoned ISIS detention centers for the first time.

Nevertheless, both old and new security threats and humanitarian challenges limited physical access and posed obstacles to field documentation. The risks of documentation in government-controlled territory remained extremely high, limiting the amount of high-quality information on ongoing human rights violations. It is easier to collect documentation from internally displaced persons (IDPs) outside of government territory. Oftentimes IDPs are more comfortable talking about past government abuses than abuses by authorities where they currently live. This has particularly been the case for IDPs living under HTS. In SDF-controlled areas, SJAC struggled to collect testimony confirming the widespread reports of a spike in arbitrary detention and child conscription. Some witnesses were unwilling to participate in interviews because of a fear of SDF reprisals and a belief that such violations were relatively insignificant when compared to the looming risk of a Turkish military incursion.

Dire humanitarian conditions likewise constrained opportunities for documentation. In 2022, SJAC documentation coordinators operating in Iraq, for example, found that many Yazidi survivors of ISIS crimes were reluctant to share testimony relevant to the search for the missing. These survivors have already participated in numerous interviews with media and humanitarian organizations, with little improvement in the conditions of their daily lives to show for it.

The physical and psychosocial risks of conducting field documentation in Syria persist. Syrian documenters nonetheless remain hopeful that the documentation they collect will be instrumental in future justice efforts.



Gas Seller - Damascus, 2021. ©Damascus Voice

Recommendations

Recommendations

While much of the public's attention has shifted away from Syria, actors in the conflict disregarded international humanitarian and human rights laws and customs. Actors including the Syrian government, the SNA, and the SDF have enjoyed impunity for indiscriminate attacks, displacement, and housing, land, and property violations. The fate or location of thousands of Syrians who have been detained remains unknown. At the same time, the humanitarian crisis has worsened with the international community taking little concrete action to ensure the delivery of humanitarian aid to the whole of Syria.

The slow humanitarian response to the February, 2023 earthquake is testament to the barriers actors have erected to prevent unhindered humanitarian assistance.

Despite this environment, Syrian human rights defenders, activists, and civil society continue to work toward justice. Universal jurisdiction has made some inroads, as more European countries opened investigations and Germany sentenced Anwar Raslan, the highest-ranking Syrian official to be sentenced so far. Syrian civil society has led documentation and investigative efforts to ensure that evidence is preserved, the international community continues to learn about systematic violations and support current and future justice processes.

On the twelfth anniversary of the conflict in Syria, SJAC calls on all parties to heed the following recommendations:



Title: [Al-Assad's Gang!!](#)

Artist: Delawer Omar

Led by Warrant Officer Amjad Youssef, members of Branch 227 of the Military Intelligence Directorate brutally massacred 41 people in Tadamon, a neighborhood in Damascus, in April 2013. The victims were rounded up, blindfolded, then shot one by one. Their bodies were tossed in a pre-dug mass grave, then set on fire. Delawer Omar's painting shows Amjad Youssef in his infamous bucket hat standing above a civilian who is about to be executed. The vivid crimson and orange shades personify the blood spilled at the government's hands throughout the 12-year conflict.

Missing Persons

- States supporting a possible missing persons mechanism should focus on securing cooperation from the Syrian government, including by disconnecting talks on detainees from larger political negotiations and connecting access to detention centers and widespread releases to the lifting of sanctions and other concrete incentives.
- The SDF should cooperate with the ICRC to ensure that families of detained accused ISIS fighters can know the location of, and be in communication with, their loved ones. Currently, many families worry that their missing loved ones may be wrongfully held alongside their former captors.

Refugees and Displaced Persons

- The UK and EU members must abide by their legal responsibilities to protect refugees' right to *non-refoulement*. Furthermore, these countries must end indefinite detention of Syrians who cannot return to Syria.
- EU member states must recognize that third countries without protection mechanisms against *non-refoulement*, such as Türkiye and Rwanda, are not safe for Syrians due to the threat of forced returns or deportations. Third-country partnerships should be terminated to prevent additional risks to refugees.
- Lebanon and Türkiye must halt organized returns to Syria. Using coercion and violence to encourage Syrians to sign voluntary return papers is not voluntary repatriation.

Justice Initiatives

- The U.S. should utilize congressionally approved funding to implement a financial amends system for victims of U.S. and coalition airstrikes that is both standardized and accessible. Requests should be investigated using records and documentation held by the U.S. government, as well as open-source records and documentation collected by NGOs.

- Germany and other UJ states should consolidate expertise to address atrocity crimes by establishing centralized domestic chambers to hear universal jurisdiction cases. This could improve efficiency and ensure that lessons learned from one UJ trial could be applied to the next.
- UJ states must provide MHPSS to witnesses and survivors of atrocity crimes at the earliest stages of prosecutions by ensuring that they are informed of available resources at every stage of the process in a language they understand.
- To combat the trade of captagon, countries neighboring Syria should improve monitoring and spot inspections at major land and maritime ports and develop non-punitive and country-specific anti-drug campaigns. With the new U.S. Captagon Act, the U.S. government must coordinate with partners in the region to reduce demand.

International Humanitarian Law

- Parties to the conflict must renew and enforce a ceasefire in Idlib. Actors must ensure access to international aid, including medical supplies to address growing civilian needs.
- As an occupying power in Northern Syria, Türkiye must ensure access to basic goods through increased imports or subsidizing local resources. Additionally, Türkiye must prevent militants from abusing reconstruction projects meant for civilian IDPs as required by Article 27 of the Fourth Geneva Convention.
- The U.S., EU, and other states with sanctions on Syria must reevaluate sanctions in light of economic and collateral impacts suffered by civilians. Restrictions on “dual use” items should be eased.

Post-ISIS Accountability

- Non-Syrian nationals detained in Al-Hol and Roj should be returned home where they can be fairly tried and detained, or

reintegrated into society with appropriate psychosocial support. Repatriation programs should balance states' security concerns with their human rights obligations.

- Syrian nationals unaffiliated with ISIS should be released to their communities in coordination with local authorities (e.g., Tribal Councils).
- Syrian children of ISIS affiliates who have been separated from their parents should be reunited with extended family where possible or placed in the care of local authorities and/or international humanitarian organizations that can ensure basic needs are met.
- The SDF should publicly release information regarding the nationalities of non-Iraqi and non-Syrian fighters in their custody, and countries should repatriate their citizens.
- SDF and the states in the Global Coalition to Defeat ISIS should improve security and humanitarian conditions in detention facilities, to prevent ISIS prison break-outs and in advance of a treaty-based terrorism court for the prosecution of alleged ISIS perpetrators.

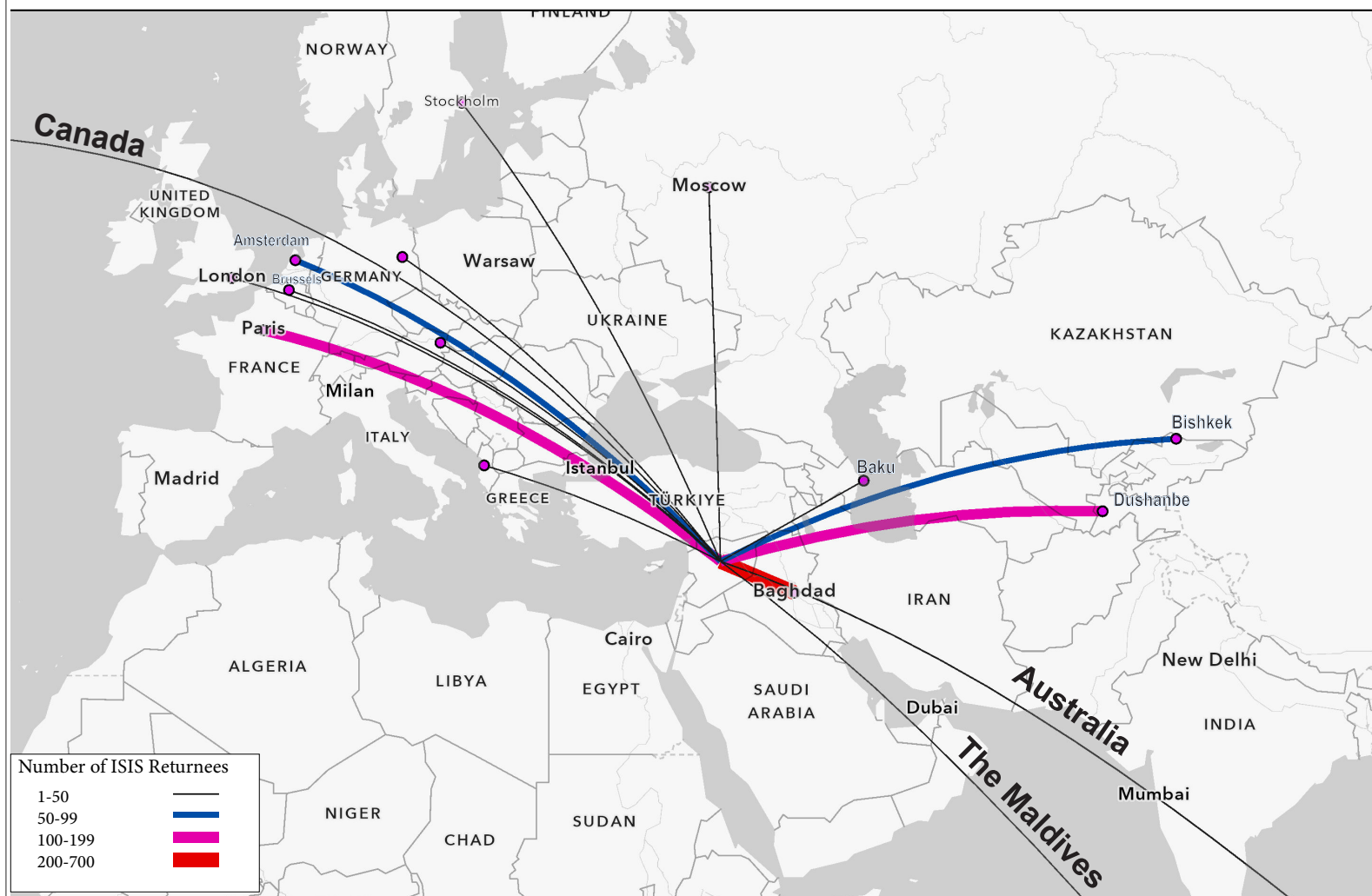


Raqqa Clock Tower - 2022. SJAC's Missing Persons Documentation Team

Annexes

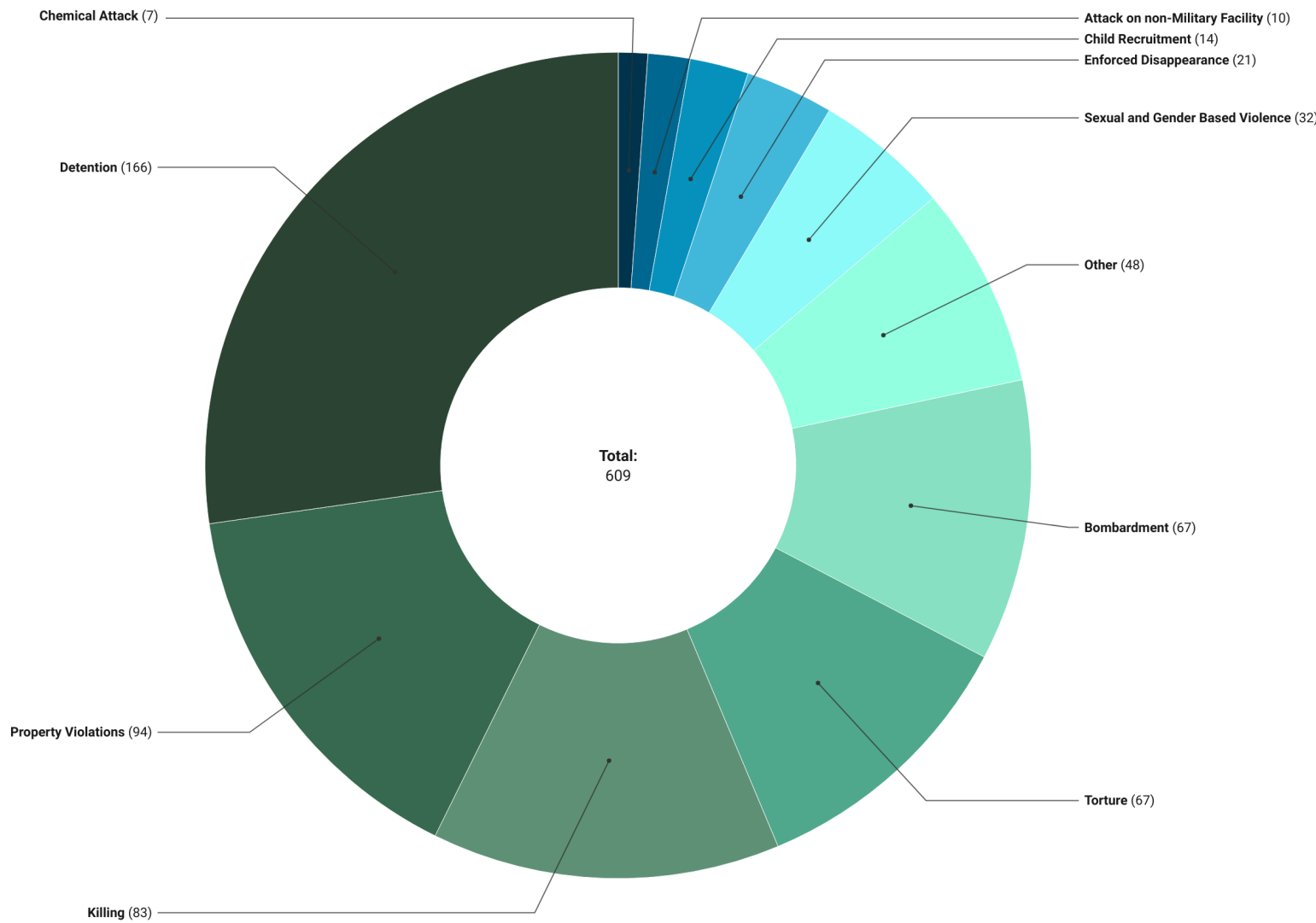
Annex I: Maps & Charts

Number of Suspected ISIS Affiliates Returned to their Home Country



2022 Violations Interview Data

Number of violations mentioned in interviews conducted by SJAC in 2022*



**Interviews often contain references to multiple violations, so the total number of violations is greater than the number of interviews collected by SJAC.*
Created with Datawrapper

Annex II: Universal Jurisdiction Cases

The following information provides updates and new cases in 2022 (See past State of Justice in Syria reports for past case lists). It 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 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 State	Alleged Perpetrators	Nationality	Affiliation	Case Status	Alleged Crimes or Conviction	Sentence
Austria	Mirsad O. (Ebu Tejma) (M); 2 other unknown males	Austrian and Bosnian; Afghan (Unknown Male 1), Bosnian (Unknown Male 2)	ISIS	Convicted (Appeal Pending)	Members of a terrorist organization, Financing terrorism, misappropriation, and severe fraud	Sentenced to 20 years in prison (Mirsad O.), Sentenced to 5 months of parole (Unknown Male 1); Sentenced to 2 years in prison and mandatory participation in deradicalization program (Unknown Male 2)
Canada	Hussein Sobhe Borhot (M)	Canadian	ISIS	Convicted	Member of a terrorist organization; Kidnapping	Sentenced to 12 years in prison
Denmark	35-year-old (F)	Danish	ISIS	Convicted	Support to a terrorist organization and entering and residing in a conflict zone	Sentenced to 3 years in prison
France	Amar Felouki (M)	French	Al-Nusra Front	Convicted	Associating with a terrorist organization	Sentenced to 15 years in prison
France	Arthium Aloyan (M)	French, Armenian	Al-Nusra Front	Convicted (Appeal Pending)	Member of a terrorist organization	Sentenced to 12 years in prison
France	Sami Allem (M), Abderrahman Cheikh (M)	French; Algerian and Moroccan	HTS	Convicted (Appeal Pending)	Members of a terrorist organization, Financing terrorism	Sentenced to 3 years in prison (Allem); Sentenced to 2 years in prison (Cheikh)
France	Bassam Ayachi (M), Hachimi M. (M)	French; Syrian	Ahrar al-Sham	Convicted (Appeal Pending)	Members of a terrorist organization	Sentenced to 5 years in prison (Ayachi); Sentenced to 10 years in prison (Hachimi M.)
Germany	Ahmad Abdulaziz Abdullah A. (Abu Walaa) (M), Hasan C. (M), Boban S. (M), Mahmoud O. (M)	Iraqi; German; Turkish; Serbian	ISIS, Deutscher Islamkreis Hildesheim e. V.	Convicted	Member of a terrorist organization, Financing terrorism, and Public Incitement to commit offences (Abu Walaa); Support to a terrorist organization and Public Incitement to commit offences (Hasan C., Boban S., Mahmoud O.); Incitement to fraud and Public Incitement to commit offences (Mahmoud O.)	Sentenced to 10.5 years in prison (Abu Walaa); Sentenced to 6.5 years in prison (Hasan C.); Sentenced to 8 years in prison (Boban S.); Sentenced to 4 years and 2 weeks in prison (Mahmoud O.)
Germany	Nils D. (M)	German	ISIS	Convicted	Member of a terrorist organization; Killing and torturing of a person protected under IHL	Sentenced to 10 years in prison
Germany	Anwar Raslan (M); Eyad Al-Gharib (M)	Syrian	Syrian Government	Convicted (One Appeal Pending)	Murder (27 counts), Torture and severe deprivation of liberty (4,000 counts), Sexual violence as a crime against humanity (3 counts) (Raslan); Aiding and abetting torture as a crime against humanity (30 counts) (Al-Gharib)	Sentenced to life in prison (15 years) (Raslan); 4.5 years in prison (Al-Gharib)

Germany	Rabih O. (M)	German, Lebanese	ISIS	Convicted	Support of a terrorist organization (8 counts), Violation of European foreign trade laws (3 counts)	Sentenced to 3.5 years in prison
Germany	Kim Teresa A. (F)	German	ISIS	Convicted	Member of a terrorist organization, Violation of property rights amounting to war crimes (6 counts), Violation of arms control laws (2 counts)	Sentenced to 4 years in prison
Germany	Leonora M. (F)	German	ISIS	Convicted (Appeal Pending)	Member of a terrorist organization, Violation of arms control laws	Sentenced to 2 years on parole
Germany	Aymen A.-J. (M); Denise S. (F)	Iraqi, German	ISIS	Convicted	Member of a terrorist organization, Violation of foreign trade law, Failure to report planned offences (Denise S.); Member of a terrorist organization, Preparation of a severe state threatening offence (Aymen A.-J.)	Pending
Germany	Stefanie A. (F)	German	ISIS, Jund al-Aqsa	Convicted (Appeal Pending)	Member of a foreign terrorist organization, war crimes, Violation of parental duties, Reckless killing of a child	Sentenced to 6.5 years in prison
Germany	Amin M. (M)	Syrian	Free Syrian Army, ISIS	Convicted	Degrading and humiliating treatment of a deceased protected person	Sentenced to 1.5 years on parole
Germany	Unknown Male (Juvenile)	Syrian	Ahrar al-Sham	Convicted (Appeal Pending)	Member of a terrorist organization, Violation of arms control laws	Sentenced to 2 years and 11 months in prison
Germany	Verena M. (F)	German	ISIS	Convicted (Appeal Pending)	Member of a terrorist organization, Seizure of a minor with endangerment, Violation of parental duties, Violations of arms control laws	Sentenced to 3.5 years in prison
Germany	Solale M. (F)	German, Iranian	Katiba Nusaiba	At Trial	Member of a terrorist organization, Seizure of a minor with endangerment, Violation of parental duties	Pending
Germany	Romiena S. (F)	German	ISIS	Convicted	Member of a terrorist organization, Seizure of a minor with endangerment, Violation of parental duties, Aiding and abetting slavery as crime against humanity	Sentenced to 3 years and 3 months in prison
Germany	Jalda A. (F)	German	ISIS	Convicted (Appeal Pending)	Member of a terrorist organization, Aiding and abetting genocide, Aiding and abetting war crimes, Aiding and abetting crimes against humanity	Sentenced to 5.5 years in prison
Germany	Mandy B. (F)	German	ISIS	Convicted	Member of a terrorist organization, Financing terrorism, Violation of duty of care, Tax Evasion	Pending
Germany	Kira K. (F)	German	HTS	Ongoing Investigation	Supporting a terrorist organization	Pending
Germany	Monica K. (F)	German	ISIS	Convicted	Member of a terrorist organization, War crimes against property (in Iraq)	Pending

Germany	Nadine K. (F)	German	ISIS	At Trial	Member of a terrorist organization, Aiding and abetting property violations, aiding and abetting war crimes; Aiding and abetting genocide, Aiding and abetting crimes against humanity, Sexual coercion, Exploitation and deprivation of liberty, Human trafficking, Violation of arms control laws	Pending
Germany	Fatiha B. (F)	German, Moroccan	Al-Nusra Front, ISIS	Ongoing Investigation	Member of a terrorist organization	Pending
Germany	Gülseren T. (F)	German	ISIS	Ongoing Investigation	Member of a terrorist organization	Pending
Germany	Emilie R. (F)	German	ISIS	Indictment Filed	Member of a terrorist organization	Pending
Germany	Raed E. (M)	Syrian	ISIS	Indictment Filed	Member of a terrorist organization, Deprivation of liberty and torture of a person protected under IHL	Pending
Germany	Akram El A. (M)	German	Kata'ib Ahrar al-Sham, Ahrar al-Sham	Indictment Filed	Member of a terrorist organization, Financing terrorism, Attempted murder	Pending
Germany	Laura H. (F)	German	ISIS	Indictment Filed	Member of a terrorist organization, Violation of duty of care, Violation of European foreign trade laws	Pending
Germany	Unknown Male	Syrian	Al-Nusra Front	Indictment Filed	Member of a terrorist organization	Pending
Germany	Unknown Male	German	HTS	Indictment Filed	Member of a terrorist organization, Financing Terrorism	Pending
Germany	Aleem N. (M)	German	ISIS	Ongoing Investigation	Member of a terrorist organization, Preparation of a severe state threatening offence	Pending
Germany	Ahmed H. I. (M)	Syrian	ISIS	Ongoing Investigation	Member of a terrorist organization, Preparation of a severe state threatening offence, Violation of arms control laws	Pending
Germany	Marcia M. (F)	German	ISIS	Ongoing Investigation	Member of a terrorist organization	Pending
Germany	Kristin L. (F)	German	ISIS	Ongoing Investigation	Member of a terrorist organization, Violation of arms control laws, Aiding and abetting bodily assault	Pending
Germany	Cebraill Ö. (M)	German	ISIS	Ongoing Investigation	Member of a terrorist organization, Incitement to dangerous bodily assault, Coercion	Pending
Germany	Sarah B. (F)	German	ISIS	Convicted	Membership in a foreign terrorist organization	Sentenced to 2 years (juvenile sentence) suspended to 3 years on parole
Germany	Lisa R.	German	ISIS	Convicted	Membership in a foreign terrorist organization	Sentenced to 2 years suspended to 3 years on parole and 250 hours community service
Germany	Kassim A.	German	Opposition Forces	Convicted	War Crimes	Sentenced to 1 year and 6 months equaling up to 3 years and 6 months due to previous sentence
Ireland	Lisa Smith (F)	Irish	ISIS	Convicted (Awaiting sentencing)	Member of a terrorist organization	Pending

Kosovo	H. S. (M)	Kosovan	ISIS	Ongoing Investigation	Member of a terrorist organization	Pending
Kosovo	Y. B. (M)	Kosovan	HTS, ISIS	Ongoing Investigation	Member of a terrorist organization	Pending
Netherlands	Hicham R. (M)	Dutch	HTS	Acquitted (Appeal Pending)	Member of a terrorist organization	Acquitted
Netherlands	Angela B. (F)	Dutch	ISIS	Convicted (Appeal Pending)	Member of a terrorist organization, Recruiting for a terrorist organization	Sentenced to 4.5 years in prison
Netherlands	Ilham B. (F)	Dutch	ISIS, Al-Nusra Front	Convicted (Appeal Pending)	Member of a terrorist organization (2 counts), Preparing terrorist crimes	42 months in jail with one year suspended sentence
Netherlands	Unknown Male	Syrian	Liwa al-Quds, Syrian Government	Ongoing Investigation	Member of a terrorist organization, Recruiting for a terrorist organization	Pending
Netherlands	Nikki Caroline S. (F)	Dutch	ISIS	Ongoing Investigation	Member of a terrorist organization, Preparing terrorist crimes	Pending
Sweden	Lina Ishaq (F)	Swedish	ISIS	Convicted (Appeal Pending)	Failure to prevent child recruitment to a terrorist organization	Sentenced to 6 years in prison
Sweden	44 -year-old (M)	Swedish	ISIS	At Trial	War crimes	Pending
Switzerland	Unknown Juvenile (M)	Swiss	ISIS	Ongoing Investigation	Participation in a criminal organization	Pending
Switzerland	2 Unknown Males	Swiss	ISIS	Ongoing Investigation	Member of a terrorist organization, Supporting a terrorist organization, Participating in a criminal organization	Pending
USA	Mohamad Anas Haitham Soueid (M)	Syrian, American	Syrian Government	Convicted	Unlawfully acting as an agent of a foreign government	Sentenced to 1.5 years in prison followed by 3 years of supervised release
USA	Mirsad Kandic (M)	American, Kosovan	ISIS	Convicted (Awaiting Sentencing)	Conspiracy to provide material support to a foreign terrorist organization, Providing material support to a foreign terrorist organization (5 counts)	Pending
USA	El Shafee Elsheikh (M)	British	ISIS	Convicted (Awaiting Sentencing)	Four counts of hostage taking resulting in the deaths of four Americans, conspiracy to murder U.S. citizens outside of the United States, conspiracy to provide material support or resources to terrorists resulting in the deaths of U.S., British and Japanese nationals, conspiracy to provide material support or resources to a designated foreign terrorist organization resulting in the deaths of U.S., British, and Japanese nationals	Sentenced to life in prison
USA	Alexanda Amon Kotey (M)	British	ISIS	Convicted (Appeal Pending)	Conspiracy to commit hostage taking resulting in death, Hostage taking resulting in the deaths of four Americans, Conspiracy to murder U.S. citizens outside of the United States, Conspiracy to provide material support or resources to terrorists resulting in the deaths of U.S., British and Japanese nationals, Conspiracy to provide material support or resources to a designated foreign terrorist organization resulting in the deaths of U.S., British, and Japanese nationals	Sentenced to life in prison
USA	Mohammed Khalifa (M)	Canadian, Saudi	ISIS	Convicted	Conspiracy to provide material support or resources to a foreign terrorist organization, resulting in death	Sentenced to life in prison
USA	Maria Bell (F)	American	Al-Nusra Front	Convicted	Concealing attempts to provide material support to designated foreign terrorist organizations	34 months
USA	Allison Fluke-Ekren (F)	American	ISIS	Convicted	Providing military support to a foreign terrorist organization	20 years

USA	Hani Ahmed Al-Kurdi (M)	Syrian	ISIS	Ongoing Investigation	Member of a terrorist organization	Pending
USA	Elvin Hunter Bgorn Williams (M)	American	ISIS	Convicted	Providing Material Support to a Designated Foreign Terrorist Organization	Sentenced to 4 years in prison followed by 15 years of supervised release
USA	Abdullahi Ahmed Abdullahi (M)	Canadian	ISIS	Convicted	Conspiring to provide material support or resources to a foreign terrorist organization	20 years in prison

Annex III: Endnotes

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