



Syria Justice and  
Accountability Centre



# MAPPING ACCOUNTABILITY EFFORTS IN SYRIA

Prepared by the

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## TABLE OF CONTENTS

<b>Statement of Purpose</b>	1
<b>Introduction</b>	1
<b>Background on the Syrian Conflict</b>	2
<b>Methodology</b>	4
<b>Legal Framework for Transitional Justice in Syria</b>	5
<i>Syria's International Legal Obligations</i>	5
International Criminal Law	5
International Humanitarian Law	10
International Human Rights Law	15
<i>Syria's Domestic Legal Framework</i>	16
The Syrian Penal Code	16
<i>Amnesties in Transitional Justice</i>	18
Amnesties Issued by the Syrian Government	19
<i>Structure of the Syrian Judicial System</i>	22
Supreme Judicial Council	23
Syrian Court Structure	23
Judicial Independence	26
<b>The Transitional Justice Evidence Documentation Process</b>	27
<i>TJE Collection</i>	28
<i>TJE Compilation</i>	28
<i>Facilitation and Training</i>	29
<i>Other Activities</i>	29
<b>TJE Collection in Syria</b>	30
<i>Syrian Groups and Organizations</i>	30
Civil Society Organizations	30
News Agencies	31
<i>International Organizations</i>	31
Intergovernmental Organizations and Bodies	31
Governmental Initiatives	32
Non-governmental Organizations	32

News Agencies	33
<b>Needs and Challenges for TJE Documentation Efforts in Syria</b>	<b>33</b>
<i>Deteriorating Security Situation in Syria</i>	34
<i>Coordinating Efforts</i>	35
<i>Lack of Comprehensive International Legal Approach</i>	36
<i>Inconsistent Verification Standards</i>	37
<i>Reaching All Affected Areas and Populations</i>	37
<i>Rape and Sexual Violence</i>	38
<i>Unbiased Documentation of Violations by All Parties</i>	38
<i>Language and Translation Issues</i>	39
<i>Effectively Utilizing Technology</i>	39
<b>Annex 1: Actors Documenting Syria Transitional Justice Evidence</b>	<b>41</b>
<i>Syrian Groups and Organizations</i>	41
Civil Society Organizations	41
News Agencies	49
<i>International Organizations</i>	50
Intergovernmental Organizations and Bodies	51
Governmental Initiatives	56
Non-governmental Organizations	58
News Agencies	77
<b>About the Public International Law &amp; Policy Group</b>	<b>81</b>

## MAPPING ACCOUNTABILITY EFFORTS IN SYRIA: DOCUMENTING VIOLATIONS OF INTERNATIONAL CRIMINAL, HUMANITARIAN, AND HUMAN RIGHTS LAW

### Statement of Purpose

The purpose of this evaluation is to map and analyze current initiatives working to collect information and evidence for future accountability mechanisms in Syria and to evaluate these efforts to assist the Syrian Justice and Accountability Centre (SJAC) in determining strategic and organizational priorities.

### Introduction

The need to collect evidence for any future transitional justice process in Syria has been widely recognized by international organizations, diplomats, and Middle East experts. This need has arisen because of mounting credible evidence of violations of international criminal law (specifically, war crimes and crimes against humanity), international humanitarian law, and international human rights law throughout the conflict. A February 2012 report by the United Nations (UN) Human Rights Council concluded that Assad regime had deliberately targeted civilians as a matter of state policy.<sup>1</sup> Reports indicate that some opposition elements such as militias and other armed groups have also committed atrocity crimes.<sup>2</sup>

The goal of the SJAC is to promote peaceful reconciliation and transitional processes in Syria. To this end, the SJAC is working to gather documentation of violations of international criminal, humanitarian, and human rights law by all parties to the conflict in Syria to collect and preserve evidence for use in future accountability and reconciliation efforts related to the conflict in Syria. These transitional justice mechanisms may include national or international criminal proceedings, reparations hearings, or truth and reconciliation commissions. The SJAC has focused its efforts on events beginning in March 2011 and will continue to collect evidence through the end of the conflict.

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<sup>1</sup> Independent International Commission of Inquiry, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, para. 2, delivered to the General Assembly Human Rights Council, U.N. Doc. A/HCR/19/69 (Feb. 22, 2012), available at

[http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session19/A-HRC-19-69\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session19/A-HRC-19-69_en.pdf)

<sup>2</sup> See, e.g., *End Opposition Use of Torture, Executions*, Human Rights Watch (Sept. 17, 2012), available at <http://www.hrw.org/news/2012/09/17/syria-end-opposition-use-torture-executions>; *Syria: Armed Group Carries of Summary Execution of Security Forces in Idlib*, AMNESTY INTERNATIONAL (Nov. 1, 2012), available at <http://www.amnesty.org/en/for-media/press-releases/syria-armed-group-carries-out-summary-killing-security-forces-idlib-2012-11>; *Syrian Rebels 'Kill Unarmed Man'*, AL JAZEERA ENGLISH (Nov. 9, 2012), available at <http://www.aljazeera.com/video/middleeast/2012/11/201211924349834125.html>.

The Public International Law & Policy Group (PILPG) provides the SJAC with training and advice on transitional justice processes and their possible application in the Syrian context. The aim of this support is to provide the SJAC with the knowledge base necessary to design a comprehensive program based on international standards and the needs of Syrian society, in preparation for future accountability mechanisms. As part of its work to support SJAC, PILPG has prepared this Report to map and assess efforts to document information on violations of international criminal, humanitarian, and human rights law in the Syrian conflict. The Report seeks to identify potential partners working toward accountability, as well as address current challenges that could affect future accountability measures. Additionally, PILPG provides technical legal advice to the SJAC to guide the development of its TJE database. PILPG will also partner with the SJAC to develop programming that builds the capacity of, and coordination among, Syrian civil society to better document violations in anticipation of accountability mechanisms.

## Background on the Syrian Conflict

Unrest began in Syria in March of 2011, with early protestors in Damascus and Deraa demanding the release of political prisoners and an end to corruption.<sup>3</sup> The protests soon developed into calls for an end of the state of emergency, in effect since 1963.<sup>4</sup> By April, President Assad ended the state of emergency, but anti-administration protests continued.<sup>5</sup> The Syrian army responded to protests with violent use of force.<sup>6</sup> In an attempt to stop Assad's crackdown on demonstrators, the United States and the European Union imposed economic sanctions on Syria in May 2011.<sup>7</sup>

As the crackdown on protests continued, opposition parties, some of which existed before the protests and some of which arose out of the suppression of demonstrations, began forming alliances to end the rule of President Assad. In August 2011, a collective of opposition groups formed the Syrian National Council in hopes of providing a government-like alternative to the Assad administration and amassing more international support than the individual opposition groups had

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<sup>3</sup> *Timeline: Unrest in Syria*, AL JAZEERA (July 15, 2012), available at <http://www.aljazeera.com/indepth/interactive/2012/02/201225111654512841.html>.

<sup>4</sup> *Timeline: Unrest in Syria*, AL JAZEERA (July 15, 2012).

<sup>5</sup> *Syria Profile: A Chronology of Events*, BBC (Oct. 3, 2012), available at [http://news.bbc.co.uk/2/hi/middle\\_east/country\\_profiles/827580.stm](http://news.bbc.co.uk/2/hi/middle_east/country_profiles/827580.stm).

<sup>6</sup> *Syria Profile: A Chronology of Events*, BBC (Oct. 3, 2012).

<sup>7</sup> *Timeline: Unrest in Syria*, AL JAZEERA (July 15, 2012).

been receiving.<sup>8</sup> US President Barack Obama called on Assad to step down in August 2011.<sup>9</sup> In November of 2011, the Arab League voted to suspend Syria's membership after Assad's government failed to implement an Arab peace plan that required it to halt violence towards civilians, remove its security forces from cities, and release political prisoners.<sup>10</sup>

The conflict continued over the course of 2012, escalating drastically in late summer 2012. In July 2012, the International Committee for the Red Cross (ICRC) declared the situation a non-international armed conflict, formally triggering the Geneva Convention and the rules of international humanitarian law.<sup>11</sup> In November 2012, the opposition, including the Syrian National Council, consolidated further into the National Coalition for Syrian Revolutionary and Opposition Force.<sup>12</sup> Several extreme Islamic factions, including Al-Nusra and Al-Tawid, would not join the National Coalition, claiming that the group was a "conspiracy."<sup>13</sup> However, several governments, including the United States, Britain, France, Turkey, and many Gulf states recognize the National Coalition as the "legitimate representative" of the Syrian state.<sup>14</sup>

In early 2013, intelligence information indicated that President Assad may have used chemical weapons against the Syrian people in late 2012, but evidence to date, has been inconclusive. The international community, including President Obama, has threatened intervention if chemical weapons are used.<sup>15</sup> However, the threat of intervention, especially by Israel, has created tensions in the region, with Iran threatening counter-action.<sup>16</sup>

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<sup>8</sup> CNN Wire Staff, *Syrian Activists Form a "National Council,"* CNN (Aug. 23, 2011), available at [http://articles.cnn.com/2011-08-23/world/syria.un.resolution\\_1\\_syrian-opposition-top-syrian-officials-syrian-observatory?\\_s=PM:WORLD](http://articles.cnn.com/2011-08-23/world/syria.un.resolution_1_syrian-opposition-top-syrian-officials-syrian-observatory?_s=PM:WORLD).

<sup>9</sup> Liz Sly, *Syria Suspended from Arab League*, WASHINGTON POST (Nov. 12, 2011), available at [http://www.washingtonpost.com/world/syria-suspended-from-arab-league/2011/11/12/gIQAvtGxEN\\_story.html](http://www.washingtonpost.com/world/syria-suspended-from-arab-league/2011/11/12/gIQAvtGxEN_story.html).

<sup>10</sup> Neil MacFarquhar, *Arab League Votes to Suspend Syria Over Crackdown*, THE NEW YORK TIMES (Nov. 12, 2011), available at <http://www.nytimes.com/2011/11/13/world/middleeast/arab-league-votes-to-suspend-syria-over-its-crackdown-on-protesters.html?pagewanted=all&r=0>.

<sup>11</sup> *Red Cross Declares Syria Conflict to Be Civil War*, THE GUARDIAN (July 15, 2012), available at <http://www.guardian.co.uk/world/feedarticle/10337910>.

<sup>12</sup> *Syria Profile: A Chronology of Events*, BBC (Oct. 3, 2012), available at <http://www.bbc.co.uk/news/world-middle-east-14703995>.

<sup>13</sup> *Syria Profile: A Chronology of Events*, BBC (Oct. 3, 2012).

<sup>14</sup> *Syria Profile: A Chronology of Events*, BBC NEWS (Dec. 12, 2012).

<sup>15</sup> Eric Schmitt and David Sanger, *Hints of Syrian Chemical Push Set Off Global Effort to Stop It*, NEW YORK TIMES (Jan. 7, 2013), available at <http://www.nytimes.com/2013/01/08/world/middleeast/chemical-weapons-showdown-with-syria-led-to-rare-accord.html>.

<sup>16</sup> Patrick J. McDonnell, *Iran Issues Threatening Warning Against Attack*, LOS ANGELES TIMES (Jan. 27, 2013), available at <http://www.latimes.com/news/nationworld/world/middleeast/la-fg-syria-iran-20130127,0,7261858.story>.

In December 2012 and January 2013, territory began changing hands. The rebels captured airbases and territory in northern and eastern Syria, leaving the southern part of the state, including Damascus and Aleppo, under government control and subject to constant fire from both sides.<sup>17</sup> As of January 2013, the Office of the UN High Commissioner for Human Rights estimated that the conflict has resulted in more than 60,000 deaths and left 4 million within Syria in need of humanitarian aid.<sup>18</sup> As of January 2013, the United Nations High Commissioner for Refugees had registered 554,874 refugees in Turkey, Lebanon, Jordan, Iraq, and Egypt.<sup>19</sup>

## Methodology

To aid the SJAC in fulfilling its mandate, this mapping exercise seeks to assist the SJAC to better understand the various actors currently working to support accountability in Syria. Specifically, this mapping exercise is structured to assist the SJAC determine which actors might be useful strategic partners and sources of TJE in Syria. In addition, the report seeks to aid the SJAC in identifying strategic and operational priorities by assessing types and methodologies of TJE collection, archival practices and accessibility, quality of documentation in relation to legal standards for transitional justice mechanisms, and any gaps in existing TJE efforts. The mapping provides recommendations for further support to ongoing TJE efforts, and identifies areas for potential collaboration between the SJAC and Syrian civil society.

Using desk research and interviews with individuals working on accountability in Syria, PILPG gathered information on organizations that are collecting TJE in Syria. Given SJAC's broad transitional justice goals, the mapping exercise aims to provide a broad overview of the accountability landscape in Syria. Specifically, the mapping exercise seeks to analyze the legal framework for future accountability efforts, identify areas of current focus for transitional justice actors, and identify needs and challenges in the accountability efforts that SJAC and its partners might help address.

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<sup>17</sup> *Syria Rebels Take Key Airbase, Peace Envoy Downbeat*, THE DAILY NATION (Jan. 12, 2013), available at <http://www.nation.co.ke/News/world/Syria-rebels-take-key-airbase/-/1068/1663656/-/13ctev6/-/index.html>.

<sup>18</sup> *Data suggests Syria death toll could be more than 60,000 says UN human rights office*, UN NEWS CENTRE (Jan. 2, 2013), available at <http://www.un.org/apps/news/story.asp?NewsID=43866#.UQLkBegsT9g>.

<sup>19</sup> UN High Commissioner for Refugees, *Syria Regional Refugee Response* (Jan. 24, 2013), available at <http://data.unhcr.org/syrianrefugees/regional.php>.

To identify partners and map current accountability efforts, this report also identifies a spectrum of actors working to document TJE in Syria. It includes organizations specifically purposed to collect TJE, as well as well-known non-governmental organizations (NGOs) and major media organizations. For each actor currently undertaking TJE efforts in Syria, the mapping identifies which of four TJE activities the actor is engaging: (1) collection; (2) compilation; (3) facilitation and training; and/or (4) other activities.<sup>20</sup>

## Legal Framework for Transitional Justice in Syria

Syrian transitional justice mechanisms will likely apply several bodies of law, including of international criminal, humanitarian, and human rights law. Additionally, Syria's transitional justice process may include a domestic component, in which Syrian criminal law will likely be applicable. These bodies of law could be applied through a variety of mechanisms, including international, hybrid or domestic prosecutions; truth and reconciliation commissions; commissions of inquiry; and other accountability mechanisms.

### *Syria's International Legal Obligations*

Several bodies of international law provide standards applicable to the Syrian crisis. These include international humanitarian law, international criminal law, and international human rights law. These bodies of law overlap in several areas, and their applicability may vary depending on the time period or stage of the conflict. Specifically, international criminal law standards apply to specific international crimes with defined elements. International humanitarian law is applicable to non-international armed conflicts once the conflict reached a certain level. Syria's international human rights obligations have applied throughout the conflict.

### International Criminal Law

The Rome Statute of the International Criminal Court (ICC) is widely regarded as the most comprehensive codification of international treaty and customary criminal law, and therefore provides a valuable baseline for evaluating potential violations of international criminal law in Syria.<sup>21</sup> Other specific treaties

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<sup>20</sup> The mapping provides fewer details on the best-known organizations' coverage of the Syria crisis, but strives to provide as much information as possible on lesser-known organizations. See *Annex I: Information Collected on Lesser-known Organizations*.

<sup>21</sup> *International Criminal Law: A Discussion Guide*, AMERICAN UNIVERSITY WASHINGTON COLLEGE OF LAW WAR CRIMES RESEARCH OFFICE 5 (John Cerone and Susana SáCouto, eds., Dec. 15, 2006), available at [www.wcl.american.edu/warcrimes/documents/2004-10\\_ICL\\_Discussion\\_Guide\\_ET\\_final.pdf](http://www.wcl.american.edu/warcrimes/documents/2004-10_ICL_Discussion_Guide_ET_final.pdf).

and conventions, to the extent that they contain customary international law, may also be relevant in defining international crimes. For instance, the Rome Statute draws its principles from treaties like the Geneva Conventions of 1949 and Convention on the Prevention and Punishment of the Crime of Genocide.<sup>22</sup>

Syria is a party to several key treaties governing international criminal law, and is therefore bound by their provisions. Syria ratified the Geneva Conventions in 1953,<sup>23</sup> and also the Convention on the Prevention and Punishment of the Crime of Genocide in 1955.<sup>24</sup> Syria has signed but not ratified the Rome Statute of the International Criminal Court (ICC). Nonetheless, Syria is bound by customary international criminal law as codified in the Rome Statute, much of which is drawn from the treaties to which Syria is party. Furthermore, despite Syria's non-ratification of the Rome Statute, Syrian perpetrators may be brought under ICC jurisdiction by UN Security Council referral.<sup>25</sup> Syria may also accept ICC jurisdiction.<sup>26</sup>

International criminal law involves individual criminal liability for international crimes. Primary responsibility for criminal acts is placed on natural persons, over the age of 18, without any distinction based on official capacity (head of state or government, a member of a government or parliament, an elected representative, or a government official).<sup>27</sup> A military commander or other superior may be responsible for violations committed by subordinates if the commander or superior knew or should have known that a violation was about to occur and failed to take all necessary and reasonable measures to prevent or repress the commission of the crimes.<sup>28</sup>

International criminal law is divided into three main categories of crimes. These categories are genocide, war crimes, and crimes against humanity. The ICC, which applies the Rome Statute, has specifically defined the Elements of Crimes for each of these categories.<sup>29</sup>

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<sup>22</sup> Convention on the Prevention and Punishment of the Crime of Genocide, art. VI (1948), *available at* <http://www2.ohchr.org/english/law/genocide.htm>.

<sup>23</sup> *Geneva Conventions of 12 August 1949*, INTERNATIONAL COMMITTEE OF THE RED CROSS, *available at* <http://www.icrc.org/ihl.nsf/WebSign?ReadForm&id=375&ps=P>.

<sup>24</sup> *United Nations Treaty Collection*, *available at* [http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-1&chapter=4&lang=en](http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-1&chapter=4&lang=en).

<sup>25</sup> Rome Statute of the International Criminal Court, arts. 12-13 (1998).

<sup>26</sup> Rome Statute of the International Criminal Court, arts. 12-13 (1998).

<sup>27</sup> Rome Statute of the International Criminal Court, arts. 25-27 (1998), *available at* <http://untreaty.un.org/cod/icc/statute/romefra.htm>.

<sup>28</sup> Rome Statute of the International Criminal Court, art. 28 (1998).

<sup>29</sup> *Elements of Crimes*, International Criminal Court (2011), *available at* [www.icc-cpi.int/NR/rdonlyres/336923D8-A6AD-40EC-AD7B-45BF9DE73D56/0/ElementsOfCrimesEng.pdf](http://www.icc-cpi.int/NR/rdonlyres/336923D8-A6AD-40EC-AD7B-45BF9DE73D56/0/ElementsOfCrimesEng.pdf).

**War Crimes:** War crimes are serious violations of international humanitarian law that occur during international or non-international armed conflict. The Rome Statute defines war crimes as “grave breaches of the Geneva Conventions.”<sup>30</sup> The Statute specifically defines grave breaches as willful killing; torture or inhuman treatment, including biological experiments; willfully causing great suffering, or serious injury to body or health; extensive destruction and appropriation of property not justified by military necessity and carried out unlawfully and wantonly; depriving prisoners of war and protected persons their fair trial rights; unlawful deportation or transfer, or unlawful confinement; and hostage-taking.<sup>31</sup>

The Rome Statute defines serious violations of Article 3 common to the Geneva Conventions as war crimes in non-international armed conflicts. These are acts committed against “persons taking no active part in the hostilities,” includes members of the armed forces who have laid down their arms or been withdrawn from combat (“placed *hors de combat*”) by sickness, wounds, detention, or any other cause. Such crimes include violence to life and person, specifically “murder of all kinds, mutilation, cruel treatment and torture;”<sup>32</sup> committing “outrages upon personal dignity;” humiliating and degrading treatment;<sup>33</sup> hostage-taking;<sup>34</sup> and extrajudicial sentencing and executions.<sup>35</sup>

The Rome Statute also refers to other “serious violations of the laws and customs” applicable in non-international armed conflicts as war crimes. These include intentionally directly attacks against civilians; intentionally directing attacks against conspicuously marked humanitarian aid personnel or peacekeepers conforming with international law.<sup>36</sup> Crimes also include intentionally directing

<sup>30</sup> Rome Statute of the International Criminal Court, art. 8(2) (1998).

<sup>31</sup> Also, compelling prisoners of war to serve in the armed forces of a hostile power. Rome Statute of the International Criminal Court, art. 8(2)(a) (1998)

<sup>32</sup> Rome Statute of the International Criminal Court, art. 8(2)(c)(i) (1998). Torture is any infliction of pain, both physical or mental, upon civilians constitutes cruel treatment and imposing such pain for the purpose of gaining information. Mutilation is defined as disfiguring or permanently disabling an organ or appendage. *Elements of Crimes*, International Criminal Court (2011), available at <http://www.icc-cpi.int/NR/rdonlyres/336923D8-A6AD-40EC-AD7B-45BF9DE73D56/0/ElementsOfCrimesEng.pdf>.

<sup>33</sup> Rome Statute of the International Criminal Court, art. 8(2)(c)(ii) (1998).

<sup>34</sup> Rome Statute of the International Criminal Court, art. 8(2)(c)(iii) (1998).

<sup>35</sup> Rome Statute of the International Criminal Court, art. 8(2)(c)(iv) (1998). Extrajudicial sentencing or executions are those that take place without judgment by a regularly constituted court. A court is not “regularly constituted” if did not provide “the essential guarantees of independence and impartiality, or the court that rendered judgment did not afford all other judicial guarantees generally recognized as indispensable under international law.” *Elements of Crimes*, International Criminal Court (2011), available at <http://www.icc-cpi.int/NR/rdonlyres/336923D8-A6AD-40EC-AD7B-45BF9DE73D56/0/ElementsOfCrimesEng.pdf>.

<sup>36</sup> Rome Statute of the International Criminal Court, art. 8(2)(e)(i)-(iii) (1998).

attacks against buildings that are not military objectives if they are dedicated to religion, art, science, charity; historic monuments; as well as hospitals and places where sick and wounded are collected.<sup>37</sup> Pillage is also a crime,<sup>38</sup> as are rape, sexual slavery, enforced prostitution, and other forms of sexual violence.<sup>39</sup>

Other serious violations of law applicable to non-international armed conflicts include conscripting children under age 15 or using them to actively participate in hostilities;<sup>40</sup> ordering the displacement of the civilian population for reasons related to the conflict, unless compelled by the civilians' safety or imperative military reasons;<sup>41</sup> killing or wounding an adversary treacherously;<sup>42</sup> declaring no quarter;<sup>43</sup> performing physical mutilation or medical or scientific experiments of any kind, which cause death or serious endangerment of health;<sup>44</sup> and destroying or seizing enemy property unless imperatively demanded by military necessity.<sup>45</sup>

**Crimes Against Humanity:** Crimes against humanity are defined in the Rome Statute as certain acts “committed as part of a widespread or systematic attack against any civilian population, with knowledge of the attack.”<sup>46</sup> Thus, crimes against humanity require certain contextual criteria: (1) participation in and knowledge of (2) a widespread or systematic attack (3) against a civilian population.<sup>47</sup> However, the knowledge requirement does not require proof of the perpetrator's knowledge of circumstances or details surrounding the attack. Rather, the perpetrator must merely have had an intention to further the attack.<sup>48</sup> “Widespread and systematic” attacks against a “civilian population” must occur as part of a “state or organizational policy.”<sup>49</sup> This means that the state or organization actively promotes or encourages the attacks.<sup>50</sup> The acts need not

<sup>37</sup> Rome Statute of the International Criminal Court, art. 8(2)(e)(iv) (1998).

<sup>38</sup> Rome Statute of the International Criminal Court, art. 8(2)(e)(v) (1998).

<sup>39</sup> Including forced pregnancy, enforced sterilization, and any other form of sexual violence constituting a crime under Common Article 3. Rome Statute of the International Criminal Court, art. 8(2)(e)(vi) (1998).

<sup>40</sup> Rome Statute of the International Criminal Court, art. 8(2)(e)(vii) (1998).

<sup>41</sup> Rome Statute of the International Criminal Court, art. 8(2)(e)(viii) (1998).

<sup>42</sup> Rome Statute of the International Criminal Court, art. 8(2)(e)(ix) (1998).

<sup>43</sup> Rome Statute of the International Criminal Court, art. 8(2)(e)(x) (1998).

<sup>44</sup> Rome Statute of the International Criminal Court, art. 8(2)(e)(xi) (1998).

<sup>45</sup> Rome Statute of the International Criminal Court, art. 8(2)(e)(vii)-(xii) (1998).

<sup>46</sup> Rome Statute of the International Criminal Court, art. 7(1) (1998).

<sup>47</sup> *Elements of Crimes*, International Criminal Court (2011), available at <http://www.icc-cpi.int/NR/rdonlyres/336923D8-A6AD-40EC-AD7B-45BF9DE73D56/0/ElementsOfCrimesEng.pdf>.

<sup>48</sup> *Elements of Crimes*, International Criminal Court (2011), available at <http://www.icc-cpi.int/NR/rdonlyres/336923D8-A6AD-40EC-AD7B-45BF9DE73D56/0/ElementsOfCrimesEng.pdf>.

<sup>49</sup> Rome Statute of the International Criminal Court, art. 7(2)(a) (1998).

<sup>50</sup> *Elements of Crimes*, International Criminal Court (2011), available at <http://www.icc-cpi.int/NR/rdonlyres/336923D8-A6AD-40EC-AD7B-45BF9DE73D56/0/ElementsOfCrimesEng.pdf>.

constitute military attacks.<sup>51</sup> Crimes against humanity include murder, extermination, enslavement, and persecution on the basis of political, racial, national, ethnic, cultural, religious affiliation or gender, among other crimes.

Murder and extermination, as crimes against humanity, involve the killing one or more persons,<sup>52</sup> and extermination also includes depriving citizens of food and medicine, and efforts intended to interfere with the conditions of life of a population.<sup>53</sup> Torture is also a crime against humanity when the contextual elements are met.<sup>54</sup> In the context of crimes against humanity, torture means the “intentional infliction of severe pain or suffering, whether physical or mental” on a person in custody.<sup>55</sup> Furthermore, rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other grave sexual violence can be crimes against humanity when carried out systematically as part of a state or organizational policy.<sup>56</sup>

Persecution on the basis of political, racial, national, ethnic, cultural, religious affiliation or gender is the targeting of persons by reason of group or collective identity, and involves severe deprivation of fundamental rights.<sup>57</sup> Enforced disappearance is also a criminal act.<sup>58</sup> This means the arrest, detention, or abduction of persons by, or with the authorization or acquiescence of, the state or organization.<sup>59</sup>

Other crimes against humanity include enslavement,<sup>60</sup> which is purchasing, selling or bartering a person, or in any way depriving a person of his liberty;<sup>61</sup> deportation or forcible transfer of population;<sup>62</sup> imprisonment or other severe

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<sup>51</sup> *Elements of Crimes*, International Criminal Court (2011), available at <http://www.icc-cpi.int/NR/rdonlyres/336923D8-A6AD-40EC-AD7B-45BF9DE73D56/0/ElementsOfCrimesEng.pdf>.

<sup>52</sup> *Elements of Crimes*, International Criminal Court (2011), available at <http://www.icc-cpi.int/NR/rdonlyres/336923D8-A6AD-40EC-AD7B-45BF9DE73D56/0/ElementsOfCrimesEng.pdf>.

<sup>53</sup> Rome Statute of the International Criminal Court, art. 7(2)(b) (1998).

<sup>54</sup> Rome Statute of the International Criminal Court, art. 7(1)(f) (1998).

<sup>55</sup> Torture does not include pain or suffering arising “only from, inherent or incidental to, lawful sanctions.” Rome Statute of the International Criminal Court, art. 7(2)(e) (1998).

<sup>56</sup> Rome Statute of the International Criminal Court, art. 7(1)(g) (1998).

<sup>57</sup> *Elements of Crimes*, International Criminal Court (2011), available at <http://www.icc-cpi.int/NR/rdonlyres/336923D8-A6AD-40EC-AD7B-45BF9DE73D56/0/ElementsOfCrimesEng.pdf>.

<sup>58</sup> Rome Statute of the International Criminal Court, art. 7(1)(i) (1998).

<sup>59</sup> Rome Statute of the International Criminal Court, art. 7(2)(i) (1998).

<sup>60</sup> Rome Statute of the International Criminal Court, art. 7(1)(c) (1998).

<sup>61</sup> *Elements of Crimes*, International Criminal Court (2011), available at <http://www.icc-cpi.int/NR/rdonlyres/336923D8-A6AD-40EC-AD7B-45BF9DE73D56/0/ElementsOfCrimesEng.pdf>.

<sup>62</sup> Deportation or forcible transfer of population means forced displacement by expulsion or other coercive acts from an area where persons are lawfully present, without international legal grounds. Rome Statute of the International Criminal Court, art. 7(1)(d), (2)(d) (1998).

deprivation of liberty in violation of international law;<sup>63</sup> apartheid;<sup>64</sup> and other inhuman acts intentionally causing great suffering or serious injury to body or mental or physical health.<sup>65</sup> To be crimes against humanity, all of these must also be widespread or systematic attacks against civilian populations.

**Genocide:** Genocide has not yet become a relevant crime in the Syrian conflict, but could foreseeably arise. The Rome Statute defines genocide as certain acts committed with the “intent to destroy” a specific national, ethnic, racial, or religious group, in whole or in part.<sup>66</sup> These acts include killing members of the group;<sup>67</sup> causing serious bodily or mental harm to members of the group;<sup>68</sup> deliberately inflicting conditions of life on a group calculated to bring about the group’s physical destruction;<sup>69</sup> imposing of measures intended to prevent births within the specific group;<sup>70</sup> and forcibly transferring children of the group to another group.<sup>71</sup> To constitute genocide, these acts must occur in the context of a “manifest pattern” of similar conduct directed against the specific group, or be acts that could in themselves effect the destruction of the group.<sup>72</sup>

### International Humanitarian Law

International humanitarian law is a set of rules established through international treaties and conventions, customary law, and customary international

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<sup>63</sup> Rome Statute of the International Criminal Court, art. 7(1)(e) (1998).

<sup>64</sup> Rome Statute of the International Criminal Court, art. 7(1)(j) (1998).

<sup>65</sup> Rome Statute of the International Criminal Court, art. 7(1)(k) (1998).

<sup>66</sup> Rome Statute of the International Criminal Court, art. 6 (1998), *available at* <http://untreaty.un.org/cod/icc/statute/romeofra.htm>. This definition is also contained in the Convention on the Prevention and Punishment of the Crime of Genocide, to which Syria is a party. Convention on the Prevention and Punishment of the Crime of Genocide, art. II (1948).

<sup>67</sup> Rome Statute of the International Criminal Court, art. 6 (1998); see also, *Elements of Crimes*, International Criminal Court (2011), *available at* <http://www.icc-cpi.int/NR/rdonlyres/336923D8-A6AD-40EC-AD7B-45BF9DE73D56/0/ElementsOfCrimesEng.pdf>.

<sup>68</sup> Rome Statute of the International Criminal Court, art. 6 (1998); see also, *Elements of Crimes*, International Criminal Court (2011), *available at* <http://www.icc-cpi.int/NR/rdonlyres/336923D8-A6AD-40EC-AD7B-45BF9DE73D56/0/ElementsOfCrimesEng.pdf>.

<sup>69</sup> Rome Statute of the International Criminal Court, art. 6 (1998); see also, *Elements of Crimes*, International Criminal Court (2011), *available at* <http://www.icc-cpi.int/NR/rdonlyres/336923D8-A6AD-40EC-AD7B-45BF9DE73D56/0/ElementsOfCrimesEng.pdf>.

<sup>70</sup> Rome Statute of the International Criminal Court, art. 6 (1998); see also, *Elements of Crimes*, International Criminal Court (2011), *available at* <http://www.icc-cpi.int/NR/rdonlyres/336923D8-A6AD-40EC-AD7B-45BF9DE73D56/0/ElementsOfCrimesEng.pdf>.

<sup>71</sup> Children are those under age 18. Rome Statute of the International Criminal Court, art. 6 (1998); see also, *Elements of Crimes*, International Criminal Court (2011), *available at* <http://www.icc-cpi.int/NR/rdonlyres/336923D8-A6AD-40EC-AD7B-45BF9DE73D56/0/ElementsOfCrimesEng.pdf>; *Elements of Crimes*, International Criminal Court 4 (2011), *available at* <http://www.icc-cpi.int/NR/rdonlyres/336923D8-A6AD-40EC-AD7B-45BF9DE73D56/0/ElementsOfCrimesEng.pdf>.

<sup>72</sup> *Elements of Crimes*, International Criminal Court 2 (2011), *available at* <http://www.icc-cpi.int/NR/rdonlyres/336923D8-A6AD-40EC-AD7B-45BF9DE73D56/0/ElementsOfCrimesEng.pdf>.

legal principles, which govern international and non-international armed conflicts. These rules specifically seek to protect individuals who are not active participants in the fighting, and govern the means of and methods of warfare.<sup>73</sup>

International humanitarian law applies to international armed conflicts, involving two or more states, as well as non-international, or internal armed conflicts, occurring within the territory of a single state. In relation to internal conflicts, international humanitarian law is triggered only when the violence reaches the legal threshold of an armed conflict.<sup>74</sup> The distinction between regional disturbance and armed conflict depends on a number of factors, including the intensity and duration of the conflict, and level of organization on the part of opposition groups. In July 2012, the International Committee of the Red Cross (ICRC) formally declared that the violence in Syria had risen to the level of an internal armed conflict, thus invoking the standards of international humanitarian law.<sup>75</sup> Prior to June 2012, the ICRC had classified the situation as a series of isolated regional conflicts.<sup>76</sup>

Whereas the full body of international humanitarian law applies to international armed conflicts, only a limited portion of international humanitarian law applies to non-international armed conflicts.<sup>77</sup> The only international humanitarian law applicable to non-international armed conflicts is a limited body of treaty-law specifically regulating non-international armed conflicts, and all customary international law of non-international armed conflict.<sup>78</sup> If a state has not ratified a treaty, then that treaty does not apply to the non-ratifying state. However, all customary international law applies to non-international armed conflicts without the need for ratification. Of course, if a non-international armed conflict escalates into an international conflict, then all relevant treaty and customary international humanitarian law will apply.

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<sup>73</sup> *What is International Humanitarian Law?*, INTERNATIONAL COMMITTEE OF THE RED CROSS (July 2004), [http://www.icrc.org/eng/assets/files/other/what\\_is\\_ihl.pdf](http://www.icrc.org/eng/assets/files/other/what_is_ihl.pdf).

<sup>74</sup> Protocol I Additional to the Geneva Conventions, art. 1 (1977), available at <http://www.icrc.org/ihl.nsf/FULL/475?OpenDocument>.

<sup>75</sup> *Red Cross Declares Syria Conflict a Civil War*, AL JAZEERA, Jul. 16, 2012, available at <http://www.aljazeera.com/news/middleeast/2012/07/2012716231913738.html>.

<sup>76</sup> *Red Cross Declares Syria Conflict a Civil War*, AL JAZEERA, Jul. 16, 2012.

<sup>77</sup> INTERNATIONAL COMMITTEE OF THE RED CROSS, *Customary International Humanitarian Law: Reducing the Human Cost of Armed Conflict* (Sept. 08, 2010), available at <http://www.icrc.org/eng/resources/documents/interview/customary-law-interview-090810.htm>.

<sup>78</sup> INTERNATIONAL COMMITTEE OF THE RED CROSS, *Customary International Humanitarian Law: Reducing the Human Cost of Armed Conflict* (Sept. 08, 2010), available at <http://www.icrc.org/eng/resources/documents/interview/customary-law-interview-090810.htm>.

**Treaties:** The treaty law applicable to non-international armed conflicts is (1) Article 3 common to the four Geneva Conventions of 1949 (Common Article 3); (2) Protocol II Additional to the Geneva Conventions (Protocol II); and (3) several treaties on use of specific weaponry and conduct of hostilities.<sup>79</sup>

Syria ratified the Geneva Conventions in 1953 and is thus bound by Common Article 3.<sup>80</sup> The Geneva Conventions focus primarily on establishing protections and safeguards for vulnerable groups, particularly civilians and others who are not actively engaged in fighting. Common Article 3 prohibits cruel treatment and acts of violence against persons not taking an active part in the hostilities, including civilians and combatants who have surrendered their arms.<sup>81</sup> Prohibited acts include torture, humiliation, hostage-taking, extrajudicial killings, and murder.<sup>82</sup> Furthermore, Article 3 requires the administration of medical care to those who are injured or ill.<sup>83</sup>

Syria is currently not a party to Protocol II. This treaty expands regulation of non-international armed conflicts. Protocol II specifically discusses the treatment of children in non-international armed conflicts, for example, requiring that children must continue their education, be reunited with their families if possible, and be removed from combat areas if possible.<sup>84</sup> Due to the fact that Syria is not a party to Protocol II, the treaty is not specifically applicable to the Syrian conflict. However, as noted below, many of the principles enshrined in Protocol II have become part of the customary international law applicable to non-international conflict; therefore, certain specific provisions of Protocol II apply to the Syrian conflict.

Several other treaties regulate non-international armed conflict, in addition to the main cornerstones of treaty law applicable to non-international armed

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<sup>79</sup> Asser Institute, *International Humanitarian Law Applicable in Non-International Armed Conflicts*, available at [http://www.asser.nl/default.aspx?site\\_id=9&level1=13336&level2=13374&level3=13463](http://www.asser.nl/default.aspx?site_id=9&level1=13336&level2=13374&level3=13463); Berenice Van Den Driessche, *When Does IHL Apply?*, Diakonia (revised Nov. 15, 2011), available at <https://www.diakonia.se/sa/node.asp?node=991>.

<sup>80</sup> *State Parties/Signatories*, ICRC (2012), <http://www.icrc.org/ihl.nsf/WebSign?ReadForm&id=375&ps=P>.

<sup>81</sup> Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, art. 3 (1949), available at <http://www.icrc.org/ihl.nsf/FULL/365?OpenDocument>.

<sup>82</sup> Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, art. 3 (1949).

<sup>83</sup> Convention (IV) Relative to the Protection of Civilian Persons in Time of War, art. 3, Aug. 12, 1949, available at <http://www.icrc.org/ihl.nsf/WebPrint/380-600006-ART?OpenDocument>.

<sup>84</sup> Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating the Protection of Victims of Non-International Armed Conflicts, art.4(3) (June 8, 1977), available at <http://www.icrc.org/ihl.nsf/FULL/475?OpenDocument>.

conflict (Common Article 3 and Protocol II).<sup>85</sup> These include the Convention on Certain Chemical Weapons, the Ottawa Convention on Landmines, the Chemical Weapons Convention, the Hague Convention for the Protection of Cultural Property and its Protocol II, and the UN Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques.<sup>86</sup> Of these treaties, Syria only party to two. First, Syria is party to the Convention for the Protection of Cultural Property<sup>87</sup> and its Protocol II.<sup>88</sup> These treaties recognize the value of cultural property, such as art or historic architecture, and require protection of cultural property from damage during armed conflict.<sup>89</sup> The Convention specifically states that it applies to non-international armed conflicts.<sup>90</sup>

Syria is also party to the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques.<sup>91</sup> Parties to this convention are obligated not to use environmental modification techniques that will have a long-lasting, large-scale, or severe negative affect on the environment.<sup>92</sup>

**Customary International Law:** Customary international law of armed conflict applies to all parties in the Syrian conflict irrespective of Syria’s ratification of international treaties and conventions.<sup>93</sup> Customary international law encompasses those norms of conduct that amount to a “general practice

<sup>85</sup> Asser Institute, *International Humanitarian Law Applicable in Non-International Armed Conflicts*, available at [http://www.asser.nl/default.aspx?site\\_id=9&level1=13336&level2=13374&level3=13463](http://www.asser.nl/default.aspx?site_id=9&level1=13336&level2=13374&level3=13463).

<sup>86</sup> Asser Institute, *International Humanitarian Law Applicable in Non-International Armed Conflicts*, available at [http://www.asser.nl/default.aspx?site\\_id=9&level1=13336&level2=13374&level3=13463](http://www.asser.nl/default.aspx?site_id=9&level1=13336&level2=13374&level3=13463).

<sup>87</sup> UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION, *Legal Instruments*, available at [http://portal.unesco.org/en/ev.php-URL\\_ID=13637&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html#SIGNATURE](http://portal.unesco.org/en/ev.php-URL_ID=13637&URL_DO=DO_TOPIC&URL_SECTION=201.html#SIGNATURE)

<sup>88</sup> UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION, *Legal Instruments*, available at [http://portal.unesco.org/en/ev.php-URL\\_ID=15391&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=15391&URL_DO=DO_TOPIC&URL_SECTION=201.html)

<sup>89</sup> Convention for the Protection of Cultural Property in the Event of Armed Conflict, Chapter I (May 14, 1954), available at [http://portal.unesco.org/en/ev.php-URL\\_ID=15391&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=15391&URL_DO=DO_TOPIC&URL_SECTION=201.html).

<sup>90</sup> Convention for the Protection of Cultural Property in the Event of Armed Conflict, art. 19 (May 14, 1954), available at [http://portal.unesco.org/en/ev.php-URL\\_ID=15391&URL\\_DO=DO\\_TOPIC&URL\\_SECTION=201.html](http://portal.unesco.org/en/ev.php-URL_ID=15391&URL_DO=DO_TOPIC&URL_SECTION=201.html).

<sup>91</sup> Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques, available at <http://disarmament.un.org/treaties/t/enmod>.

<sup>92</sup> Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques, art. 1, Oct. 5, 1978, available at <http://disarmament.un.org/treaties/t/enmod>.

<sup>93</sup> *Customary International Humanitarian Law: Reducing the Human Cost of Armed Conflict*, INTERNATIONAL COMMITTEE OF THE RED CROSS, (Sept. 08, 2010), available at <http://www.icrc.org/eng/resources/documents/interview/customary-law-interview-090810.htm>.

accepted as law.”<sup>94</sup> Widespread state practice and declarations, international treaties and agreements, military training and operation manuals, and UN General Assembly resolutions point to the universal recognition of customary law governing armed conflict. Customary international law of armed conflict applies to international and non-international armed conflicts and therefore applies to the Syrian conflict.<sup>95</sup>

Many of the principles codified in international humanitarian law treaties are also covered under customary international law. Customary international law applicable to non-international armed conflict prohibits any means or methods of warfare that cause disproportionate and unnecessary suffering.<sup>96</sup> It also prohibits indiscriminate attacks on non-specific military and civilian targets, including the use of weapons, which are indiscriminate in their targets and victims.<sup>97</sup>

Customary international law applicable to non-international armed conflict further requires the protection and humane treatment of civilians and combatants who have surrendered their arms, including injured persons and prisoners of war.<sup>98</sup> Specific groups such as religious personnel, medical personnel, and journalists may not be attacked as long as they are not joining in direct hostilities.<sup>99</sup> Conflicting parties must also provide for the needs of the disabled, the elderly, children, and women.<sup>100</sup> Furthermore, civilians may not be forcibly displaced unless it is for their own safety or a compelling military reason.<sup>101</sup> Customary law also requires that records of personal information be made when individuals’ freedom is restricted during armed conflict,<sup>102</sup>

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<sup>94</sup> *Customary International Humanitarian Law: Overview*, INTERNATIONAL COMMITTEE OF THE RED CROSS (Oct. 29, 2010), <http://www.icrc.org/eng/war-and-law/treaties-customary-law/customary-law/overview-customary-law.htm>.

<sup>95</sup> *Customary International Humanitarian Law: Reducing the Human Cost of Armed Conflict*, INTERNATIONAL COMMITTEE OF THE RED CROSS (2010), available at <http://www.icrc.org/eng/resources/documents/interview/customary-law-interview-090810.htm>.

<sup>96</sup> *Customary International Law: Rule 70. Weapons of a Nature to Cause Superfluous Injury or Unnecessary Suffering*, INTERNATIONAL COMMITTEE OF THE RED CROSS (2012), available at [http://www.icrc.org/customary-ihl/eng/docs/v1\\_cha\\_chapter20\\_rule70](http://www.icrc.org/customary-ihl/eng/docs/v1_cha_chapter20_rule70).

<sup>97</sup> *Customary International Law: Rule 71. Weapons That Are by Nature Indiscriminate*, INTERNATIONAL COMMITTEE OF THE RED CROSS (2012), [http://www.icrc.org/customary-ihl/eng/docs/v1\\_cha\\_chapter20\\_rule71](http://www.icrc.org/customary-ihl/eng/docs/v1_cha_chapter20_rule71).

<sup>98</sup> *Customary International Law: Rule 89. Violence to Life*, INTERNATIONAL COMMITTEE OF THE RED CROSS (2012), [http://www.icrc.org/customary-ihl/eng/docs/v1\\_cha\\_chapter32\\_rule89](http://www.icrc.org/customary-ihl/eng/docs/v1_cha_chapter32_rule89).

<sup>99</sup> *List of Customary Rules of International Humanitarian Law*, Rules 25, 27, and 34, INTERNATIONAL COMMITTEE OF THE RED CROSS, (Mar. 2005), available at <http://www.icrc.org/eng/assets/files/other/customary-law-rules.pdf>.

<sup>100</sup> *List of Customary Rules of International Humanitarian Law*, Rules 134-138, INTERNATIONAL COMMITTEE OF THE RED CROSS (Mar. 2005), available at <http://www.icrc.org/eng/assets/files/other/customary-law-rules.pdf>.

<sup>101</sup> *List of Customary Rules of International Humanitarian Law*, Rule 129(B), INTERNATIONAL COMMITTEE OF THE RED CROSS, (Mar. 2005), available at <http://www.icrc.org/eng/assets/files/other/customary-law-rules.pdf>.

<sup>102</sup> *List of Customary Rules of International Humanitarian Law*, Rule 123, INTERNATIONAL COMMITTEE OF THE RED CROSS, (Mar. 2005), available at <http://www.icrc.org/eng/assets/files/other/customary-law-rules.pdf>.

Customary international law applicable to non-international armed conflict expands beyond protection of individuals and groups. It also protects places, including demilitarized zones, zones designed for the sick and/or wounded, and cultural property (such as monuments and museums), from attacks.<sup>103</sup> Additionally, it regulates the taking of property. Public property may generally be seized if necessary as part of the war effort, but it must not be destroyed without cause, and plundering is forbidden.<sup>104</sup> Furthermore, combatants must avoid causing severe or permanent environmental damage.<sup>105</sup>

According to customary international law, all parties in a non-international armed conflict are responsible for making sure subordinates know and respect international humanitarian law.<sup>106</sup> This responsibility includes providing legal advisors to combatants, if necessary.<sup>107</sup> Conflicting parties should also provide civilians with information on international humanitarian law.<sup>108</sup> After the conflict ends, amnesty should be granted as far as possible, but those guilty of war crimes should be held accountable.<sup>109</sup>

### International Human Rights Law

International human rights law has applied throughout the Syrian conflict. Syria is a party to most major human rights conventions, each of which imposes its own set of legal obligations on States Parties. Human rights conventions Syria is Party to include the Convention on the Prevention and Punishment of the Crime of Genocide (ratified in 1955); the International Covenants on Civil and Political Rights (ICCPR) and on Economic, Social and Cultural Rights (ICESCR) (both ratified in 1969); the Convention on the Rights of the Child (ratified in 1993); the Optional Protocol to the Convention on the Rights of Child on the involvement of

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<sup>103</sup> *List of Customary Rules of International Humanitarian Law*, Rules 35, 36, and 39, INTERNATIONAL COMMITTEE OF THE RED CROSS (Mar. 2005), available at <http://www.icrc.org/eng/assets/files/other/customary-law-rules.pdf>.

<sup>104</sup> *List of Customary Rules of International Humanitarian Law*, Rules 50 and 52, INTERNATIONAL COMMITTEE OF THE RED CROSS (Mar. 2005), available at <http://www.icrc.org/eng/assets/files/other/customary-law-rules.pdf>.

<sup>105</sup> *List of Customary Rules of International Humanitarian Law*, Rules 43-45, INTERNATIONAL COMMITTEE OF THE RED CROSS (Mar. 2005), available at <http://www.icrc.org/eng/assets/files/other/customary-law-rules.pdf>.

<sup>106</sup> *List of Customary Rules of International Humanitarian Law*, Rule 139 INTERNATIONAL COMMITTEE OF THE RED CROSS (Mar. 2005), available at <http://www.icrc.org/eng/assets/files/other/customary-law-rules.pdf>.

<sup>107</sup> *List of Customary Rules of International Humanitarian Law*, Rule 141, INTERNATIONAL COMMITTEE OF THE RED CROSS (Mar. 2005), available at <http://www.icrc.org/eng/assets/files/other/customary-law-rules.pdf>.

<sup>108</sup> *List of Customary Rules of International Humanitarian Law*, Rule 143, INTERNATIONAL COMMITTEE OF THE RED CROSS (Mar. 2005), available at <http://www.icrc.org/eng/assets/files/other/customary-law-rules.pdf>. See also Declaration on the Rules of International Humanitarian Law Governing the Conduct of Hostilities in Non-International Armed Conflicts, International Institute of Humanitarian Law (Apr. 7, 1990), available at <http://www1.umn.edu/humanrts/instree/1990a.htm>.

<sup>109</sup> *List of Customary Rules of International Humanitarian Law*, Rule 159, INTERNATIONAL COMMITTEE OF THE RED CROSS (Mar. 2005), available at <http://www.icrc.org/eng/assets/files/other/customary-law-rules.pdf>.

children in armed conflict (ratified in 2003); the Convention against Torture and other Cruel, Inhuman or Degrading Treatment and Punishment (CAT) (ratified in 2004). Syria has not ratified the Convention on the Non-applicability of Statutory Limitations to War Crimes and Crimes against Humanity.<sup>110</sup>

### *Syria's Domestic Legal Framework*

The existing Syrian legal framework includes several laws that could be applied in or effect certain mechanisms of a domestic or hybrid transitional justice process. There are many challenges to using the current Syrian legal system, however. First and foremost, the Syrian Penal Code has been used in oppressive ways in the past, and therefore the revision of existing laws or creation of new laws may be appropriate for certain crimes committed in the context of the present conflict. Additionally, there is a lack of independence of Syria's courts, a lack of impartiality in the judiciary, and a lack of codification of international crimes in Syria's domestic legal framework.

Another factor that may impact Syria's transitional justice process are amnesties. These could include either the several amnesties already issued by the Assad government, or future amnesties issued during transition.

### The Syrian Penal Code

The Syrian Penal Code may be applied in domestic accountability mechanisms. Use of domestic laws may be particularly important for prosecuting the crime of terrorism, for which no definition or concrete standard exists under international criminal law. The Syrian Penal Code includes several articles criminalizing terrorism, which it defines as "any act intended to create a state of fear which is committed by means such as explosives, inflammable materials, poisonous or burning products, or epidemic or microbial agents likely to cause a public danger."<sup>111</sup> Terrorism is punishable by 15-20 years of hard labor, and death for acts resulting in destruction of buildings or vessels (even partial) or death.<sup>112</sup> Accomplices, accessories, and abettors (including terrorist financiers) are held to

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<sup>110</sup> Independent International Commission of Inquiry, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, Annex II, para. 8, n.5, delivered to the General Assembly Human Rights Council, U.N. Doc. A/HCR/21/50 (Aug. 16, 2012), available at [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50_en.pdf)

<sup>111</sup> *Penal Code* arts. 278, 280, 298, 299, 300, 304, 305, 212, 247, 306, 199 (Syria, 1949) (cited in *Syria*, INTERPOL, available at <https://www.interpol.int/Public/BioTerrorism/NationalLaws/Syria.pdf>).

<sup>112</sup> *Syria*, INTERPOL, available at <https://www.interpol.int/Public/BioTerrorism/NationalLaws/Syria.pdf>.

the same sentencing guidelines as principals, whereas terrorist conspirators are punishable by hard labor.<sup>113</sup>

Article 391 of the Penal Code could potentially be used to prosecute individuals responsible for torture. It criminalizes violence when used “in order to obtain a confession to a crime or information about that crime.”<sup>114</sup> However, Article 391 merely alludes to torture, using the general term “illegal acts of violence” or “illegal hardship” rather than “torture.”<sup>115</sup> These phrases are construed to mean physical violence, excluding psychological violence, which is included in the CAT definition of torture.<sup>116</sup> Article 391 also limits punishment to three months to three years imprisonment.<sup>117</sup> It provides that individuals who commit acts of violence leading to “sickness or injury” shall be incarcerated for a minimum of one year.<sup>118</sup>

The Syrian Penal Code also criminalizes other types of violence. It criminalizes sectarian violence, specifically addressing sectarian violence that occurs during times of war or civil war.<sup>119</sup> Murder is also a crime, but the Penal Code does not address murder in the context of a civil war, war crimes, or crimes against humanity.<sup>120</sup> The Penal Code also criminalizes rape,<sup>121</sup> and thus could be

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<sup>113</sup> Syria, INTERPOL, available at <https://www.interpol.int/Public/BioTerrorism/NationalLaws/Syria.pdf>.

<sup>114</sup> Penal Code art. 391 (Syria, 1949) (cited in Alternative Report to the Syrian Government's Initial Report on Measures Taken to Fulfill Its Commitments Under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, DAMASCUS CENTER FOR HUMAN RIGHTS STUDIES, 5 (no date given) available at <http://www2.ohchr.org/english/bodies/cat/docs/ngos/DCHRS.pdf>).

<sup>115</sup> Penal Code art. 391 (Syria, 1949) (cited in *Human Rights Violations in Syria*, WORLD ORGANIZATION AGAINST TORTURE, 22 (Aug. 5, 2005), available at [http://www.omct.org/files/2005/07/2982/s\\_violence\\_syria\\_0705\\_eng.pdf](http://www.omct.org/files/2005/07/2982/s_violence_syria_0705_eng.pdf)); Alternative Report to the Syrian Government's Initial Report on Measures Taken to Fulfill Its Commitments Under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, DAMASCUS CENTER FOR HUMAN RIGHTS STUDIES, 5 (no date given) available at <http://www2.ohchr.org/english/bodies/cat/docs/ngos/DCHRS.pdf>).

<sup>116</sup> Alternative Report to the Syrian Government's Initial Report on Measures Taken to Fulfill Its Commitments Under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, DAMASCUS CENTER FOR HUMAN RIGHTS STUDIES, 5 (no date given) available at <http://www2.ohchr.org/english/bodies/cat/docs/ngos/DCHRS.pdf>.

<sup>117</sup> Penal Code art. 391 (Syria, 1949) (cited in Alternative Report to the Syrian Government's Initial Report on Measures Taken to Fulfill Its Commitments Under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, DAMASCUS CENTER FOR HUMAN RIGHTS STUDIES, 5 (no date given) available at <http://www2.ohchr.org/english/bodies/cat/docs/ngos/DCHRS.pdf>).

<sup>118</sup> Penal Code art. 391 (Syria, 1949) (cited in *Human Rights Violations in Syria*, WORLD ORGANIZATION AGAINST TORTURE, 22 (Aug. 5, 2005), available at [http://www.omct.org/files/2005/07/2982/s\\_violence\\_syria\\_0705\\_eng.pdf](http://www.omct.org/files/2005/07/2982/s_violence_syria_0705_eng.pdf)).

<sup>119</sup> Penal Code arts. 285, 307 (Syria, 1949) (cited in *Syria: President Assad Fails to Deliver Reform*, HUMAN RIGHTS WATCH (Mar. 30, 2011), available at <http://www.hrw.org/news/2011/03/30/syria-president-asad-fails-deliver-reform>).

<sup>120</sup> Penal Code arts. 533-35 (Syria, 1949) (cited in *Human Rights Violations in Syria*, WORLD ORGANIZATION AGAINST TORTURE, 22 (Aug. 5, 2005), available at [http://www.omct.org/files/2005/07/2982/s\\_violence\\_syria\\_0705\\_eng.pdf](http://www.omct.org/files/2005/07/2982/s_violence_syria_0705_eng.pdf)).

used to prosecute sexual violence, which has reportedly been used as an instrument of war in the Syrian conflict.<sup>122</sup>

### *Amnesties in Transitional Justice*

To date, the Assad government has issued six amnesties related to the Syrian conflict. Amnesty laws bar prosecution for the individuals who fall within the amnesty's scope. These laws are often adopted after a conflict or unrest to address lingering tensions within the population and promote peace.<sup>123</sup> Amnesty under international law amounts to an absolution for criminal responsibility and prevents criminal prosecution for previous legal infractions, which distinguishes it from pardons, which can only be granted after a perpetrator has been found culpable for criminal misconduct.<sup>124</sup> Amnesties are also distinct from the different types of official immunity, such as that for diplomats or a head of state under certain conditions, including diplomatic, sovereign, and head of state immunity.<sup>125</sup> However, these types of immunities cannot protect state officials from prosecution for crimes such as war crimes and crimes against humanity.<sup>126</sup> Amnesties may be provided in exceptional circumstances, often through legislation, executive decree, or peace agreements, to remove the prospects or consequences of criminal prosecutions or civil actions for designated offenses committed during a specified period of time or event.<sup>127</sup>

Amnesty laws are generally permissible when combined with other transitional justice mechanisms, such as prosecutions, truth-telling mechanisms, and traditional justice processes, except where international treaties or customary

<sup>121</sup> *Penal Code* art. 489 (Syria, 1949) (cited in *Human Rights Violations in Syria*, WORLD ORGANIZATION AGAINST TORTURE, 17 (Aug. 5, 2005), available at [http://www.omct.org/files/2005/07/2982/s\\_violence\\_syria\\_0705\\_eng.pdf](http://www.omct.org/files/2005/07/2982/s_violence_syria_0705_eng.pdf)).

<sup>122</sup> Karen Leigh, *Rights Group Details Rape in Syrian Civil War*, Deutsche Welle (Aug. 13, 2012), available at <http://www.dw.de/dw/article/0,,16162679,00.html>.

<sup>123</sup> William Schabas, *Transitional Justice and the Norms of International Law*, 16 (Oct. 2011), available at [www.mediafire.com/?fhnu99a2eies399](http://www.mediafire.com/?fhnu99a2eies399).

<sup>124</sup> Yasmin Naqvi, *Amnesties for War Crimes: Defining the Limits of International Recognition*, 85 INTERNATIONAL REVIEW OF THE RED CROSS 584-84 n. 3 (2003), available at [http://www.icrc.org/eng/assets/files/other/irrc\\_851\\_naqvi.pdf](http://www.icrc.org/eng/assets/files/other/irrc_851_naqvi.pdf).

<sup>125</sup> Office of the United Nations High Commissioner for Human Rights, *Rule of Law Tools for Post-Conflict States: Amnesties*, 43 (2009), available at [http://www.ohchr.org/Documents/Publications/Amnesties\\_en.pdf](http://www.ohchr.org/Documents/Publications/Amnesties_en.pdf)

<sup>126</sup> Michael Scharf, *Universal Jurisdiction: Myths, realities, and Prospects: Applications of Universal Jurisdiction to Nationals of Non-Party States*, 35 New England Law Review 363, 378-79 (Winter 2001).

<sup>127</sup> Office of the United Nations High Commissioner for Human Rights, *Rule of Law Tools for Post-Conflict States: Amnesties*, 5-6 (2009); Mark Freeman, *Amnesties and DDR Programs*, INTERNATIONAL CENTER FOR TRANSITIONAL JUSTICE, 1 (Feb. 2010), available at <http://ictj.org/sites/default/files/ICTJ-DDR-Amnesties-ResearchBrief-2010-English.pdf>.

law mandates prosecution.<sup>128</sup> Impermissible amnesties are those that violate international law, such as those applied to suspected perpetrators of genocide,<sup>129</sup> war crimes,<sup>130</sup> and gross violations of human rights.<sup>131</sup> Furthermore, according to international law and UN policy, amnesties that interfere with the right of victims to truth, justice, an effective remedy, and reparations for violations of human rights and international law, are also impermissible.<sup>132</sup>

### Amnesties Issued by the Syrian Government

The Syrian Constitution provides the legal basis for the issuance of amnesties in two different ways. First, the executive can grant amnesty.<sup>133</sup> Second, amnesty can be granted through an act of the People's Assembly.<sup>134</sup> The latter mechanism has not yet been used in the context of the ongoing conflict. The implications of existing and potential future amnesties issued by the government in Syria remains unclear, as their scope and application may influence the effectiveness of other transitional justice mechanisms, such as prosecutions, depending on their form and implementation.

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<sup>128</sup> International Center for Transitional Justice, *Amnesty Must Not Equal Impunity*, 1 (2009), available at <https://ictj.org/sites/default/files/ICTJ-DRC-Amnesty-Facts-2009-English.pdf>.

<sup>129</sup> Article 6 of the Rome Statute defines genocide as "any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group. Rome Statute, art. 6.

<sup>130</sup> Article 8 of the Rome Statute defines war crimes as "(a) Grave breaches of the Geneva Conventions of 12 August 1949, namely, any of the following acts against persons or property protected under the provisions of the relevant Geneva Convention: (i) Willful killing; (ii) Torture or inhuman treatment, including biological experiments; (iii) Willfully causing great suffering, or serious injury to body or health; (iv) Extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly; (v) Compelling a prisoner of war or other protected person to serve in the forces of a hostile Power; (vi) Willfully depriving a prisoner of war or other protected person of the rights of fair and regular trial; (vii) Unlawful deportation or transfer or unlawful confinement; (viii) Taking of hostages. Rome Statute, art. 6

<sup>131</sup> William Schabas, *Transitional Justice and the Norms of International Law*, 16 (Oct. 2011); see also Office of the United Nations High Commissioner for Human Rights, *Rule of Law Tools for Post-Conflict States: Amnesties*, 11-21 (2009).

<sup>132</sup> Office of the United Nations High Commissioner for Human Rights, *Rule of Law Tools for Post-Conflict States: Amnesties*, 11 (2009).

<sup>133</sup> SYRIAN CONST. art. 105 (1973).

<sup>134</sup> SYRIAN CONST. art. 71 (1973). The Syrian legislature does not appear to have granted any significant amnesties in recent years. However, there is legislation regarding amnesty, specifically Article 172 of the Syrian Penal Code, which provides for amnesty if a convicted person has served at least 75% of his or her sentence. Who is responsible for considering or granting the amnesty (executive, legislative, or judiciary branch) under Article 172 is unclear, as is whether the convicted person must meet additional conditions (such as committing a minor or non-violent offense). See *Situation of Human Rights Defenders*, INTERNATIONAL FEDERATION FOR HUMAN RIGHTS (FIDH), (May 2011), available at [http://www.fidh.org/-Syria-?id\\_mot=813](http://www.fidh.org/-Syria-?id_mot=813).

President Assad has granted six amnesties since the beginning of the Syrian uprising in March 2011, seemingly issued in an attempt to assuage political opposition and provide assurances that those critical of the current administration would not be subject to prosecution. Nevertheless, the amnesties have thus far been ineffective in discouraging the rebellion.

In May 2011, President Assad called on “citizens who have participated in or committed unlawful acts such as bearing arms, attacking security or spreading lies to surrender by May 15 and hand their weapons into the competent authorities” in order to avoid prosecution.<sup>135</sup>

On June 1, 2011, Assad granted amnesty for all crimes committed between March 15, 2011, and May 31, 2011, by members of all political movements, including the Muslim Brotherhood, through executive decree.<sup>136</sup> The decree reduced sentences for many crimes for individuals currently in prison, and provided amnesty for certain crimes, such as defection, provided defectors turned themselves in within time limits established within the decree.<sup>137</sup>

On June 22, 2011, Assad granted another general amnesty covering crimes committed before June 20, 2011.<sup>138</sup> This amnesty expanded on the June 1 amnesty to free those with incurable diseases and smugglers (except drugs or arms smugglers).<sup>139</sup>

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<sup>135</sup> Al Jazeera, *Syria Offers “Amnesty” After Mass Arrests*, (May 2, 2011), available at [jazeera.com/news/middleeast/2011/05/201152103636509492.html](http://jazeera.com/news/middleeast/2011/05/201152103636509492.html).

<sup>136</sup> *Decree No. 61* (Syria, June 1, 2011), available in Arabic at [www.mpil.de/shared/data/pdf/decree\\_no.\\_61\\_amnesty.pdf](http://www.mpil.de/shared/data/pdf/decree_no._61_amnesty.pdf). See also Katherine Zoepf & Liam Stack, *To Much Skepticism, Syria Issues Amnesty*, THE NEW YORK TIMES, (May 31, 2011), available at <http://www.nytimes.com/2011/06/01/world/middleeast/01syria.html>. *Syria: State of the Transformation Process*, Max Planck Institute for Comparative Public Law and International Law (Oct. 8, 2012), available at [http://www.mpil.de/ww/en/pub/research/details/know\\_transfer/constitutional\\_reform\\_in\\_arab\\_/syrien.cfm](http://www.mpil.de/ww/en/pub/research/details/know_transfer/constitutional_reform_in_arab_/syrien.cfm).

<sup>137</sup> *Decree No. 61* (Syria, June 1, 2011), available in Arabic at [www.mpil.de/shared/data/pdf/decree\\_no.\\_61\\_amnesty.pdf](http://www.mpil.de/shared/data/pdf/decree_no._61_amnesty.pdf). See also *President Assad Grants General Amnesty for Crimes Committed before May 31, 2011*, Embassy of the Syrian Arab Republic in China (May 31, 2011), available at [http://www.syria.org.cn/en/assad\\_d61.html](http://www.syria.org.cn/en/assad_d61.html).

<sup>138</sup> *Decree No. 72* (Syria, June 22, 2011), available in Arabic at [www.mpil.de/shared/data/pdf/decree\\_no.\\_72\\_amnesty.pdf](http://www.mpil.de/shared/data/pdf/decree_no._72_amnesty.pdf). See also *Syria: State of the Transformation Process*, Max Planck Institute for Comparative Public Law and International Law (Oct. 8, 2012), available at [http://www.mpil.de/ww/en/pub/research/details/know\\_transfer/constitutional\\_reform\\_in\\_arab\\_/syrien.cfm](http://www.mpil.de/ww/en/pub/research/details/know_transfer/constitutional_reform_in_arab_/syrien.cfm).

<sup>139</sup> *Decree No. 72* (Syria, June 22, 2011), available in Arabic at [www.mpil.de/shared/data/pdf/decree\\_no.\\_72\\_amnesty.pdf](http://www.mpil.de/shared/data/pdf/decree_no._72_amnesty.pdf). See also *President Assad Issued Legislative Decree No. (72) to Grant a General Amnesty for Crimes Committed Before the Date of 06.20.2011*, SYRIA LAWYER NET, available in Arabic at <http://www.syrialawynet.com/news.php?id=8>; *Syria: State of the Transformation Process*, Max Planck Institute for Comparative Public Law and International Law (Oct. 8, 2012), available at [http://www.mpil.de/ww/en/pub/research/details/know\\_transfer/constitutional\\_reform\\_in\\_arab\\_/syrien.cfm](http://www.mpil.de/ww/en/pub/research/details/know_transfer/constitutional_reform_in_arab_/syrien.cfm).

During November 2011, the government again offered amnesty to any individual with weapons under the condition that they had not committed homicide.<sup>140</sup> The Interior Ministry pledged that those who surrendered to the “nearest police station” would be “released soon.”<sup>141</sup>

On January 15, 2012, Assad granted a general amnesty for crimes committed between March 15, 2011, and January 15, 2012.<sup>142</sup> This amnesty applied to persons who committed crimes under several articles of the Penal Code, including intentional weakening of national sentiment or incitement of racial or sectarian tensions; spreading false information and news; attacks aimed at changing the constitutional state; attacks or assaults aimed at preventing authorities from exercising their constitutional functions; any oral or written speech intended to incite sectarian or racial strife, or membership in organizations formed to carry out these actions; membership in secret organizations; and rallying or demonstrating on public roads (“rioting”).<sup>143</sup> The amnesty also applied to crimes stipulated by a 2011 legislative decree guaranteeing the right to peaceful protest, which include carrying weapons without a license and escaping from justice.<sup>144</sup> The amnesty specified that it applied to persons in possession of unlicensed weapons and ammunition, provided those persons surrendered the arms by January 31, 2012.<sup>145</sup>

<sup>140</sup> Khaled Yacoub Oweis, *Syrian Forces Kill 19, Government Offers Amnesty*, REUTERS, (Nov. 4, 2011), available at <http://www.reuters.com/article/2011/11/04/us-syria-idUSTRE7A13MA20111104>.

<sup>141</sup> Patrick J. McDonnell, *Syria Blames U.S. for ‘Blatant’ Interference*, THE L.A. TIMES, (Nov. 5, 2011), available at <http://articles.latimes.com/2011/nov/05/world/la-fg-syria-us-20111106>.

<sup>142</sup> *Decree No. 10* (Syria, Jan. 15, 2012), available in Arabic at [www.mpil.de/shared/data/pdf/decrees\\_no\\_10\\_amnesty.pdf](http://www.mpil.de/shared/data/pdf/decrees_no_10_amnesty.pdf). See also *Syria: State of the Transformation Process*, Max Planck Institute for Comparative Public Law and International Law (Oct. 8, 2012), available at [http://www.mpil.de/ww/en/pub/research/details/know\\_transfer/constitutional\\_reform\\_in\\_arab\\_/syrien.cfm](http://www.mpil.de/ww/en/pub/research/details/know_transfer/constitutional_reform_in_arab_/syrien.cfm).

<sup>143</sup> Articles 285-286-287-291-294-307-308-327-328 of the Penal Code. *Decree No. 10* art. 1(a) (Syria, Jan. 15, 2012), available in Arabic at [www.mpil.de/shared/data/pdf/decrees\\_no\\_10\\_amnesty.pdf](http://www.mpil.de/shared/data/pdf/decrees_no_10_amnesty.pdf). See also *Syria: State of the Transformation Process*, Max Planck Institute for Comparative Public Law and International Law (Oct. 8, 2012), available at

[http://www.mpil.de/ww/en/pub/research/details/know\\_transfer/constitutional\\_reform\\_in\\_arab\\_/syrien.cfm](http://www.mpil.de/ww/en/pub/research/details/know_transfer/constitutional_reform_in_arab_/syrien.cfm); *Decree No. 148 (Syrian Penal Code)* arts. 285-286-287-291-294-307-308-327-328 (Syria, 1949), available in Arabic at <http://faculty.ksu.edu.sa/74394/Documents/%D9%82%D8%A7%D9%86%D9%88%D9%86%20%D8%A7%D9%84%D8%B9%D9%82%D9%88%D8%A8%D8%A7%D8%AA%20%D8%A7%D9%84%D8%B3%D9%88%D8%B1%D9%8A.pdf>.

<sup>144</sup> *Decree No. 10* arts. 1(a), (b) (Syria, Jan. 15, 2012), available in Arabic at [www.mpil.de/shared/data/pdf/decrees\\_no\\_10\\_amnesty.pdf](http://www.mpil.de/shared/data/pdf/decrees_no_10_amnesty.pdf). See also *Syria: State of the Transformation Process*, Max Planck Institute for Comparative Public Law and International Law (Oct. 8, 2012), available at [http://www.mpil.de/ww/en/pub/research/details/know\\_transfer/constitutional\\_reform\\_in\\_arab\\_/syrien.cfm](http://www.mpil.de/ww/en/pub/research/details/know_transfer/constitutional_reform_in_arab_/syrien.cfm).

<sup>145</sup> *Decree No. 10* art. 1(c) (Syria, Jan. 15, 2012), available in Arabic at [www.mpil.de/shared/data/pdf/decrees\\_no\\_10\\_amnesty.pdf](http://www.mpil.de/shared/data/pdf/decrees_no_10_amnesty.pdf). See also *Syria: State of the Transformation Process*, Max Planck Institute for Comparative Public Law and International Law (Oct. 8, 2012), available at [http://www.mpil.de/ww/en/pub/research/details/know\\_transfer/constitutional\\_reform\\_in\\_arab\\_/syrien.cfm](http://www.mpil.de/ww/en/pub/research/details/know_transfer/constitutional_reform_in_arab_/syrien.cfm).

Lastly, it applied to defectors from the armed forces, provided they surrendered themselves by January 31, 2012.<sup>146</sup>

On May 2, 2012, Assad issued a general amnesty for crimes under the Military Service Law and Military Penal Code.<sup>147</sup> In particular, the amnesty was granted to all “draft-dodgers” who have avoided military services since the uprising began.<sup>148</sup> The amnesty provided that defectors would not be eligible under this amnesty unless they surrendered themselves within 90 days for “internal” desertion, and 120 days for “external” desertion.<sup>149</sup>

On October 23, 2012, President Assad issued amnesty for all crimes committed “up until today,” except for those carried out by “terrorists” (the term by which the regime has characterized the rebels).<sup>150</sup> Like previous amnesties, its provisions only apply to those who surrender. The amnesty only covers individuals who have already been convicted, not those individuals in custody awaiting charges; thus excluding myriad people who were detained for exercising their civil rights, such as expression and peaceable assembly, or providing medical assistance to rebels.<sup>151</sup>

### *Structure of the Syrian Judicial System*

The organization and functioning of the Syrian Judicial System is governed by the Judicial Authority Law of 1961 and the Civil Code of 1949.<sup>152</sup>

<sup>146</sup> *Decree No. 10* art. 1(d) (Syria, Jan. 15, 2012), available in Arabic at [www.mpil.de/shared/data/pdf/decreed\\_no\\_10\\_amnesty.pdf](http://www.mpil.de/shared/data/pdf/decreed_no_10_amnesty.pdf). See also *Syria: State of the Transformation Process*, Max Planck Institute for Comparative Public Law and International Law (Oct. 8, 2012), available at [http://www.mpil.de/ww/en/pub/research/details/know\\_transfer/constitutional\\_reform\\_in\\_arab\\_/syrien.cfm](http://www.mpil.de/ww/en/pub/research/details/know_transfer/constitutional_reform_in_arab_/syrien.cfm).

<sup>147</sup> *Decree No. 30* (Syria, May 2, 2012), available in Arabic at [www.mpil.de/shared/data/pdf/decreed\\_no\\_30\\_amnesty.pdf](http://www.mpil.de/shared/data/pdf/decreed_no_30_amnesty.pdf). See also *Syria: State of the Transformation Process*, Max Planck Institute for Comparative Public Law and International Law (Oct. 8, 2012), available at [http://www.mpil.de/ww/en/pub/research/details/know\\_transfer/constitutional\\_reform\\_in\\_arab\\_/syrien.cfm](http://www.mpil.de/ww/en/pub/research/details/know_transfer/constitutional_reform_in_arab_/syrien.cfm).

<sup>148</sup> The Chicago Tribune, WRAPUP 2-Syria accused of war crimes, rebels kill 15 , (May 2, 2012), available at [http://articles.chicagotribune.com/2012-05-02/news/sns-rt-syria-wrapup-2-pix-tvl5e8g2933-20120502\\_1\\_idlib-rebel-ambush-syrian-observatory](http://articles.chicagotribune.com/2012-05-02/news/sns-rt-syria-wrapup-2-pix-tvl5e8g2933-20120502_1_idlib-rebel-ambush-syrian-observatory).

<sup>149</sup> *Decree No. 30* art. 1 (Syria, May 2, 2012), available in Arabic at [www.mpil.de/shared/data/pdf/decreed\\_no\\_30\\_amnesty.pdf](http://www.mpil.de/shared/data/pdf/decreed_no_30_amnesty.pdf). See also *Syria: State of the Transformation Process*, Max Planck Institute for Comparative Public Law and International Law (Oct. 8, 2012), available at [http://www.mpil.de/ww/en/pub/research/details/know\\_transfer/constitutional\\_reform\\_in\\_arab\\_/syrien.cfm](http://www.mpil.de/ww/en/pub/research/details/know_transfer/constitutional_reform_in_arab_/syrien.cfm).

<sup>150</sup> The 23 October amnesty does not apply to those individuals who commit crimes in violation of the Anti-terrorism Law of 2 July. Amnesty International, *Syria: Free All Prisoners of Conscience After Amnesty*, (Oct. 25, 2012), available at <http://www.amnesty.org/en/news/syria-free-all-prisoners-conscience-after-amnesty-2012-10-25>

<sup>151</sup> Amnesty International, *Syria: Free All Prisoners of Conscience After Amnesty*, (Oct. 25, 2012), available at <http://www.amnesty.org/en/news/syria-free-all-prisoners-conscience-after-amnesty-2012-10-25>

<sup>152</sup> United Nations Development for Economic and Social Affairs, *Syrian Arab Republic: Public Administration Country Profile*, 7 (2004), available at <http://unpan1.un.org/intradoc/groups/public/documents/un/unpan023183.pdf>.

### Supreme Judicial Council

The Supreme Judicial Council is responsible for the appointment, transfer, and promotion of judges in Syria. The Supreme Judicial Council also proposes laws related to judicial affairs.<sup>153</sup> The Council is headed by the President. Other members of the Council are the Minister of Justice, the Deputy Minister of Justice, the Attorney-General, Chief of judicial inspection, and the President of the Court of Cassation and his two most senior deputies.<sup>154</sup>

### Syrian Court Structure

The Syrian judicial system is bifurcated into secular and religious courts. The secular courts hear matters involving civil and criminal offences, while the religious courts hear matters involving personal status (i.e., marriage and divorce, family, paternity, and inheritance).<sup>155</sup> The Ministry of Justice oversees the secular courts.<sup>156</sup>

**Secular Courts:** The secular courts in Syria are divided into three levels. At the lowest level are several types of courts to which cases are assigned based on their nature.<sup>157</sup> The Courts of Peace or Conciliation (*Mahakim Al-Sulh*) consist of single judges with jurisdiction to hear cases of lesser offenses, like misdemeanors.<sup>158</sup> The Courts of First Instance (*Mahakim Al-Bidaya*) are divided into civil and criminal courts.<sup>159</sup> An additional criminal court, the Court of Assize, determines criminal cases where the sentence may exceed three years imprisonment.<sup>160</sup> Additionally, two specialized secular courts exist—the Juvenile Courts (*Mahakim Al-Ahdath*) and the Customs Court (*Al Mahkama Al*

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<sup>153</sup> Carnegie Endowment, *Arab Political Systems: Baseline Information and Reforms: Syria* available at [www.carnegieendowment.org/files/Syria\\_APS.doc](http://www.carnegieendowment.org/files/Syria_APS.doc).

<sup>154</sup> Carnegie Endowment, *Arab Political Systems: Baseline Information and Reforms: Syria* available at [www.carnegieendowment.org/files/Syria\\_APS.doc](http://www.carnegieendowment.org/files/Syria_APS.doc).

<sup>155</sup> *Country of Origin Information Report: Syrian Arab Republic*, UNITED KINGDOM HOME OFFICE 74 (Aug. 2012), available at <http://www.unhcr.org/refworld/docid/50374cf72.html>.

<sup>156</sup> United States Department of State, *2009 Country Reports on Human Rights Practices: Syria* available at <http://www.state.gov/g/drl/rls/hrrpt/2009/nea/136080.htm>.

<sup>157</sup> Nathan J. Brown, Arab Judicial Structures, UNITED NATIONS DEVELOPMENT PROGRAM ON GOVERNANCE IN THE ARAB REGION 44 (Aug. 2001), available at [www.deontologie-judiciaire.umontreal.ca/fr/textes%20int/documents/ONU\\_STRUCTURE\\_JUDICIAIRE\\_ARABE.pdf](http://www.deontologie-judiciaire.umontreal.ca/fr/textes%20int/documents/ONU_STRUCTURE_JUDICIAIRE_ARABE.pdf).

<sup>158</sup> *Country of Origin Information Report: Syrian Arab Republic*, UNITED KINGDOM HOME OFFICE 74 (Aug. 2012), available at <http://www.unhcr.org/refworld/docid/50374cf72.html>.

<sup>159</sup> *Country of Origin Information Report: Syrian Arab Republic*, UNITED KINGDOM HOME OFFICE 74 (Aug. 2012), available at <http://www.unhcr.org/refworld/docid/50374cf72.html>.

<sup>160</sup> *Country of Origin Information Report: Syrian Arab Republic*, UNITED KINGDOM HOME OFFICE 74 (Aug. 2012), available at <http://www.unhcr.org/refworld/docid/50374cf72.html>.

*Jumrukiyya*).<sup>161</sup> At the second level are the Courts of Appeal (*Mahakim Al-Isti'naf*), which are also divided into civil and criminal divisions.<sup>162</sup> Courts of Appeal decisions cannot be appealed, but they may be nullified by the Court of Cassation (*Mahkamat Al-Naqd*), at the third and top level.<sup>163</sup> The Court of Cassation, located in Damascus, is divided into specialized three-judge panels who hear commercial, civil, criminal, personal status, and military cases.<sup>164</sup>

**Religious Courts:** The religious courts in Syria are divided into three categories: the *Shari'a* (Islamic Law), *Madhabi* (“doctrinal”), and the *Ruhi* (“spiritual”) courts. The *Shari'a* courts adjudicate cases concerning personal status between Syrian and non-Syrian followers of Islam and the *Shari'a*. The *Madhabi* courts are single judge courts empowered to adjudicate cases involving members of the Druze religious group. The judge is appointed from the Druze sect as well. The *Ruhi* courts settle personal status matters for all other religious groups including Jewish, Christian, and other non-Muslims. Appeals from all the three religious courts are heard by the Court of Cassation in Damascus.

**Other Courts:** Several special courts exist in addition to the secular and religious courts, including Military Courts, the Council of State, and the Supreme Constitutional Court. Additionally, the Supreme State Security Court was disbanded in 2011, but its practices continue to influence administration of justice in Syria.<sup>165</sup>

The Military Courts in Syria can try both military personnel and civilians. Military Court judges can establish a field court, outside established military courtrooms, to try civilian defendants. Such field courts are not subject to all

<sup>161</sup> Nathan J. Brown, Arab Judicial Structures, UNITED NATIONS DEVELOPMENT PROGRAM ON GOVERNANCE IN THE ARAB REGION 44 (Aug. 2001), available at [www.deontologie-judiciaire.umontreal.ca/fr/textes%20int/documents/ONU\\_STRUCTURE\\_JUDICIAIRE\\_ARABE.pdf](http://www.deontologie-judiciaire.umontreal.ca/fr/textes%20int/documents/ONU_STRUCTURE_JUDICIAIRE_ARABE.pdf); United States Library of Congress, *Country Studies: Syria* available at <http://rs6.loc.gov/frd/cs/sytoc.html>.

<sup>162</sup> Nathan J. Brown, Arab Judicial Structures, UNITED NATIONS DEVELOPMENT PROGRAM ON GOVERNANCE IN THE ARAB REGION 44 (Aug. 2001), available at [www.deontologie-judiciaire.umontreal.ca/fr/textes%20int/documents/ONU\\_STRUCTURE\\_JUDICIAIRE\\_ARABE.pdf](http://www.deontologie-judiciaire.umontreal.ca/fr/textes%20int/documents/ONU_STRUCTURE_JUDICIAIRE_ARABE.pdf).

<sup>163</sup> United Kingdom Home Office, *Country of Origin Information Report: Syrian Arab Republic*, 74 (August 2012), available at <http://www.unhcr.org/refworld/docid/50374cf72.html>.

<sup>164</sup> United Kingdom Home Office, *Country of Origin Information Report: Syrian Arab Republic*, 74 (August 2012), available at <http://www.unhcr.org/refworld/docid/50374cf72.html>; Nathan J. Brown, Arab Judicial Structures, UNITED NATIONS DEVELOPMENT PROGRAM ON GOVERNANCE IN THE ARAB REGION 44 (Aug. 2001), available at [www.deontologie-judiciaire.umontreal.ca/fr/textes%20int/documents/ONU\\_STRUCTURE\\_JUDICIAIRE\\_ARABE.pdf](http://www.deontologie-judiciaire.umontreal.ca/fr/textes%20int/documents/ONU_STRUCTURE_JUDICIAIRE_ARABE.pdf).

<sup>165</sup> The Economic Security Courts are another dissolved part of the Syrian court system. The Economic Security Courts were set up in 1977 and used to try cases involving financial and economic crimes, such as those concerning illegal possession and exchange of foreign currency and violations of Syria’s import restrictions. However, in 2004, these courts were disbanded via Legislative Decree No. 16 of February 14, 2004.

procedures applicable to regular military courts.<sup>166</sup> Civilians can appeal all Military Court sentences, but military personnel can only appeal sentences for felony charges.<sup>167</sup> Appeals are heard at the Military Chamber of the Court of Cassation. Military Court judges are subject to military command structures,<sup>168</sup> and therefore cannot be considered free, impartial, and independent.<sup>169</sup>

The Council of State (*Majlis al-Dawla*) was established by Article 138 of the Syrian Constitution of March 1973. It is an administrative court that adjudicates cases involving the state and its agencies. It has advisory as well as judicial functions and is independent from the regular courts.<sup>170</sup>

The Supreme Constitutional Court is the highest court in Syria. It has Constitutional authority to adjudicate electoral disputes. It also rules on the constitutionality of legislation and decrees, either when such cases come before the court or the President requests a ruling. The Court consists of the President and four other judges appointed by the President. The judges serve a four-year, renewable term.<sup>171</sup>

Bashar al-Assad dissolved the Supreme State Security Court (SSSC) on April 18, 2011.<sup>172</sup> However, this court played a major role in Syria's judicial system and may have lingering effects. The SSSC heard cases involving national security issues. SSSC judgments could not be appealed, but the President and

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<sup>166</sup> United States Department of State, *2009 Country Reports on Human Rights Practices: Syria*, (2009), available at <http://www.state.gov/g/drl/rls/hrrpt/2009/nea/136080.htm>.

<sup>167</sup> United States Department of State, *2009 Country Reports on Human Rights Practices: Syria*, (2009), available at <http://www.state.gov/g/drl/rls/hrrpt/2009/nea/136080.htm>.

<sup>168</sup> According to Article 39 of the Military Criminal Code, Military Court judges are subordinate to the Ministry of Defence. Furthermore, the Human Rights Committee has noted in its observations that the procedures of these courts do not respect the guarantees of fair trial outlined in Article 14 of the ICCPR. International Commission of Jurists, *Alternative Report on the Syrian Arab Republic pursuant to Article 19(1) of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (April 2012) available at [http://www2.ohchr.org/english/bodies/cat/docs/ngos/ICJ\\_Syria\\_CAT48.pdf](http://www2.ohchr.org/english/bodies/cat/docs/ngos/ICJ_Syria_CAT48.pdf) (citing *Military Criminal Code* art. 39 (Syria)).

<sup>169</sup> See United Nations Guidelines on the Role of Prosecutors, art. 13 (1990), available at <http://www2.ohchr.org/english/law/prosecutors.htm> (“In the performance of their duties, prosecutors shall: (a) Carry out their functions impartially and avoid all political, social, religious, racial, cultural, sexual or any other kind of discrimination; (b) Protect the public interest, act with objectivity, take proper account of the position of the suspect and the victim, and pay attention to all relevant circumstances, irrespective of whether they are to the advantage or disadvantage of the suspect.”)

<sup>170</sup> Carnegie Endowment, *Arab Political Systems: Baseline Information and Reforms: Syria*, available at [www.carnegieendowment.org/files/Syria\\_APS.doc](http://www.carnegieendowment.org/files/Syria_APS.doc).

<sup>171</sup> United Kingdom Home Office, *Country of Origin Information Report: Syrian Arab Republic* 74 (August 2012), available at <http://www.unhcr.org/refworld/docid/50374cf72.html>.

<sup>172</sup> United Kingdom Home Office, *Country of Origin Information Report: Syrian Arab Republic*, 74 (August 2012), available at <http://www.unhcr.org/refworld/docid/50374cf72.html>.

Minister of Interior could ratify, nullify, or alter its verdicts.<sup>173</sup> The SSSC was not required to follow the same procedures as the regular courts. Defendants were not allowed to remain present in the preliminary phase of the trial during which the prosecutor presented his evidence, a severe violation of international norms on open trials.<sup>174</sup> Access to legal representation was restricted, and lawyers were not permitted to attend preliminary interrogations before the SSSC.<sup>175</sup> Confessions obtained through torture were also admissible as evidence before the SSSC.<sup>176</sup> A significant number of politically sensitive cases were tried in this court before Assad formally announced its dissolution.<sup>177</sup> Reports indicate that dissolution of the SSSC has not brought any significant changes in the rights of the accused.<sup>178</sup>

### Judicial Independence

Syrian courts' involvement in transitional justice procedures may be challenged by limited separation from the executive branch and a lack of judicial independence and impartiality. Although the Syrian Constitution provides for judicial independence from interference from the political branches of government, membership in the Ba'ath Party is a precondition for securing judicial and prosecutor positions.<sup>179</sup> The President is also the head of the Supreme Judicial Council, as well as the Supreme Constitutional Court. Furthermore, courts are routinely subjected to political influence, especially in cases with a political context (such as trials of political prisoners), where outcomes of cases have appeared to be pre-determined.<sup>180</sup>

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<sup>173</sup> Carnegie Endowment, *Arab Political Systems: Baseline Information and Reforms: Syria*, available at [www.carnegieendowment.org/files/Syria\\_APS.doc](http://www.carnegieendowment.org/files/Syria_APS.doc).

<sup>174</sup> Mathieu Routier, et al., *Joint Trial Observation Mission Report, Syria: The Trial of Human Rights Lawyer Haytham Al-Laeh Before the Second Military Court of Damascus*, THE OBSERVATORY, ICJ, EMHRN, 11 n.24-26 (Feb. 2011), available at [http://www.fidh.org/IMG/pdf/OBS\\_Syria\\_TrialObservation\\_Report\\_eng.pdf](http://www.fidh.org/IMG/pdf/OBS_Syria_TrialObservation_Report_eng.pdf).

<sup>175</sup> Carnegie Endowment, *Arab Political Systems: Baseline Information and Reforms: Syria*, available at [www.carnegieendowment.org/files/Syria\\_APS.doc](http://www.carnegieendowment.org/files/Syria_APS.doc).

<sup>176</sup> Carnegie Endowment, *Arab Political Systems: Baseline Information and Reforms: Syria*, available at [www.carnegieendowment.org/files/Syria\\_APS.doc](http://www.carnegieendowment.org/files/Syria_APS.doc).

<sup>177</sup> United Kingdom Home Office, *Country of Origin Information Report: Syrian Arab Republic*, 74 (August 2012), available at <http://www.unhcr.org/refworld/docid/50374cf72.html>.

<sup>178</sup> Freedom House, *Freedom in the World: 2012- Syria*, (March 22, 2012), available at <http://www.unhcr.org/refworld/docid/4f6b210329.html>

<sup>179</sup> SYRIA CONST. arts. 131-33 (1973) (cited in United States Department of State, *2011 Country Reports on Human Rights Practices: Syria*, available at <http://www.state.gov/j/drl/rls/hrrpt/2011/nea/186449.htm>); UN Human Rights Council, *Report of the independent international commission of inquiry on the Syrian Arab Republic* (November 23, 2011), A/HRC/S-17/2/Add.1 available at <http://www.unhcr.org/refworld/docid/4edde9d02.html>.

<sup>180</sup> United States Department of State, *2011 Country Reports on Human Rights Practices: Syria*, available at <http://www.state.gov/j/drl/rls/hrrpt/2011/nea/186449.htm>.

## The Transitional Justice Evidence Documentation Process

Through the course of past conflicts, transitional justice experts have established sets of standards and procedures to document violations of international criminal, humanitarian, and human rights law that occur during the course of conflicts. These procedures include standards relating the types of violations documented, the types of information collected, protection of victims and witnesses, and preservation of evidence. In post-conflict settings, trained investigators may use a number of tools, including forensics, to collect evidence of past crimes. During conflicts, such as that in Syria, however, civilians and civil society organizations frequently collect evidence, with support from international actors who bring knowledge of international standards for TJE collection.

For the purposes of this report, the process of TJE collection is separated into three steps. First, information must be collected from various sources around the conflict. Millions of pieces of TJE are being collected in Syria on a daily basis using a variety of methods. Second, to ensure preservation for future use in transitional justice processes, and to obtain a more comprehensive perspective of the scope of violations, these pieces of information must then be compiled. Finally, to ensure the usefulness of TJE in future transitional justice processes, training and facilitation of both collectors and compilers of TJE are also vital parts of the TJE documentation process. Additionally, several other activities are related to TJE documentation, such as coordination among various actors collecting and compiling TJE.

Another key component of TJE documentation is verification standards. TJE documented during the conflict is considered information—information that may be used as evidence in future accountability mechanisms. In order to provide the best information for accountability efforts, it is important for actors collecting and compiling TJE to make efforts to verify their information, ensuring that it is true to the best of their abilities.

Much of the evidence collected on the Syrian conflict may not be admissible as evidence in accountability mechanisms. This does not mean that the information is not useful, however. Inadmissible evidence in judicial proceedings may provide key details to future investigators and guide them to possible witnesses or other evidence. In addition, such evidence may be relevant for truth-telling and reconciliation. As such, it is important for actors on the ground to capture as much information as possible to support future investigations into the ongoing violations committed in Syria.

### *TJE Collection*

TJE collection refers to firsthand recording of a violation or incident. When an incident occurs, it may be recorded and thus become a relevant piece of evidence. Collection occurs at the eyewitness level, such that the individual(s) collecting the evidence witnessed the evidence personally and recorded it somehow. This can occur through a variety of methods, including pictures and videos in real time, as well as through documentation or statements after the event.

In the Syrian conflict, thousands of persons are collecting TJE on a daily basis. Much of this evidence is recorded with mobile technology, especially through phone cameras and videos. These efforts also encompass recording and documenting statements and eyewitness accounts. Social media like Twitter has provided a unique opportunity for eyewitness accounts and witness statements to be recorded and disseminated as events occur. While many TJE collectors have the means to distribute the TJE online or to networks of compilers through smartphones and computers, a large number lack the ability to do so; thus, there remains an untapped body of evidence of crimes committed throughout the Syrian conflict.

### *TJE Compilation*

Perhaps the most vital component of TJE documentation in the Syrian crisis is compilation of the millions of pieces of collected evidence that have been circulated. Compilation efforts encompass accessing, storing, organizing, and analyzing TJE. Compilation efforts can contribute to an overall repository of TJE so that it is available for use in the future.

Many civil society organizations have had success in compiling TJE in Syria through leveraging social networking and mobile technology, including cell phone videos and “crowdsourced” witness reporting. For instance, Twitter has become a dynamic forum where activists outside Syria connect to eyewitnesses inside Syria whom publish statements in or near real-time. Often, a well-connected Twitter user outside Syria will disseminate eyewitness accounts and statements from a multitude of individuals who have witnessed possible violations inside Syria. Another popular form of social media is YouTube, where local groups and individuals form “channels” where they publish videos that have been collected from a particular town, area, or locale. Likewise, Facebook now features both individuals and pages (usually for a town or locale) where videos, pictures, and

statements are published in the first instance and also re-published from other social media sources. Unfortunately, most of this type of compilation is unsystematic and applies no verification or classification standards.

Other efforts are more systematic, and usually undertaken by organizations or groups with the aim of comprehensive compilation. These compilation efforts are not content-neutral. Many compilers attempt to categorize and classify TJE so that it is searchable. This requires labeling of each piece of information with relevant tags and categories. Compilation may also involve assessment and analysis of data so that a more comprehensive picture of violations is possible. This requires an overarching framework and categories of violations. Many Syrian organizations currently compiling TJE systematically have attempted to categorize violations, but some lack a coherent international legal framework for classification.

### *Facilitation and Training*

Many organizations and actors do not directly collect or compile TJE, but rather provide resources that enable others to more effectively collect and compile TJE. The most common facilitation activities include provision of mobile technology (such as camera phones) and other resources. Some organizations provide investigation resources with more sophisticated means for recording and measuring TJE data. Training in evidence collection, compilation, and assessment is also an important part of these efforts. Training generally covers two areas: (1) legal standards applicable to potential crimes, to provide collectors and compilers with a reference framework for what data should be collected; and (2) training in how to record, measure, and preserve evidence in compliance with international criminal procedural standards. In addition, training local groups to perform outreach to citizens to inform them of how to send evidence of violations can increase the sources, amount, and geographical scope of evidence collected.

### *Other Activities*

In addition to TJE collection, compilation, training, and facilitation, it is essential for organizations involved in accountability efforts to coordinate. Coordination is essential to ensuring that all violations are documented across all relevant geographic areas. Coordination may be spearheaded by one organization or may be led through a coalition of relevant organizations.

## TJE Collection in Syria

At present, dozens of actors and organizations are working in Syria, along the Syrian borders, and around the world to collect information on violations of international criminal, humanitarian, and human rights law; analyze and compile the collected information; and facilitate and train additional actors on TJE collection standards. Through their efforts, particularly their efforts utilizing new technologies, the conflict in Syria is considered the most documented conflict to date. The efforts of these actors will be invaluable in supporting future accountability efforts to address violations that have occurred during the Syrian conflict.

Annex 1 to this report provides an overview of many of the organizations working on TJE collection, compilation, training, and facilitation in the Syrian context. Many of these organizations are Syrian civil society groups working within Syria and on the Turkish border. International organizations are also engaged in TJE activities, often providing training and support to Syrian groups. Lastly, Syrian and international news agencies play an important role documenting the Syrian conflict.

### *Syrian Groups and Organizations*

Because they have the greatest access, Syrian organizations have spearheaded efforts to collect real-time information on the conflict in Syria. Syrian organizations have developed broad networks on the ground inside Syria and along Syria's borders to facilitate their efforts. Syrian organizations generally fall into two categories, defined for the purposes of this report as civil society organizations and news agencies.

### Civil Society Organizations

Syrian civil society organizations have undertaken a range of activities to promote accountability in Syria. Organizations such as the Syrian Center for Media and Freedom of Expression and Syrian Shahada are known for their efforts collecting TJE. Other organizations, such as the Center for Documentation of Violations in Syria and the Syrian Observatory for Human Rights are undertaking both TJE collection and compilation. Together, Syrian civil society organizations are putting out regular, detailed reports, informing international actors of the status on the ground in Syria as the conflict progresses.

While many of the Syrian organizations working to collect and compile TJE are well-respected, there have also been critiques of their work in the accountability context. Many of the organizations demonstrate a very strong political bias in their reporting. While such a bias is useful in advocacy purposes, it can limit the credibility of TJE collected if the organizations would like that information used in future accountability mechanisms. Additionally, some of the reports, collection verification standards, and advocacy conducted by some organizations demonstrate a lack of knowledge of international legal frameworks. Increasing the knowledge of Syrian actors would increase the usefulness of the TJE information they are collecting for future accountability mechanisms.

### News Agencies

Several independent Syrian news agencies are reporting on events in Syria, and often have more access to firsthand documentation. New agencies such as Orient News, formerly based in Damascus, have the networks and resources to undertake widespread reporting on events within Syria. Agencies such as Shaam News and Ugarit News rely on reporters on the ground in Syria, and thus have a unique capability to collect firsthand documentation, especially videos, photographs, and firsthand accounts. However, reporters on the ground in Syria have faced oppression by the government, which has limited their ability to collect and publish as comprehensively. All of these agencies have garnered widespread readership through strategic use of media platforms such as Facebook and Youtube, however.

### *International Organizations*

A range of international organizations and actors are currently working on accountability in Syria, promoting peacemaking efforts, training Syrians on TJE collection and compilation, and conducting their own collection and compilation efforts.

### Intergovernmental Organizations and Bodies

Many intergovernmental organizations and bodies have been present in Syria, serving as official monitors and documenting violations of international criminal, humanitarian, and human rights law for official purposes. The Arab League, for instance, served as an official observer to the conflict, but withdrew in January 2012. The United Nations Human Rights Council established an official Commission of Inquiry (COI) to investigate possible violations, and has continued to publish regular updates as the conflict has progressed. The COI has never been

allowed into Syria, however, which limits its ability to collect information firsthand.

#### Governmental Initiatives

Some governments have undertaken special initiatives to support TJE collection in Syria. The United States Department of State, for instance, has funded the Office of Syrian Opposition Support, which provides training and communications equipment to Syrian activists via offices in Turkey. Similarly, the British Foreign and Commonwealth Office is funding trainings and support for documenting and securing evidence. Several other governmental initiatives, such as the United States Agency for International Development's Office of Transition Initiatives, are also beginning work from areas surrounding Syria, although the parameters of these programs are developing. So far, these types of governmental initiatives have been limited "non-lethal" support, which is only made available to unarmed groups. Governments are thus far unwilling to publicly fund or support any groups or organizations connected with armed opposition groups. However, TJE documentation is one of the areas where non-lethal support can be most effective, so potential for further support is strong.

#### Non-governmental Organizations

Dozens of international NGOs are currently working on accountability efforts in Syria. International NGOs include large, global organizations, such as Amnesty International, Human Rights Watch, Doctors Without Borders, and Reliefweb, as well as smaller regionally or Syria focused NGOs, such as Alkarama, KurdWatch, and Syria Tracker. International NGOs are performing a range of functions in the Syrian context, including collecting TJE information, compiling and analysis TJE for reports, providing assistance to refugees and IDPs and documenting the numbers and conditions of those served, advocating to foreign governments on issues related to the conflict, and training local organizations on TJE collection, among many other functions.

International organizations are bringing a wealth of background and experience to the TJE documentation efforts, as many organizations have served similar functions in many other conflicts. Through their work, they can mentor, assist, guide, and model best practices for local organizations to build the capacity of local actors in TJE documentation.

While international actors have served an invaluable role in the TJE documentation process, some actors have criticized them for a failure to coordinate, both among themselves and with local organizations, which has led to

inconsistent reporting of certain crimes, such as sexual and gender-based violence, as well as limited coverage of certain geographic areas. Increasing coordination moving forward would help to ensure better documentation of violations of international criminal, humanitarian, and human rights law moving forward.

### News Agencies

Many of the world's leading news agencies have undertaken efforts to ensure comprehensive coverage of the ongoing conflict in Syria, and many reporters have risked their safety in Syria's unstable environment to bring information directly from the ground. News agencies such as Al Jazeera, the BBC, CNN, and others serve as key sources for background information and updates on the conflict. Although the information collected by news agencies is unlikely to be used as evidence in future accountability mechanisms, it can serve to inform future accountability efforts by helping to present a broad picture of the conflict, maintaining information on the timeline and developments throughout the conflict.

### **Needs and Challenges for TJE Documentation Efforts in Syria**

Although a number of civil society organizations are working on accountability initiatives and programs in Syria, the limitations imposed by the ongoing conflict have meant that their efforts have not always been coordinated or organized, limiting their overall effectiveness. Many of the organizations directly or indirectly collecting TJE related to the Syria conflict are in their nascent stage, or face resource crises. International and local civil society organizations trying to document violations of international criminal and human rights law in Syria face a number of challenges, and need various means of support to effectively continue documenting TJE. The limited success of civil society-driven efforts to date is related to a number of factors, including the lack of a comprehensive, international law-centered approach; a lack of broad citizen awareness or support; minimal coordination between local NGOs and activists; and the deteriorating political and security situation within Syria.

The international community has failed to reach consensus on strategies to halt increasing violence in Syria. The UN Security Council has been unable to take decisive action on the crisis because of Russian and Chinese vetoes. Russia continues to support the Assad government, concerned with maintaining regional influence. Reports indicate that Russia has been supplying the Syrian government with arms and supplies. Iran is also a major supporter of the Assad government, and has been supplying it with arms, supplies, training, and even military personnel. By contrast, Western states supporting democratic transition in Syria

have been reluctant to intervene on behalf of the opposition. Although willing to provide training, communications gear, and other supplies, these states are unwilling to directly provide arms or personnel to rebel fighters. Arab states such as Saudi Arabia and Qatar have been directly supplying arms to the Syrian opposition, but their competing interests affect distribution of the arms, contributing to further divisions within the rebel forces. Other Arab states like Egypt have openly called for Assad to step down, whereas states like Iraq and Lebanon have been more ambivalent, leaning to support for Assad. Turkey has also become an opponent of the Assad government, providing support by allowing opposition to operate on its side of the Syrian border.

The effect of this impasse is that the need for TJE documentation increases on a daily basis as the conflict escalates. Although training and equipment useful for TJE collection and compilation can pass through the Turkey's Syrian border, the relative international paralysis also prevents more effective TJE training and documentation efforts within Syria. Additionally, international and regional investigative efforts are unable to undertake TJE documentation work within Syria because of security risks and the Syrian government's restrictions on their movement.

#### *Deteriorating Security Situation in Syria*

The rapidly deteriorating security situation in Syria has stifled efforts to collect TJE and document atrocity crimes. The Syria crisis, now approaching two years, continues to intensify. Major civilian population centers, such as Aleppo and even Damascus, have seen fierce fighting between the Assad regime and opposition forces. The government has been increasingly relying on battlefield weapons, such as tanks, field artillery, helicopter gunships, and fixed-wing bombers. Government forces do not appear to be distinguishing between opposition and civilian targets, and in some cases appear to be deliberately targeting civilians (breadlines in Aleppo being one notable example). Moreover, journalists have been deliberately targeted in the conflict; for example, in August 2012, a veteran Japanese war correspondent was killed in Aleppo, reportedly by Syrian soldiers.<sup>181</sup> These factors have made it extraordinarily difficult for civil society organizations to investigate and document violations of international law in Syria.

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<sup>181</sup> Adam Martin, *Japanese Reporters Were Targeted in Syria*, THE ATLANTIC WIRE, Aug. 21, 2012, available at <http://www.theatlanticwire.com/global/2012/08/japanese-reporters-were-targeted-syria/55997/>.

**Support Needed:** Supporting TJE documentation through the deteriorating security situation requires better coordination among organizations and better communication to ascertain needs in a timely manner. If the security situation deteriorates so severely that witnesses on the ground are unable or afraid to collect evidence, external organizations will need to increase efforts to record and compile TJE from afar. For instance, if videos and pictures are unavailable, organizations can concentrate on compiling statements and reports.

To address this challenge, international actors can focus on increasing support for communication and coordination efforts. Additionally, increased outreach through non-public communication lines (such as through private and individual contacts) or through innovative social media where accessible (such as Twitter) can facilitate communication when other channels are unavailable.

### *Coordinating Efforts*

As a result of the security problems noted above, international organizations have taken only initial steps to coordinate their efforts with organizations based in Syria. Syrian organizations have had limited capacity to coordinate efforts amongst themselves. This has resulted in some duplication of effort and the application of inconsistent standards for categorizing TJE according to recognized international criminal, humanitarian, and human rights standards. Lack of coordination between international and Syrian organizations, and among various local Syrian organizations, impedes effective and comprehensive TJE documentation.

**Support Needed:** Syrian civil society organizations undertaking TJE efforts need international and external organizations to assist with coordination. Syrian organizations are dealing with security challenges on a daily basis and are not equipped to track and maintain coordination with various other groups. Thus, a vital role international organizations and groups can play is to track each group's efforts and identify which groups could concentrate on various TJE areas. This will also require communication and coordination among international organizations. Some international organizations are directly undertaking TJE efforts and also need to avoid duplication of efforts. Other international organizations are attempting to facilitate TJE efforts by Syrian and other groups, and therefore need help identifying which areas need most assistance and what types of assistance are needed. An overarching umbrella organization or a coordination committee may be able to play this role. A component of this role

would also be assuring that TJE efforts across Syria receive similar assistance commensurate with TJE needs.

Furthermore, International and Syrian civil society organizations and media outlets need to have a streamlined method of communication to support coordination. International organizations could take the lead on evaluating the various activities different actors inside and out of Syria are undertaking, identifying areas for cooperation, as well as gaps, and publishing reference resources to guide new actors and organizations emerging onto the scene to collect evidence.

#### *Lack of Comprehensive International Legal Approach*

A major challenge facing TJE efforts is that few of the organizations identified in this Mapping Report are using a technical legal approach to crimes. Many of the organizations classify TJE by deaths, or by victims, whereas others attempt to identify certain crimes, which often does not comport with the international legal framework. Some organizations even use terminology such as “martyrs” to classify victims. Instead, TJE may be categorized and compiled according to applicable legal principles to assist future prosecutors and other actors involved in the facilitation of accountability mechanisms locate relevant information. Additionally, these standards may be consistently applied by all organizations compiling TJE. Furthermore, it is best when the legal framework used to label TJE is inclusive of all relevant international laws applicable to the Syrian conflict, rather than just a few categories.

**Support Needed:** Actors and organizations undertaking TJE documentation could be supplied with reference materials and training in order to further their understanding of relevant legal frameworks. In addition, international actors could formulate a holistic categorization system. Educating TJE actors on the relevant legal framework could go far in achieving greater legal consistency amongst the various actors documenting abuses. Such education would also facilitate TJE collection, as actors would have a better idea of what types of information the TJE should document to be useful in future accountability mechanisms. In particular, education on the range of international and domestic violations would help ensure that information is collected on all types of violations, rather than just a few. In addition to providing TJE actors with information on legal standards so that they may better classify TJE, outside organizations can undertake efforts to re-compile TJE and simultaneously re-label according to a comprehensive legal framework.

*Inconsistent Verification Standards*

Although many well-known international organizations, such as Human Rights Watch and Amnesty International, have guidelines and processes in place to ensure the authenticity of their reports, many of the smaller regional and Syrian organizations lack a similarly systematic approach. As a result, TJE collected and compiled by smaller organizations is sometimes of doubtful credibility or authenticity, and therefore could be of less use to future investigations and accountability mechanisms.

**Support Needed:** Smaller organizations could be provided training in and provision of verification standards for TJE. Training and education is best when applied consistently, so that all organizations apply similar standards. Protocols for how to treat TJE that cannot be independently verified is also necessary to ensure that all possibly useful TJE is collected and compiled. International organizations can also take the lead on identifying and articulating guidelines for verification of TJE.

*Reaching All Affected Areas and Populations*

Although documentation efforts have been quite effective in some regions, in other areas and towns affected by the Syrian crisis, TJE documentation remains largely unaddressed. Additionally, public outreach and grassroots education efforts to date have been limited. Very few civil society organizations appear to be engaged in public relations, awareness, and/or media campaigns related to preservation of TJE and documentation of violations.

**Support Needed:** Social media could be harnessed more effectively to communicate information on TJE documentation to new Syrian populations. Additionally, regional radio and television networks could be used to educate new populations on accountability and TJE documentation. International actors and organizations could work with Syrian and regional organizations to provide training and information related to conducting public outreach campaigns. Relying on existing groups with organizational and operational infrastructure will likely work better than trying to create new institutions to perform such outreach. Syrian groups currently engaged in the collection and compilation of TJE have an interest in performing this outreach, as it will encourage previously unutilized sources of information to come forward and contribute. Syrian groups can assist the international actors by advising on the gaps in information from geographic areas or ethnic enclaves.

### *Rape and Sexual Violence*

Reports indicate that sexual violence is being used as an instrument of war in the Syrian conflict.<sup>182</sup> However, sexual assault is a sensitive subject in Syrian society and often goes underreported, even in times of peace. Rape and sexual violence is likely much more prevalent in the Syrian conflict as a tool of warfare than is publicly reported. To date, few local and international organizations assessed in this Mapping Report are undertaking efforts to collect or compile sexual violence TJE. Rape and sexual violence TJE should be documented just like all other TJE evidence, especially so that victims' are assured that perpetrators will be held accountable in a future Syria. This is vital to a successful democratic transition in which victim's—particularly women's—rights are respected and ensured.

**Support Needed:** Education about sexual violence is a first step, but it would be best combined with socialization efforts to combat taboos on reporting sexual violence. These efforts may be directed at both men and women. Additionally, organizations involved in TJE documentation could actively include rape and sexual violence within their efforts, which will require education of TJE actors and organizations on sexual violence as a crime.

### *Unbiased Documentation of Violations by All Parties*

Many actors and organizations engaged in TJE efforts concentrate on violations committed by the Syrian government. As the government is responsible for a large number of violations, and many TJE organizations are from the opposition, this is understandable. However, reports indicate that other armed groups and militias have also perpetrated violations, and TJE should also be collected on these incidents, as well. Transitional justice in a post-Assad Syria must avoid perceptions of victor's justice, especially if Syria's Alawite communities are to be successfully included in the post-conflict Syrian society.

**Support Needed** – Some organizations undertaking TJE efforts are recording deaths of government military forces, but efforts to document all violations (not just deaths) should be encouraged. Although information on perpetrators and victims is essential TJE collection, organizations may be educated

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<sup>182</sup> Karen Leigh, *Rights Group Details Rape in Syrian Civil War*, Deutsche Welle (Aug. 13, 2012), available at <http://www.dw.de/dw/article/0,,16162679,00.html>.

on international best practices for TJE collection. International organizations engaging in TJE compilation can also make concerted efforts to find and review TJE coming from non-opposition groups, or organizations without an advocacy platform.

### *Language and Translation Issues*

In the Syrian conflict the names of victims and perpetrators, as well as other relevant information, is being recorded in Arabic, English, and other languages. Inaccuracies in the translation of this information could lead to problems locating perpetrators, victims, and witnesses in the future.

**Support Needed** – Organizations collecting TJE could be trained to collect and record names and other information in both Arabic and English to prevent translation inaccuracies.

### *Effectively Utilizing Technology*

The widespread use of social media and mobile technology to collect TJE should be encouraged and harnessed. The Syrian conflict is unique in that it represents the first time that widespread atrocity crimes have been recorded and commented on in real time. Tweets, Facebook status updates, and YouTube videos all have potential value for future accountability efforts in Syria. Some of the most innovative efforts to collect TJE in Syria focus on social media and/or information collected via mobile technology, such as cell-phone video. Organizations working in this space include Syria Tracker, which uses crowdsourcing to gather TJE data. These organizations also tend to be more open to sharing and collaboration with other like-minded organizations; Syria Tracker, for example, has no fewer than eight partners. Despite their success in harnessing social media and mobile technology, these organizations could benefit from a standardized approach to categorizing violations of international law, as well as a more robust capacity to capture information, such as geolocation data, that might be relevant to transitional justice proceedings.

**Support Needed:** Actors compiling this data could be supplied with information and training on accountability legal frameworks to help them standardize their categorization of data. Additionally, a number of international organizations have undertaken studies on the use of social media for policy purposes. With increased coordination, the lessons from these organizations could

be shared with Syrian activists to support better use of social media and mobile technology.

## Recommendations

International donors and international organizations working on accountability in Syria can take a number of steps to promote better documentation of violations of international criminal, humanitarian, and human rights law.

- International organizations collecting and compiling TJE should increase efforts to promote coordination. Coordination efforts must include international, regional, and Syrian organizations and should focus on (1) ensuring all types of violations are being documented, (2) all geographic regions are covered, (3) similar legal frameworks are being applied in documentation and compilation efforts, and (4) basic verification standards are applied.
- International donors funding TJE collection efforts in Syria should ensure there is adequate funding for broad and comprehensive training of regional and Syrian organizations in TJE collection best practices. A number of organizations, noted in Annex 1, are already on the ground conducting such trainings and are prepared to increase the scale of their efforts.
- International donors can also support the use of new technologies by ensuring organizations compiling and documenting TJE have the equipment and staff to process the information coming out of Syria. The wealth of multimedia information, coupled with the traditional documents and witness information, will require additional resources to ensure all information is properly documented and processed.
- International donors can provide special support to the groups working on documenting sexual violence, as well as social awareness programs to increase support for victims of sexual violence.

## Annex 1: Actors Documenting Syria Transitional Justice Evidence

This section aims to demonstrate the scope of past and present civil society transitional justice evidence (TJE) work and to identify potential partners for the SJAC moving forward. A variety of actors, groups, and organizations have undertaken efforts to directly or indirectly document TJE relating to violations of international criminal, humanitarian, and human rights law during the Syrian conflict. Many of these actors are Syrian organizations, undertaking documentation efforts on the ground in Syria or from nearby conflict-affected areas (such as the Turkish or Jordanian borders). Other actors are international organizations that either directly collect TJE or facilitate Syrian organizations to document TJE.

For each of these actors and organizations, this mapping identifies whether the efforts comprise (1) TJE collection; (2) TJE compilation; (3) facilitation and training; and/or (4) other activities. In addition, the mapping identifies a) what types of TJE the actor is documenting, b) to which violations the TJE relates, c) how the actor classifies and digests the TJE, and d) the actor's capacity. This mapping does not attempt to rank TJE actors by relevance or effectiveness, but does note when an organization's work is of special significance or relevance. This section seeks to identify key actors documenting TJE in Syria, but it is not comprehensive of all actors documenting TJE in Syria.

### *Syrian Groups and Organizations*

Several Syrian-based organizations are collecting and compiling TJE and attempting to categorize and assess violations. Some of these groups are also engaged in capacity-building and training efforts on TJE documentation.

### Civil Society Organizations

**Kawakibi Center for Documenting Violations:** The Kawakibi Center is a group affiliated with the Ahfad al Kawakibi Group, an Aleppo-based youth group dedicated to promoting a civil, democratic state. Ahfad al Kawakibi formed as a coalition of smaller groups involved in the initial phases of protests in Aleppo.<sup>183</sup>

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<sup>183</sup> Ahfad Al Kawakibi, *Home*, available in Arabic at <http://alkawakibi.com/index.html>; Ahfad Al Kawakibi, *Facebook Page*, available in Arabic at <https://www.facebook.com/alkawakibi?fref=ts>.

The Center for Documenting Violations works to document killing, arrests and torture, sexual violence, kidnapping, and forced displacement.<sup>184</sup> It has four main components: a field documentation team (on the ground), a data entry team, a technical team, and a legal team. The field documentation team collects data from across Aleppo, as well as from several Facebook pages.<sup>185</sup> The data entry team stores the collected data in its databases, and then the technical team filters the data according to location and victim characteristics.<sup>186</sup> After this, the teams attempt to collect other documentation related to specific victims. Periodically, the teams undertake a review process in which they send data to local activists for corroboration. The Center publishes all of its data on a searchable online database.<sup>187</sup>

The field documentation teams include lawyers, and they apparently engage actively taking statements from witnesses. The Center has acknowledged that it still faces challenges implementing strict standards. However, it has adopted a set of standards it strives to achieve, including: each witness interview team must include at least two persons, one of whom must be a lawyer; witness testimony is recorded in numbered sequences; witness statements may be recorded by video, audio recording, or in writing, according to witness preference; all witness testimony must be confidential to ensure witness safety; each statement must be documented separately, with date, time, venue, and incident as part of the record; and all witness testimonies must be taken in an unbiased manner.

**Center for Documentation of Violations in Syria:** The Center for Documentation of Violations in Syria (VDC) focuses on compiling the names of those killed and detained in Syria.<sup>188</sup> The VDC also publishes a news feed of the

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<sup>184</sup> Ahfad Al Kawakibi, Center for Documenting Violations, *Search, available in Arabic at* <http://alkawakbi.com/document/index.php?start=3&SName=&%F2%F2S%F2Town=&SType=&SReason=&SGender=>

<sup>185</sup> A.E.N.N. Freedom (Aleppo and Idlib News Network), *Facebook Page, available in Arabic at* <https://www.facebook.com/A.E.N.N.Freedom>; Halab Today (Aleppo Today), *Facebook Page, available at* <https://www.facebook.com/HalabToday>; A.N.N. (Aleppo News Network), *Facebook Page, available in Arabic at* <https://www.facebook.com/photo.php?fbid=356727297754585&set=a.245087192251930.55358.113270092100308&type=1&theater>.

<sup>186</sup> See Ahfad Al Kawakibi, Center for Documenting Violations, *Search, available in Arabic at* <http://alkawakbi.com/document/index.php?start=3&SName=&%F2%F2S%F2Town=&SType=&SReason=&SGender=>

<sup>187</sup> Ahfad Al Kawakibi, Center for Documenting Violations, *Search, available in Arabic at* <http://alkawakbi.com/document/index.php?start=3&SName=&%F2%F2S%F2Town=&SType=&SReason=&SGender=>

<sup>188</sup> Center for Documentation of Violations in Syria, *About, available at* <http://vdc-sy.org/index.php/en/about>; Center for Documentation of Violations in Syria, *Detainees, available at* <http://vdc-sy.org/index.php/en/detainees>.

latest stories from the ground.<sup>189</sup> The VDC classifies the statistics into two major types: revolutionary martyrs and regime fatalities.<sup>190</sup> In the first category, it classifies fatalities into two subcategories: civilians and non-civilians.<sup>191</sup> Activists and field correspondents gather data in Syria, and the data is then compiled along with any other documentation.<sup>192</sup> As a final verification, data is then sent back out to activists in the field to ensure there are no errors.<sup>193</sup> The organization asserts that its website was recently hacked by the Assad government.

**Centre for Civil Society and Democracy in Syria/Syrian Centre for Democracy and Civil Society:** The Centre for Civil Society and Democracy in Syria is based in Gaziantep, Turkey, and conducts on-the-ground transitional justice work. The Centre is supported by OSOS (see below) and run by secular Syrian-American Christian activists who have promoted nonviolent opposition since the beginning of the Syrian conflict. The Centre also appears to include Kurdish democracy activists among its personnel.<sup>194</sup>

**The Damascus Center for Human Rights Studies:** The Damascus Center for Human Rights Studies (DCHRS) works with the Syrian Network for Human Rights (SNHR) (see below) to publish daily reports about the number of casualties and other violations committed.<sup>195</sup> In addition, the DCHRS also compiles periodical reports from other sources.<sup>196</sup>

The DCHRS is an independent, non-governmental organization located in the Syrian Capital of Damascus.<sup>197</sup> It was established in 2005 and maintains a mission “to foster a spirit of support and respect for the values and standards of

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<sup>189</sup> Center for Documentation of Violations in Syria, *About*, <http://vdc-sy.org/index.php/en/about>; Center for Documentation of Violations in Syria, *Detainees*, available at <http://vdc-sy.org/index.php/en/detainees>.

<sup>190</sup> Center for Documentation of Violations in Syria, *About*, <http://vdc-sy.org/index.php/en/about>; Center for Documentation of Violations in Syria, *Detainees*, available at <http://vdc-sy.org/index.php/en/detainees>.

<sup>191</sup> Center for Documentation of Violations in Syria, *About*, <http://vdc-sy.org/index.php/en/about>; Center for Documentation of Violations in Syria, *Detainees*, available at <http://vdc-sy.org/index.php/en/detainees>.

<sup>192</sup> Center for Documentation of Violations in Syria, *About*, <http://vdc-sy.org/index.php/en/about>; Center for Documentation of Violations in Syria, *Detainees*, available at <http://vdc-sy.org/index.php/en/detainees>.

<sup>193</sup> Center for Documentation of Violations in Syria, *About*, <http://vdc-sy.org/index.php/en/about>; Center for Documentation of Violations in Syria, *Detainees*, available at <http://vdc-sy.org/index.php/en/detainees>.

<sup>194</sup> See Adib Abdulmajid, *Kurds Stand in Solidarity with Victims of Syria Massacre*, RUDAW, July 14, 2012, available at <http://www.rudaw.net/english/news/syria/4954.html>.

<sup>195</sup> Damascus Center for Human Rights Studies, *Latest News*, available at <http://www.dchrs.org/english/news.php?id=546&idC=1>.

<sup>196</sup> Damascus Center for Human Rights Studies, *Reports*, available at <http://www.dchrs.org/english/news.php?idC=7>.

<sup>197</sup> Damascus Center for Human Rights Studies, *About Us*, available at <http://www.dchrs.org/english/news.php?aboutus>.

human rights in Syria.”<sup>198</sup> The center accomplishes its mission through written, visual and audio media. It also holds conferences and specialized training relating to human rights issues.<sup>199</sup> DCHRS does not answer to any national or international groups and does not associate with any political activities.<sup>200</sup> However, the Center does cooperate with human rights organizations and intellectual organizations working toward similar goals.<sup>201</sup> DCHRS hopes to advance human rights activism in Syria by sponsoring academic programs including research projects, conferences, seminars, and courses that will engage a culture of human rights. DCHRS networks with regional and international bodies to formulate strategies regarding the priorities of human rights issues in the Arab world.<sup>202</sup>

**Dawlaty:** Dawlaty is a Beirut-based Syrian organization that works to promote civil participation and human rights in Syria.<sup>203</sup> It is dedicated to promoting women’s rights, citizenship under a constitutional order, construction of strong civil society, political parties and democratic election, and transparency, accountability, and justice. Dawlaty promotes peaceful cooperation and dialogue between various initiatives and movements within the Syrian opposition. The organization conducts trainings for Syrians on non-violent strategies, conflict resolution methods, and communication skills.<sup>204</sup> Dawlaty also uses audiovisual and text-based training tools such as cartoons, videos, posters, and art to engage with Syrians in conflict affected-areas where access to electronic media is limited.<sup>205</sup>

One of Dawlaty’s recent campaigns focuses on raising awareness of transitional justice mechanisms as an alternative to violent retribution and vengeance.<sup>206</sup> The group has produced a series of short videos, filmed in the context of the Syrian conflict, which aim to introduce Syrians to the concept of transitional justice. The videos encourage documentation of violations and present

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<sup>198</sup> Damascus Center for Human Rights Studies, *About Us*, available at <http://www.dchrs.org/english/news.php?aboutus>.

<sup>199</sup> Damascus Center for Human Rights Studies, *About Us*, available at <http://www.dchrs.org/english/news.php?aboutus>.

<sup>200</sup> Damascus Center for Human Rights Studies, *About Us*, available at <http://www.dchrs.org/english/news.php?aboutus>.

<sup>201</sup> Damascus Center for Human Rights Studies, *About Us*, available at <http://www.dchrs.org/english/news.php?aboutus>.

<sup>202</sup> Damascus Center for Human Rights Studies, *About Us*, available at <http://www.dchrs.org/english/news.php?aboutus>.

<sup>203</sup> Dawlaty, *About*, available in Arabic at <http://www.dawlaty.org/page/about-dawlaty>.

<sup>204</sup> Dawlaty, *About*, available in Arabic at <http://www.dawlaty.org/page/about-dawlaty>.

<sup>205</sup> See No Peace Without Justice, *Syria: Roundtable discussion with Mustafa Haid on the role of “Dawlaty” in raising awareness of transitional justice* (Jan. 24, 2013), available at <http://www.npwj.org/MENA/Syria-Roundtable-discussion-with-Mustafa-Haid-role-Dawlaty-raising-awareness-transitional-justi>.

<sup>206</sup> Dawlaty, *About*, available in Arabic at <http://www.dawlaty.org/page/about-dawlaty>.

the basic mechanisms of transitional justice, including prosecutions, truth commissions, reparations, and institutional reform. The films also address common questions and skepticism about the efficacy of transitional justice mechanisms as an alternative to violent retribution and revenge.<sup>207</sup>

**The Local Coordination Committees of Syria:** The Local Coordination Committees of Syria formed when the uprising in Syria began.<sup>208</sup> They meet across Syria to plan and organize events.<sup>209</sup> They document atrocities by the government.<sup>210</sup> The group distributes video footage of atrocities and news articles on their website, as well as reports.<sup>211</sup> For instance, the group published a report on a new massacre on Darayya in August 2012 documenting that 122 new bodies were found in the city.<sup>212</sup> They have not published any information about their methods of gathering data for reports. The group is publicly aligned with the opposition.<sup>213</sup>

**Syrian Center for Documentation:** The Syrian Center for Documentation was created in 2011 and is made up of Syrian journalists and media workers who compile their information and make reports on the events occurring on the ground.<sup>214</sup> The goal of the organization is to make a comprehensive database containing all the information related to the Syrian crisis since March 2011.<sup>215</sup> The Syrian Center for Documentation produces a daily newsletter in both Arabic and English and holds an archive of previous newsletters.<sup>216</sup> The website also contains a list of civilians and soldiers who have died in Syria due to the crisis. The list provides the names of the deceased, where they died, and how they died.<sup>217</sup>

**Syrian Center for Media and Freedom of Expression:** The Syrian Center for Media and Freedom of Expression (SCM) is a non-governmental advocacy organization dedicated to promoting freedom of opinion and expression in Syria

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<sup>207</sup> See No Peace Without Justice, *Syria: Roundtable discussion with Mustafa Haid on the role of “Dawlaty” in raising awareness of transitional justice* (Jan. 24, 2013), available at <http://www.npwj.org/MENA/Syria-Roundtable-discussion-with-Mustafa-Haid-role-Dawlaty-raising-awareness-transitional-justi>.

<sup>208</sup> Local Coordinating Committees of Syria, *About the LCCS*, available at <http://www.lccsyria.org/about>.

<sup>209</sup> Local Coordinating Committees of Syria, *About the LCCS*, available at <http://www.lccsyria.org/about>.

<sup>210</sup> Local Coordinating Committees of Syria, *About the LCCS*, available at <http://www.lccsyria.org/about>.

<sup>211</sup> Local Coordinating Committees of Syria, *About the LCCS*, available at <http://www.lccsyria.org/about>.

<sup>212</sup> Local Coordinating Committees of Syria, *New Massacre in Darayya*, (Aug. 25, 2012), available at <http://www.lccsyria.org/9998>.

<sup>213</sup> Local Coordinating Committees of Syria, *About the LCCS*, available at <http://www.lccsyria.org/about>.

<sup>214</sup> Syrian Center for Documentation, *About Us*, available at <http://www.documents.sy/about.php?lang=en>.

<sup>215</sup> Syrian Center for Documentation, *About Us*, available at <http://www.documents.sy/about.php?lang=en>.

<sup>216</sup> Syrian Center for Documentation, *About Us*, available at <http://www.documents.sy/about.php?lang=en>.

<sup>217</sup> Syrian Center for Documentation, *About Us*, available at <http://www.documents.sy/about.php?lang=en>.

and throughout the Arab world.<sup>218</sup> The SCM documents human rights abuses and violence in Syria, including the targeting of journalists by the government. SCM's President, Mazen Darwish, has been imprisoned by Syrian authorities since February of 2012.<sup>219</sup> The Center does not currently have a website.

**Syrian Commission for Justice and Accountability:** The Syrian Commission for Justice and Accountability (SCJA) is a non-profit organization committed to investigating war crimes and crimes against humanity, pursuant to Syrian and international law, without political, confessional, ethnic, or tribal biases.<sup>220</sup> The SCJA selects and supports trained investigators who collect TJE on the ground in Syria. The SCJA also aims to coordinate, analyze, and safely store the work of its field-based investigative teams. The SCJA is working with ARK and Tsamota (see below), implementing partners who provide technical assistance, training, and investigative resources to the SCJA on a pro bono basis.

The SCJA has published several YouTube training videos on investigative methods. These include a video on documenting evidence in torture and assault cases in both Arabic<sup>221</sup> and English,<sup>222</sup> and videos in Arabic on initial witness interviews and investigating artillery, rocket, and mortar attacks.<sup>223</sup> These training videos were likely produced through the SCJA's partnership with ARK and Tsamota.

**Syrian Kurdish Institute for Documentation and Studies:** The Syrian Kurdish Institute for Documentation and Studies is a non-profit organization dedicated to defense of civil society.<sup>224</sup> It was established in May 2012 by Kurdish activist Barzan Esau, and is currently working to obtain NGO status in several

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<sup>218</sup> Ambassador Susan Rice, *Statement on the United Nations Economic and Social Council Decision to Grant Consultative Status to Three NGOs*, U.S. DEPARTMENT OF STATE (July 25, 2011), available at <http://www.humanrights.gov/2011/07/26/statement-by-ambassador-rice-on-the-united-nations-economic-and-social-council-decision-to-grant-consultative-status-to-three-ngos/>.

<sup>219</sup> Reporters Without Borders, *Mazen Darwish to Be Tried by Special Military Court* (Aug. 9, 2012), available at <http://en.rsf.org/syria-mazen-darwish-to-be-tried-by-09-08-2012,43193.html>.

<sup>220</sup> *About Syrian Commission for Justice and Accountability (SCJA)* (Sept. 27, 2012), available at <https://www.youtube.com/user/SCFJAA/videos>.

<sup>221</sup> *Documenting Evidence in Torture and Assault Cases* (Sept. 25, 2012), available in Arabic at <https://www.youtube.com/watch?v=5njvWNxrQhU&feature=plcp>.

<sup>222</sup> *Documenting Evidence in Torture and Assault Cases* (Sept. 13, 2012), available in English at <https://www.youtube.com/watch?v=Bj5IHOWOO-Q&feature=plcp>.

<sup>223</sup> *Initial Interview of Witnesses to Crime Base* (Sept. 27, 2012), available in Arabic at <https://www.youtube.com/watch?v=Iwty8msMNd8&feature=plcp>; *Investigating Artillery, Rocket, and Mortar Attacks* (Sept. 25, 2012), available in Arabic at <https://www.youtube.com/watch?v=zRxj3JyLY0&feature=plcp>.

<sup>224</sup> National Kurdish Conference, *Facebook Page, Syrian Kurdish Institute for Documentation and Studies* (post from Jan. 1, 2013), available in Arabic at <http://www.facebook.com/kurd.conference>; see also *Kurd Institute, About*, available in Arabic at <http://arb.kurdinstitute.com/biz-kimiz.html>.

states. The Institute's purpose is to ensure that human rights violations against the Syrian Kurds throughout Assad rule are addressed during Syria's transition.<sup>225</sup> This includes both current violations, resulting in stateless and displaced persons, as well as past violations including arrests, torture, and confiscation of land and property.<sup>226</sup>

The Institute has established a database that aims to be a comprehensive, centralized compilation of all documentation of violations against Syrian Kurds. One purpose of the database is to reach victims and witnesses quickly, and another is to facilitate data studies that could help with development of solutions.<sup>227</sup> The Institute will categorize the violations, undertake studies aimed at recommending reparations and compensation measures, and transmit files to international and local organizations capable of producing solutions.<sup>228</sup>

The Institute's database is designed so that victims and witnesses may enter information on violations they have experienced, as well as access data they have previously entered.<sup>229</sup> All entries are confidential, unless the individual waives confidentiality.<sup>230</sup> The entry method is via an online form where individuals can register a violation in Kurdish, Arabic, English, French, Dutch, or Turkish.<sup>231</sup> This form requires individuals to enter information such as name, date and place of birth, gender, education level, country, marital status, and current contact information.<sup>232</sup> It also requires individuals to enter the type of violation, date of violation, party who caused the violation.<sup>233</sup> Optional information that individuals may enter includes family information, nationality information, and further explanation and documentation of the violation.<sup>234</sup> Individuals may choose whether to appear on registration list.<sup>235</sup>

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<sup>225</sup> National Kurdish Conference, *Facebook Page, Syrian Kurdish Institute for Documentation and Studies* (post from Jan. 1, 2013), available in Arabic at <http://www.facebook.com/kurd.conference>.

<sup>226</sup> National Kurdish Conference, *Facebook Page, Syrian Kurdish Institute for Documentation and Studies* (post from Jan. 1, 2013), available in Arabic at <http://www.facebook.com/kurd.conference>.

<sup>227</sup> National Kurdish Conference, *Facebook Page, Syrian Kurdish Institute for Documentation and Studies* (post from Jan. 1, 2013), available in Arabic at <http://www.facebook.com/kurd.conference>.

<sup>228</sup> National Kurdish Conference, *Facebook Page, Syrian Kurdish Institute for Documentation and Studies* (post from Jan. 1, 2013), available in Arabic at <http://www.facebook.com/kurd.conference>.

<sup>229</sup> National Kurdish Conference, *Facebook Page, Syrian Kurdish Institute for Documentation and Studies* (post from Jan. 1, 2013), available in Arabic at <http://www.facebook.com/kurd.conference>.

<sup>230</sup> National Kurdish Conference, *Facebook Page, Syrian Kurdish Institute for Documentation and Studies* (post from Jan. 1, 2013), available in Arabic at <http://www.facebook.com/kurd.conference>.

<sup>231</sup> Kurd Institute, *Application*, available at [http://www.kurdinstitute.com/teblig\\_formu.asp](http://www.kurdinstitute.com/teblig_formu.asp).

<sup>232</sup> Kurd Institute, *Application*, available at [http://www.kurdinstitute.com/teblig\\_formu.asp](http://www.kurdinstitute.com/teblig_formu.asp).

<sup>233</sup> Kurd Institute, *Application*, available at [http://www.kurdinstitute.com/teblig\\_formu.asp](http://www.kurdinstitute.com/teblig_formu.asp).

<sup>234</sup> Kurd Institute, *Application*, available at [http://www.kurdinstitute.com/teblig\\_formu.asp](http://www.kurdinstitute.com/teblig_formu.asp).

<sup>235</sup> Kurd Institute, *Application*, available at [http://www.kurdinstitute.com/teblig\\_formu.asp](http://www.kurdinstitute.com/teblig_formu.asp).

**Syrian Observatory for Human Rights:** Founded in 2006, the Syrian Observatory for Human Rights (SOHR) is a UK-based organization that reports on human rights violations in Syria.<sup>236</sup> The SOHR's stated mission is to observe the human rights situation in Syria, document and criticize human rights violations, and report and publicize these violations widely. The SOHR is not associated or linked with any political body.<sup>237</sup> The SOHR's vision is a Syria where all citizens are equal before the law and can fully realize their human rights.<sup>238</sup>

According to its director Rami Abdulrahman, the SOHR obtains its data from a network of over 200 individuals inside Syria.<sup>239</sup> The SOHR has apparently experienced many attempts by Syrian intelligence services to corrupt its data collection by submitting false reports. However, the SOHR verifies all information from new sources with other trustworthy sources. Many of SOHR's sources report incidents via personal phone call to the SOHR director and staff.<sup>240</sup>

The SOHR publishes reports and documentation on its website, which is in both Arabic and English.<sup>241</sup> The SOHR also has a very active Facebook page, where it constantly publishes reports of those killed and injured in Syria.<sup>242</sup> The SOHR collects and publishes reports from a variety of provinces, including information on the types and severity of attacks, targets, and deaths and injuries. Its reports identify the affiliation of armed forces, types of weapons employed, and status of ongoing clashes. The SOHR publishes a daily "death toll," and identifies the casualties as either unarmed civilians, rebel fighters, defected soldiers, popular defense committee members, or regime forces. The SOHR characterizes dead who did not belong to the regime as "martyrs." Each day, the SOHR reports how many died in each province and neighborhood, by what means, and how many were women or children.<sup>243</sup> The SOHR also publishes pictures and videos of violations on its website and Facebook page.<sup>244</sup> The SOHR website has a function to search

<sup>236</sup> Syrian Observatory for Human Rights, *About Us*, available at [http://syriahr.com/en/index.php?option=com\\_us&Itemid=3&ac=1](http://syriahr.com/en/index.php?option=com_us&Itemid=3&ac=1).

<sup>237</sup> Syrian Observatory for Human Rights, *About Us*, available at [http://syriahr.com/en/index.php?option=com\\_us&Itemid=3&ac=1](http://syriahr.com/en/index.php?option=com_us&Itemid=3&ac=1).

<sup>238</sup> Syrian Observatory for Human Rights, *About Us*, available at [http://syriahr.com/en/index.php?option=com\\_us&Itemid=3&ac=1](http://syriahr.com/en/index.php?option=com_us&Itemid=3&ac=1).

<sup>239</sup> Mohammed Abbas, *Coventry – An Unlikely Home to Prominent Syria Activist*, Reuters (Dec. 8, 2011), available at <http://uk.reuters.com/article/2011/12/08/uk-britain-syria-idUKTRE7B71XG20111208>.

<sup>240</sup> Mohammed Abbas, *Coventry – An Unlikely Home to Prominent Syria Activist*, Reuters (Dec. 8, 2011), available at <http://uk.reuters.com/article/2011/12/08/uk-britain-syria-idUKTRE7B71XG20111208>.

<sup>241</sup> The Syrian Observatory for Human Rights, *Home Page*, available at <http://www.syriahr.com/>

<sup>242</sup> The Syrian Observatory for Human Rights, *Facebook Page*, available at <http://www.facebook.com/syriahr>.

<sup>243</sup> The Syrian Observatory for Human Rights, *Facebook Page*, available at <http://www.facebook.com/syriahr>.

<sup>244</sup> The Syrian Observatory for Human Rights, *Facebook Page*, available at <http://www.facebook.com/syriahr>; Syrian Observatory for Human Rights, *Home*, available at [http://syriahr.com/en/index.php?option=com\\_us&Itemid=3&ac=1](http://syriahr.com/en/index.php?option=com_us&Itemid=3&ac=1).

documentation of witnesses, detainees, and documents, but its functionality is not high.<sup>245</sup>

**Syrian Shuhada:** This organization publishes the Syrian Revolution Martyr Database, which is a compilation of statistics of all those killed by province and other qualifiers.<sup>246</sup> This organization is pro-opposition.<sup>247</sup> It pays particular attention to the number of civilians killed, especially women and children.<sup>248</sup> It gathers its information from several sources, including the VDC, Syria Tracker, and The Guardian's coverage of Syria.<sup>249</sup> The Syrian Shuhada also compiles videos of atrocities.<sup>250</sup> It appears to update often, at least every week.<sup>251</sup>

### News Agencies

**Orient News:** Orient News is an independent news channel established in 2007 by Mohammed Ghassan Abboud, a Syrian professional and opponent of the Assad government.<sup>252</sup> The channel reports on Syrian and international news.<sup>253</sup> The satellite channel also broadcasts cultural, social, and sports programs, and re-airs several popular series and films.<sup>254</sup> The channel was originally based in Damascus, where it operated as "Orient TV." However, in July 2010 the Syrian security forces raided its offices and blocked its satellite broadcasts, after which the channel relocated to Dubai, UAE.<sup>255</sup>

Orient News has been reporting on the Syrian revolution since its inception in March 2011.<sup>256</sup> Its broadcasts can be accessed on Arabsat and Nilesat, which are the most popular satellite companies in the Middle East.<sup>257</sup> Orient's reports on the current situation in Syria have stirred controversy between the channel and the

<sup>245</sup> Syrian Observatory for Human Rights, *Home - Documents*, available at [http://syriahr.com/en/index.php?option=com\\_us&Itemid=3&ac=1](http://syriahr.com/en/index.php?option=com_us&Itemid=3&ac=1).

<sup>246</sup> Syrian Shuhada, *Home Page*, available at <http://syriansshuhada.com/>.

<sup>247</sup> Syrian Shuhada, *Home Page*, available at <http://syriansshuhada.com/>.

<sup>248</sup> Syrian Shuhada, *Home Page*, available at <http://syriansshuhada.com/>.

<sup>249</sup> Syrian Shuhada, *Home Page*, available at <http://syriansshuhada.com/>.

<sup>250</sup> Syrian Shuhada, *Home Page*, available at <http://syriansshuhada.com/>.

<sup>251</sup> Syrian Shuhada, *Home Page*, available at <http://syriansshuhada.com/>.

<sup>252</sup> The Mideastwire Blog, *Orient TV Founder on the Mechanics of Corruption in Syria* (Apr. 11, 2011), available at <http://mideastwire.wordpress.com/2011/04/11/orient-tv-founder-on-the-mechanics-of-corruption-in-syria/>.

<sup>253</sup> The Mideastwire Blog, *Orient TV Founder on the Mechanics of Corruption in Syria* (Apr. 11, 2011), available at <http://mideastwire.wordpress.com/2011/04/11/orient-tv-founder-on-the-mechanics-of-corruption-in-syria/>.

<sup>254</sup> Orient News, available in Arabic at <http://www.orient-news.net/?page=news&id=9>.

<sup>255</sup> Live Streaming Online TV, *Orient News*, available at <http://www.tvenvivo.us/2011/10/orient-tv.html>.

<sup>256</sup> The Mideastwire Blog, *Orient TV Founder on the Mechanics of Corruption in Syria* (Apr. 11, 2011), available at <http://mideastwire.wordpress.com/2011/04/11/orient-tv-founder-on-the-mechanics-of-corruption-in-syria/>.

<sup>257</sup> Orient News, available in Arabic at <http://www.orient-news.net/?page=news&id=9>.

Syrian government.<sup>258</sup> Many Orient News employees have received threats and been accused of treason.<sup>259</sup>

**Shaam News:** Shaam News is a Syrian news network created by a group of opposition activists from the city of Daraa.<sup>260</sup> It was formed during the initial stages of the revolution in an attempt to expose the actions of the government.<sup>261</sup> Shaam News publishes in a variety of formats, including video, photo, and written reports.<sup>262</sup> Many of its employees are based in United States cities including Detroit, Washington DC, and Chicago.<sup>263</sup> The network's stated mission is to gather credible news to increase awareness on the activity of the rebels and to reveal the corruption committed by the government.<sup>264</sup>

**Ugarit News:** Ugarit News was established in 2011 to cover events of the Syrian revolution.<sup>265</sup> Ugarit is composed of a group of reporters located throughout Syria. Ugarit uses several media outlets such as Facebook, Twitter, Youtube, and Vimeo in order to distribute information to its subscribers.<sup>266</sup> Ugarit delivers breaking news through the form of articles, videos, and photos.<sup>267</sup> Ugarit reports from a firmly anti-government perspective, and many of its reporters have been arrested and harassed during the conflict. This has affected Ugarit's capacity to cover events from the ground in Syria, such that the outlet is a reliable but sometimes limited source of news.

### *International Organizations*

Several international initiatives have undertaken work on documenting violations during the Syrian conflict. Intergovernmental organizations and bodies were formed relatively early in the conflict to directly observe and investigate the

<sup>258</sup> The Mideastwire Blog, *Orient TV Founder on the Mechanics of Corruption in Syria* (Apr. 11, 2011), available at <http://mideastwire.wordpress.com/2011/04/11/orient-tv-founder-on-the-mechanics-of-corruption-in-syria/>.

<sup>259</sup> Live Streaming Online TV, *Orient News*, available at <http://www.tvenvivo.us/2011/10/orient-tv.html>.

<sup>260</sup> Assia Boundaoui, *Syrian American Activists and the Shaam News Network*, PRI's The World (Nov. 18, 2011), available at <http://www.theworld.org/2011/11/syria-american-activists/>.

<sup>261</sup> Shaam News, *About Us*, available in Arabic at <http://www.shaam.org/%D9%85%D9%86-%D9%86%D8%AD%D9%86>.

<sup>262</sup> Shaam News, *About Us*, available in Arabic at <http://www.shaam.org/%D9%85%D9%86-%D9%86%D8%AD%D9%86>.

<sup>263</sup> Assia Boundaoui, *Syrian American Activists and the Shaam News Network*, PRI's The World (Nov. 18, 2011), available at <http://www.theworld.org/2011/11/syria-american-activists/>.

<sup>264</sup> Shaam News, *About Us*, available in Arabic at <http://www.shaam.org/%D9%85%D9%86-%D9%86%D8%AD%D9%86>.

<sup>265</sup> *Ugarit News*, Youtube, available at <http://www.youtube.com/user/UgaritNews>.

<sup>266</sup> *Ugarit News*, Facebook, available at <http://www.facebook.com/UgaritNEWS/info>.

<sup>267</sup> *Ugarit News*, Youtube, available at <http://www.youtube.com/user/UgaritNews>.

violence, but they have been unable to conduct effective investigations within Syria. Additionally, governmental initiative like those of the United States and United Kingdom are providing support and training for TJE documentation from the Turkish border. Lastly, several non-governmental organizations (NGOs) are actively engaged in facilitating TJE documentation, often in partnership with Syrian groups and/or with international support.

### Intergovernmental Organizations and Bodies

**The Arab League:** The Arab League had been observing and documenting violations in Syria since December 24, 2011, but withdrew on January 18, 2012, because of violence on the ground.<sup>268</sup> The Arab League never meant to issue its report, but it was leaked and is currently available online.<sup>269</sup> The Arab League sent 166 monitors from 13 Arab states and six organizations to Syria for the mission.<sup>270</sup>

The mission leaders met with local government officials and documented skirmishes and escalating violence.<sup>271</sup> The report referred to excessive use of force by Syrian government forces in response to protests.<sup>272</sup> It also referred to an “armed entity,” “armed opposition groups,” and the Free Syrian Army as perpetrating violence against government forces and civilians.<sup>273</sup> According to the report, this violence in turn provoked increasingly violent responses from government forces.<sup>274</sup> The report highlighted the observers’ fear to perform their

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<sup>268</sup> Centre for Research on Globalization, *Text of Leaked Arab League Mission Report: Report Reveals Media Lies Regarding Syria*, (Feb. 1, 2012) available at <http://www.globalresearch.ca/syria-text-of-leaked-arab-league-mission-report-report-reveals-media-lies-regarding-syria/>.

<sup>269</sup> Centre for Research on Globalization, *Text of Leaked Arab League Mission Report: Report Reveals Media Lies Regarding Syria*, (Feb. 1, 2012) available at <http://www.globalresearch.ca/syria-text-of-leaked-arab-league-mission-report-report-reveals-media-lies-regarding-syria/>.

<sup>270</sup> Centre for Research on Globalization, *Text of Leaked Arab League Mission Report: Report Reveals Media Lies Regarding Syria*, (Feb. 1, 2012) available at <http://www.globalresearch.ca/syria-text-of-leaked-arab-league-mission-report-report-reveals-media-lies-regarding-syria/>.

<sup>271</sup> Centre for Research on Globalization, *Text of Leaked Arab League Mission Report: Report Reveals Media Lies Regarding Syria*, (Feb. 1, 2012) available at <http://www.globalresearch.ca/syria-text-of-leaked-arab-league-mission-report-report-reveals-media-lies-regarding-syria/>.

<sup>272</sup> League of Arab States Observer Mission to Syria, *Report of the Head of the League of Arab States Observer Mission to Syria from the Period from 24 December 2011 to 18 January 2012*, unofficial available at [www.columbia.edu/~hauben/Report\\_of\\_Arab\\_League\\_Observer\\_Mission.pdf](http://www.columbia.edu/~hauben/Report_of_Arab_League_Observer_Mission.pdf).

<sup>273</sup> League of Arab States Observer Mission to Syria, *Report of the Head of the League of Arab States Observer Mission to Syria from the Period from 24 December 2011 to 18 January 2012*, unofficial available at [www.columbia.edu/~hauben/Report\\_of\\_Arab\\_League\\_Observer\\_Mission.pdf](http://www.columbia.edu/~hauben/Report_of_Arab_League_Observer_Mission.pdf).

<sup>274</sup> League of Arab States Observer Mission to Syria, *Report of the Head of the League of Arab States Observer Mission to Syria from the Period from 24 December 2011 to 18 January 2012*, unofficial available at [www.columbia.edu/~hauben/Report\\_of\\_Arab\\_League\\_Observer\\_Mission.pdf](http://www.columbia.edu/~hauben/Report_of_Arab_League_Observer_Mission.pdf).

duties due to hostility toward the mission and surrounding intense violence.<sup>275</sup> The report requested additional observers, more armored vehicles, and other protective equipment should the mandate be renewed.<sup>276</sup>

Lakhdar Brahimi is the current UN-Arab League Joint Special Envoy for the Syrian Crisis.<sup>277</sup> Kofi Annan resigned as Special Envoy for the Syrian Crisis in early August 2012, citing name-calling and finger-pointing among influential states and actors as reasons for his decision to step down.<sup>278</sup>

**United Nations Office of the High Commissioner for Human Rights:** The UN Office of the High Commissioner for Human Rights (OHCHR) was established as an inter-governmental body to promote and defend the enjoyment of all rights established in international human rights laws and treaties.<sup>279</sup> The OHCHR works to prevent human rights violations, heighten awareness and respect for human rights, and strengthen the United Nations system in the human rights field.<sup>280</sup>

On April 29, 2011, the United Nations Human Rights Council (see below) requested that the UN High Commissioner for Human Rights dispatch an urgent fact-finding mission to Syria to investigate alleged violations of international human rights law, and establish the facts and circumstances of such violations and crimes perpetrated, with a view to ensuring accountability.<sup>281</sup> Pursuant to this

<sup>275</sup> League of Arab States Observer Mission to Syria, *Report of the Head of the League of Arab States Observer Mission to Syria from the Period from 24 December 2011 to 18 January 2012*, unofficial available at [www.columbia.edu/~hauben/Report\\_of\\_Arab\\_League\\_Observer\\_Mission.pdf](http://www.columbia.edu/~hauben/Report_of_Arab_League_Observer_Mission.pdf). See also Centre for Research on Globalization, *Text of Leaked Arab League Mission Report: Report Reveals Media Lies Regarding Syria*, (Feb. 1, 2012) available at <http://www.globalresearch.ca/syria-text-of-leaked-arab-league-mission-report-report-reveals-media-lies-regarding-syria/>.

<sup>276</sup> League of Arab States Observer Mission to Syria, *Report of the Head of the League of Arab States Observer Mission to Syria from the Period from 24 December 2011 to 18 January 2012*, unofficial available at [www.columbia.edu/~hauben/Report\\_of\\_Arab\\_League\\_Observer\\_Mission.pdf](http://www.columbia.edu/~hauben/Report_of_Arab_League_Observer_Mission.pdf). See also Centre for Research on Globalization, *Text of Leaked Arab League Mission Report: Report Reveals Media Lies Regarding Syria*, (Feb. 1, 2012) available at <http://www.globalresearch.ca/syria-text-of-leaked-arab-league-mission-report-report-reveals-media-lies-regarding-syria/>.

<sup>277</sup> UN News Centre, *New Focus: Syria*, available at <http://www.un.org/apps/news/infocusRel.asp?infocusID=146&Body=Syria&Body1>.

<sup>278</sup> Al Jazeera, *Annan Quits as Syria Peace Envoy*, (Aug. 3, 2012), available at <http://www.aljazeera.com/news/middleeast/2012/08/201282145716901659.html>.

<sup>279</sup> Office of the High Commissioner for Human Rights, *Who We Are*, available at <http://www.ohchr.org/EN/AboutUs/Pages/Mandate.aspx>.

<sup>280</sup> Office of the High Commissioner for Human Rights, *Who We Are*, available at <http://www.ohchr.org/EN/AboutUs/Pages/Mandate.aspx>.

<sup>281</sup> United Nations Human Rights Council, *Resolution adopted by the Human Rights Council S-16/1 The Current human rights situation in the Syrian Arab Republic in the context of recent events*, U.N. Doc. A/HRC/RES/S-16/1 (Apr. 29, 2011), available at [www2.ohchr.org/english/bodies/hrcouncil/specialsession/16/docs/A%20-HRC-RES-S-16-1.pdf](http://www2.ohchr.org/english/bodies/hrcouncil/specialsession/16/docs/A%20-HRC-RES-S-16-1.pdf).

directive, the High Commissioner dispatched a fact-finding mission to the region, but the Syrian government refused it access to Syrian territory. Therefore, the mission undertook three field investigations, primarily through interviews with victims and witnesses who had fled to states surrounding Syria.<sup>282</sup> The mission also collected forensic evidence in refugee camps, studied written communications, and examined video and photographic evidence.<sup>283</sup> The High Commissioner's final report, issued in September 2011, identified 50 alleged perpetrators of major human rights and international criminal law.<sup>284</sup> These violations included murders and disappearances, torture, deprivation of liberty, and persecutions.<sup>285</sup>

The OHCHR has undertaken some small-scale trainings with several civil society organizations from inside Syria on transitional justice. These trainings occurred in Lebanon, where the OHCHR regional office is located. The OHCHR's programs are limited to this type of activity, because the OHCHR can only support unarmed groups and must continue to recognize the person holding the Syrian government seat at the UN.

**United Nations Human Rights Council – Independent Commission of Inquiry:** On March 15, 2006, the UN Human Rights Council (HRC) was created by the UN General Assembly through resolution 60/251.<sup>286</sup> The HRC's purpose is to monitor, protect, and promote human rights around the world.<sup>287</sup> Non-governmental organizations participate in the HRC as observers and may contribute information to the HRC regarding human rights abuses.<sup>288</sup>

The HRC established the Independent International Commission of Inquiry on the Syrian Arab Republic, chaired by Paulo Pinheiro and including Karen

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<sup>282</sup> United Nations Human Rights Council, *Report of the United Nations High Commissioner for Human Rights on the situation of human rights in the Syrian Arab Republic*, U.N. Doc. A/HRC/18/53, paras. 10, 11 (Sept. 15, 2011), available at [ap.ohchr.org/documents/E/HRC/report/A\\_HRC\\_18\\_53.pdf](http://ap.ohchr.org/documents/E/HRC/report/A_HRC_18_53.pdf).

<sup>283</sup> United Nations Human Rights Council, *Report of the United Nations High Commissioner for Human Rights on the situation of human rights in the Syrian Arab Republic*, U.N. Doc. A/HRC/18/53, paras. 11, 12 (Sept. 15, 2011), available at [ap.ohchr.org/documents/E/HRC/report/A\\_HRC\\_18\\_53.pdf](http://ap.ohchr.org/documents/E/HRC/report/A_HRC_18_53.pdf).

<sup>284</sup> United Nations Human Rights Council, *Report of the United Nations High Commissioner for Human Rights on the situation of human rights in the Syrian Arab Republic*, U.N. Doc. A/HRC/18/53, para. 13 (Sept. 15, 2011), available at [ap.ohchr.org/documents/E/HRC/report/A\\_HRC\\_18\\_53.pdf](http://ap.ohchr.org/documents/E/HRC/report/A_HRC_18_53.pdf).

<sup>285</sup> United Nations Human Rights Council, *Report of the United Nations High Commissioner for Human Rights on the situation of human rights in the Syrian Arab Republic*, U.N. Doc. A/HRC/18/53 (Sept. 15, 2011), available at [ap.ohchr.org/documents/E/HRC/report/A\\_HRC\\_18\\_53.pdf](http://ap.ohchr.org/documents/E/HRC/report/A_HRC_18_53.pdf).

<sup>286</sup> United Nations Human Rights: Office of the High Commissioner for Human Rights, *Background Information on the Human Rights Council*, available at <http://www.ohchr.org/EN/HRBodies/HRC/Pages/AboutCouncil.aspx>.

<sup>287</sup> United Nations Human Rights: Office of the High Commissioner for Human Rights, *Background Information on the Human Rights Council*, available at <http://www.ohchr.org/EN/HRBodies/HRC/Pages/AboutCouncil.aspx>.

<sup>288</sup> United Nations Human Rights: Office of the High Commissioner for Human Rights, *Background Information on the Human Rights Council*, available at <http://www.ohchr.org/EN/HRBodies/HRC/Pages/AboutCouncil.aspx>.

Abuzayd, to investigate alleged violations of international human rights law since March 2011 in Syria.<sup>289</sup> The role of the Commission is to build evidence that could be used in future accountability mechanisms.<sup>290</sup> Since its creation, the HRC has held four special sessions to hear the findings of the Commission of Inquiry.<sup>291</sup> The Commission published its first report on November 23, 2011.<sup>292</sup> It has since published a report in February 2012;<sup>293</sup> made two Periodic Updates, released on April 16 and May 24;<sup>294</sup> and published its latest report on August 16, 2012.<sup>295</sup> In addition, the Commission investigated the event of Taldou, more widely known as the Houla Massacre, and discussed its findings in a Special Update as well as the August 2012 Report.<sup>296</sup>

The Commission of Inquiry was not allowed into Syria to conduct its investigation.<sup>297</sup> However, the Chairman of the Commission was able to meet with the Syrian government and review certain government documents for its most recent August report.<sup>298</sup> Additionally, the Commission has sent individuals to Syria to conduct interviews with victims and survivors, as well as conducting

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<sup>289</sup> United Nations Human Rights: Office of the High Commissioner for Human Rights, *Background Information on the Human Rights Council*, available at <http://www.ohchr.org/EN/HRBodies/HRC/Pages/AboutCouncil.aspx>.

<sup>290</sup> *U.N. War Crime Investigators Seek Access to Syria*, CNBC, Oct. 25, 2012, available at [http://www.cnn.com/id/49547162/U\\_N\\_war\\_crime\\_investigators\\_seek\\_access\\_to\\_Syria](http://www.cnn.com/id/49547162/U_N_war_crime_investigators_seek_access_to_Syria).

<sup>291</sup> United Nations Office of the High Commissioner for Human Rights, *Bearing Witness: Human Rights and Accountability in Syria*, (Sept 10, 2012), available at <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=12492&LangID=e>.

<sup>292</sup> United Nations Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, U.N. Doc. A/HRC/S-17/2/Add.1 (Nov. 23, 2011), available at [www2.ohchr.org/english/bodies/hrcouncil/specialsession/17/docs/A-HRC-S-17-2-Add1.pdf](http://www2.ohchr.org/english/bodies/hrcouncil/specialsession/17/docs/A-HRC-S-17-2-Add1.pdf); General Assembly of the United Nations, *Plenary Meeting of the General Assembly Agenda Item 64: Report of the "Human Rights Council" Syria*, (Feb. 13, 2012), available at <http://www.un.org/en/ga/president/66/statements/syria130212.shtml>.

<sup>293</sup> United Nations Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, U.N. Doc. A/HRC/19/69 (Feb. 22, 2012), available at [www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session19/A-HRC-19-69\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session19/A-HRC-19-69_en.pdf).

<sup>294</sup> United Nations High Commissioner for Human Rights, *Periodic Update* (May 24, 2012), available at [www.ohchr.org/Documents/HRBodies/HRCouncil/SpecialSession/CISyria/PeriodicUpdateCISyria.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/SpecialSession/CISyria/PeriodicUpdateCISyria.pdf).

<sup>295</sup> United Nations Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, U.N. Doc. A/HRC/21/50 (Aug. 16, 2012), available at [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50_en.pdf).

<sup>296</sup> United Nations Human Rights Council, *Oral Update of the Independent International Commission of Inquiry on the Syrian Arab Republic*, U.N. Doc. A/HRC/20/CRP1 (June 26, 2012), available at [www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session20/COI\\_OralUpdate\\_A.HRC.20.CRP.1.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session20/COI_OralUpdate_A.HRC.20.CRP.1.pdf); United Nations Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, U.N. Doc. A/HRC/21/50, p. 64 (Aug. 16, 2012), available at [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50_en.pdf).

<sup>297</sup> United Nations Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, U.N. Doc. A/HRC/21/50 (Aug. 16, 2012), available at [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50_en.pdf).

<sup>298</sup> United Nations Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, U.N. Doc. A/HRC/21/50 (Aug. 16, 2012), available at [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50_en.pdf).

interviews over the phone and Skype.<sup>299</sup> The Commission also reviewed photographs, video, satellite images, and medical records as evidence of human rights abuses.<sup>300</sup> The Commission focused on the most serious violations of international law, including crimes against humanity and war crimes committed by both the government and opposition forces.<sup>301</sup>

During its last reporting period, the Commission of Inquiry determined that the level of armed violence had met the legal threshold for a non-international armed conflict.<sup>302</sup> The Commission also found evidence of crimes against humanity (including murder and torture) and gross violations of international human rights and humanitarian law (including unlawful killing, torture, arbitrary arrest and detention, sexual violence, indiscriminate attack, pillaging, and destruction of property).<sup>303</sup> The Commission found that these crimes were committed by state forces and *shabbiha* (armed pro-government gangs) pursuant to a state policy.<sup>304</sup> The Commission also found evidence that armed anti-government groups had committed war crimes, including murder, extrajudicial execution, and torture.<sup>305</sup> The Commission found that both pro- and anti-government forces had violated the rights of children.<sup>306</sup>

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<sup>299</sup> United Nations Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, U.N. Doc. A/HRC/21/50 (Aug. 16, 2012), available at [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50_en.pdf).

<sup>300</sup> United Nations Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, U.N. Doc. A/HRC/21/50 (Aug. 16, 2012), available at [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50_en.pdf).

<sup>301</sup> United Nations Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, U.N. Doc. A/HRC/21/50 (Aug. 16, 2012), available at [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50_en.pdf).

<sup>302</sup> United Nations Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, U.N. Doc. A/HRC/21/50, Summary (Aug. 16, 2012), available at [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50_en.pdf).

<sup>303</sup> United Nations Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, U.N. Doc. A/HRC/21/50, Summary (Aug. 16, 2012), available at [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50_en.pdf).

<sup>304</sup> United Nations Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, U.N. Doc. A/HRC/21/50, Summary (Aug. 16, 2012), available at [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50_en.pdf).

<sup>305</sup> United Nations Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, U.N. Doc. A/HRC/21/50, Summary (Aug. 16, 2012), available at [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50_en.pdf).

<sup>306</sup> United Nations Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, U.N. Doc. A/HRC/21/50, Summary (Aug. 16, 2012), available at [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50_en.pdf).

In September 2012, the Commission submitted its second confidential list of suspected perpetrators to the UN High Commissioner for Human Rights.<sup>307</sup> This list includes individuals the Commission believes are responsible for crimes against humanity, breaches of international humanitarian law, and gross human rights violations.<sup>308</sup>

On September 28, 2012, the HRC voted to extend the Commission of Inquiry's mandate through March 2013.<sup>309</sup> The HRC also appointed new panelists to the Commission, including Carla del Ponte, former prosecutor at the ICTY and ICTR, and Vitit Muntarbhorn, a Thai professor and human rights expert.<sup>310</sup> The Commission continues its investigation from outside Syrian territory.

### Governmental Initiatives

**British Foreign and Commonwealth Office:** The British Foreign and Commonwealth Office (FCO) has made £1.4 million available in non-lethal support to Syrian opposition and civil society groups.<sup>311</sup> This support includes provision of resources and training, including strategic communications and media skills training to internal activists; conflict resolution and negotiation training to civil society; training and advice to Syrian human rights defenders; and mentoring for Syrian journalists.<sup>312</sup>

FCO activities have also been expanded to include support for activists to ensure accountability. This includes support for gathering and securing evidence. The FCO has sent expert missions to the region to document atrocities and has

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<sup>307</sup> *Carla del Ponte, Renowned War Crimes Prosecutor, Appointed to Syria Probe*, Associated Press, Sept. 28, 2012, available at [http://www.huffingtonpost.com/2012/09/28/carla-del-ponte-war-crimes-prosecutor-syria\\_n\\_1923550.html](http://www.huffingtonpost.com/2012/09/28/carla-del-ponte-war-crimes-prosecutor-syria_n_1923550.html).

<sup>308</sup> United Nations Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, U.N. Doc. A/HRC/21/50, Summary (Aug. 16, 2012), available at [http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50\\_en.pdf](http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-50_en.pdf).

<sup>309</sup> *Carla del Ponte, Renowned War Crimes Prosecutor, Appointed to Syria Probe*, Associated Press, Sept. 28, 2012, available at [http://www.huffingtonpost.com/2012/09/28/carla-del-ponte-war-crimes-prosecutor-syria\\_n\\_1923550.html](http://www.huffingtonpost.com/2012/09/28/carla-del-ponte-war-crimes-prosecutor-syria_n_1923550.html).

<sup>310</sup> *Carla del Ponte, Renowned War Crimes Prosecutor, Appointed to Syria Probe*, Associated Press, Sept. 28, 2012, available at [http://www.huffingtonpost.com/2012/09/28/carla-del-ponte-war-crimes-prosecutor-syria\\_n\\_1923550.html](http://www.huffingtonpost.com/2012/09/28/carla-del-ponte-war-crimes-prosecutor-syria_n_1923550.html).

<sup>311</sup> *UK Response to Situation in Syria*, BRITISH FOREIGN & COMMONWEALTH OFFICE, available at <http://www.fco.gov.uk/en/global-issues/mena/syria/014-syria-storify>.

<sup>312</sup> *Foreign Secretary to Announce Support for Syrian Political Opposition*, BRITISH FOREIGN & COMMONWEALTH OFFICE (Mar. 29, 2012), available at <http://www.fco.gov.uk/en/news/latest-news/?view=News&id=747957482>.

trained Syrian activists how to document violations accurately and according to international standards. The FCO will continue to build the capacity of Syrian activists to gather, document, and store evidence of violations.<sup>313</sup> This training is often conducted in conjunction with OSOS (see below).<sup>314</sup>

**Office of Syrian Opposition Support** – The Office of Syrian Opposition Support (OSOS) is supported by the U.S. Department of State and based in Istanbul.<sup>315</sup> OSOS’ mandate is to provide assistance specifically to “civilian-led unarmed opposition groups in Syria.”<sup>316</sup> The U.S. government has authorized the use of \$15,000,000 USD to provide emergency non-lethal assistance, including essential supplies, communications equipment, and funding for administrative functions.<sup>317</sup>

OSOS works with local partners to train and facilitate coordination among the Syrian opposition, as well as provide a point of contact for the international community with opposition networks inside Syria. OSOS is staffed by Syrian activists who maintain relationships with local opposition councils and civil society actors within Syria. OSOS’ purpose is to serve as a clearinghouse for information on the opposition and its needs, build capacity of activist opposition groups, and facilitate the distribution of assistance into Syria.<sup>318</sup> OSOS’ model is to assist civilian-led unarmed groups help develop the organization and effectiveness of local groups in Syria, and ultimately prepare the opposition for a political transition.<sup>319</sup> However, OSOS has been hampered by bureaucratic delays since its inception, and has met with criticism for requiring opposition members to travel to Istanbul before receiving assistance.<sup>320</sup>

<sup>313</sup> *Foreign Secretary to Announce Support for Syrian Political Opposition*, BRITISH FOREIGN & COMMONWEALTH OFFICE (Mar. 29, 2012), available at <http://www.fco.gov.uk/en/news/latest-news/?view=News&id=747957482>.

<sup>314</sup> *Syrian Activists Get Western Support*, Aug. 27, 2012, available at [http://www.upi.com/Top\\_News/Special/2012/08/27/Syrian-activists-get-Western-support/UPI-33721346080784/](http://www.upi.com/Top_News/Special/2012/08/27/Syrian-activists-get-Western-support/UPI-33721346080784/).

<sup>315</sup> Office of Syrian Opposition Support (under construction), available at <http://supporttosyria.org/>. See also Damien McElroy, *Britain and US Plan s Syrian Revolution from an Innocuous Office Block in Istanbul*, THE TELEGRAPH, Aug. 26, 2012, available at <http://www.telegraph.co.uk/news/worldnews/middleeast/syria/9500503/Britain-and-US-plan-a-Syrian-revolution-from-an-innocuous-office-block-in-Istanbul.html>.

<sup>316</sup> *Determination Pursuant to Section 452 of the Foreign Assistance Act for the Use of Funds to Assist Civilian-Led Unarmed Opposition Groups in Syria* (Sept. 28, 2012), available at [http://www.foreignpolicy.com/files/fp\\_uploaded\\_documents/121003\\_FundstoSyria09-28-12.pdf](http://www.foreignpolicy.com/files/fp_uploaded_documents/121003_FundstoSyria09-28-12.pdf).

<sup>317</sup> *Determination Pursuant to Section 452 of the Foreign Assistance Act for the Use of Funds to Assist Civilian-Led Unarmed Opposition Groups in Syria* (Sept. 28, 2012).

<sup>318</sup> Office of Syrian Opposition Support (under construction), available at <http://supporttosyria.org/>.

<sup>319</sup> *Determination Pursuant to Section 452 of the Foreign Assistance Act for the Use of Funds to Assist Civilian-Led Unarmed Opposition Groups in Syria* (Sept. 28, 2012).

<sup>320</sup> See Greg Miller, *Syrian Activists Say Pledges of U.S. Communications Aid are Largely Unfulfilled*, WASHINGTON POST, Aug. 20, 2012, [http://www.washingtonpost.com/world/national-security/syrian-activists-say-pledges-of-us-communications-aid-are-largely-unfulfilled/2012/08/20/14dff95a-eaf8-11e1-9ddc-340d5efb1e9c\\_story.html](http://www.washingtonpost.com/world/national-security/syrian-activists-say-pledges-of-us-communications-aid-are-largely-unfulfilled/2012/08/20/14dff95a-eaf8-11e1-9ddc-340d5efb1e9c_story.html)

One of OSOS' main activities has been the distribution of mobile communications technology to the Syrian opposition, although this equipment may not be reaching the opposition on the ground inside Syria.<sup>321</sup> Another OSOS activity is training, which includes tactics for successfully countering the Syrian army. This type of training has been done in conjunction with the British Foreign and Commonwealth Office (see above).<sup>322</sup>

OSOS also supports TJE collection trainings, and facilitating opposition members' collection of TJE.<sup>323</sup> OSOS has developed partnerships with initiatives such as the Center for Civil Society and Democracy in Syria and the Syrian Commission for Justice and Accountability on efforts to transmit and preserve captured Syrian government documents.

### Non-governmental Organizations

**Alkarama:** Alkarama (Dignity) is a Middle East-focused NGO headquartered in Geneva, Switzerland.<sup>324</sup> Alkarama was founded in 2004 by a team of volunteer lawyers and human rights activists to help ensure the promotion and protection of human rights, especially in the Arab World.<sup>325</sup> Initially founded as a society, it was formally registered as a Swiss Foundation in 2007.<sup>326</sup> Alkarama has offices and representatives in Geneva, London, Beirut, Doha, and Sanaa, as well as correspondents and volunteers in all Arab countries.<sup>327</sup> Alkarama actively seeks partnerships with other organizations with similar objectives.<sup>328</sup>

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<sup>321</sup> See Greg Miller, *Syrian Activists Say Pledges of U.S. Communications Aid are Largely Unfulfilled*, WASHINGTON POST, Aug. 20, 2012.

<sup>322</sup> *Syrian Activists Get Western Support*, Aug. 27, 2012, available at [http://www.upi.com/Top\\_News/Special/2012/08/27/Syrian-activists-get-Western-support/UPI-33721346080784/](http://www.upi.com/Top_News/Special/2012/08/27/Syrian-activists-get-Western-support/UPI-33721346080784/).

<sup>323</sup> See Nicole Gaouette, *Syrian Exiles Blame Assad for Fueling Sectarian Killings*, BLOOMBERG NEWS, June 15, 2012, available at <http://www.bloomberg.com/news/2012-06-15/syrian-exiles-blame-assad-for-fueling-sectarian-killings.html>; Andrea Clioti, *Voice of the People? Just Another Conference for the Syrian Opposition*, THE MAJALLA, Mar. 16, 2012, available at <http://www.majalla.com/eng/2012/03/article55229967>; Syria in Dawn *Crackdown ahead of Protester Funerals*, AFP, Apr. 2, 2011, available at <http://dawn.com/2011/04/02/syria-in-dawn-crackdown-ahead-of-protester-funerals/>.

<sup>324</sup> Alkarama, About Us, available at [http://en.alkarama.org/index.php?option=com\\_content&view=article&id=12&Itemid=74](http://en.alkarama.org/index.php?option=com_content&view=article&id=12&Itemid=74).

<sup>325</sup> Alkarama, About Us, available at [http://en.alkarama.org/index.php?option=com\\_content&view=article&id=12&Itemid=74](http://en.alkarama.org/index.php?option=com_content&view=article&id=12&Itemid=74).

<sup>326</sup> Alkarama, About Us, available at [http://en.alkarama.org/index.php?option=com\\_content&view=article&id=12&Itemid=74](http://en.alkarama.org/index.php?option=com_content&view=article&id=12&Itemid=74).

<sup>327</sup> Alkarama, About Us, available at [http://en.alkarama.org/index.php?option=com\\_content&view=article&id=12&Itemid=74](http://en.alkarama.org/index.php?option=com_content&view=article&id=12&Itemid=74).

<sup>328</sup> Alkarama, About Us, available at [http://en.alkarama.org/index.php?option=com\\_content&view=article&id=12&Itemid=74](http://en.alkarama.org/index.php?option=com_content&view=article&id=12&Itemid=74).

Alkarama concentrates its work on four priority areas: extrajudicial executions, forced and involuntary disappearances, torture, and arbitrary detention.<sup>329</sup> It bases its work primarily on the documented individual cases it submits to UN Special Procedures and Treaty Bodies, as well as its contacts with local actors including victims, their families, lawyers, and human rights defenders.<sup>330</sup> In the context of Syria, Alkarama appears to be focused on only documenting violations by the Assad regime.<sup>331</sup>

Alkarama issues annual reports, country reports, and reports to UN committees, all of which are available on its website.<sup>332</sup> For example, on April 20, 2012, Alkarama submitted a report entitled “Crimes against Humanity in Syria: Systematic Torture to Quell Public Dissent” to the UN Committee Against Torture.<sup>333</sup> This report features detailed information about incidents of torture by Syrian forces, including the names of the victims, the dates, times, and locations of violations, the types of torture inflicted, and the security agencies responsible.<sup>334</sup> Alkarama used interviews with victims and eyewitnesses as the basis for its report.<sup>335</sup>

Along with these periodic reports, Alkarama also issues reports about individual instances of international humanitarian law violations, such as disappearances of Syrian human rights activists.<sup>336</sup> Its website features downloadable Excel spreadsheets on international humanitarian law violations in Syria (e.g., a list of 85 demonstrators killed between 10-14 May 2012).<sup>337</sup>

**Amnesty International:** Amnesty International produces an Annual Report on Syria that covers many different subjects, including treatment of prisoners,

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<sup>329</sup> Alkarama, About Us, available at

[http://en.alkarama.org/index.php?option=com\\_content&view=article&id=12&Itemid=74](http://en.alkarama.org/index.php?option=com_content&view=article&id=12&Itemid=74).

<sup>330</sup> Alkarama, *Crimes Against Humanity in Syria: Systematic Torture to Quell Public Dissent*, (April 20, 2012), available at [http://en.alkarama.org/index.php?option=com\\_docman&task=cat\\_view&gid=272&Itemid=223](http://en.alkarama.org/index.php?option=com_docman&task=cat_view&gid=272&Itemid=223).

<sup>331</sup> Alkarama, About Us, available at

[http://en.alkarama.org/index.php?option=com\\_content&view=article&id=12&Itemid=74](http://en.alkarama.org/index.php?option=com_content&view=article&id=12&Itemid=74).

<sup>332</sup> Alkarama, *Crimes Against Humanity in Syria: Systematic Torture to Quell Public Dissent*, (April 20, 2012), available at [http://en.alkarama.org/index.php?option=com\\_docman&task=cat\\_view&gid=272&Itemid=223](http://en.alkarama.org/index.php?option=com_docman&task=cat_view&gid=272&Itemid=223).

<sup>333</sup> Alkarama, *Crimes Against Humanity in Syria: Systematic Torture to Quell Public Dissent*, April 20, 2012, available at [http://en.alkarama.org/index.php?option=com\\_docman&task=cat\\_view&gid=272&Itemid=223](http://en.alkarama.org/index.php?option=com_docman&task=cat_view&gid=272&Itemid=223).

<sup>334</sup> Alkarama, *Crimes Against Humanity in Syria: Systematic Torture to Quell Public Dissent*, April 20, 2012, available at [http://en.alkarama.org/index.php?option=com\\_docman&task=cat\\_view&gid=272&Itemid=223](http://en.alkarama.org/index.php?option=com_docman&task=cat_view&gid=272&Itemid=223).

<sup>335</sup> Alkarama, *Crimes Against Humanity in Syria: Systematic Torture to Quell Public Dissent*, April 20, 2012, available at [http://en.alkarama.org/index.php?option=com\\_docman&task=cat\\_view&gid=272&Itemid=223](http://en.alkarama.org/index.php?option=com_docman&task=cat_view&gid=272&Itemid=223).

<sup>336</sup> Alkarama website, About Us, available at

[http://en.alkarama.org/index.php?option=com\\_content&view=article&id=12&Itemid=74](http://en.alkarama.org/index.php?option=com_content&view=article&id=12&Itemid=74)

<sup>337</sup> Alkarama website, Reports: Syria, available at:

[http://en.alkarama.org/index.php?option=com\\_docman&task=cat\\_view&gid=272&Itemid=223](http://en.alkarama.org/index.php?option=com_docman&task=cat_view&gid=272&Itemid=223)

women's rights, and civilian targeting.<sup>338</sup> Amnesty also submits its findings to the UN through the Universal Periodic Review.<sup>339</sup> Amnesty International runs a project called "Eyes on Syria" that documents human rights abuses in Syria and includes an interactive map.<sup>340</sup> Amnesty has documented issues of forced disappearances and routine torture of civilians under the Assad government.<sup>341</sup> Amnesty's reports also include information about frequent air and artillery strikes against residential areas, which seriously endanger civilians.<sup>342</sup> Amnesty has also analyzed satellite images revealing probable artillery impact craters.<sup>343</sup>

Amnesty does not currently have a physical presence in Syria and has been criticized for basing its investigations on hearsay.<sup>344</sup> Amnesty has not been allowed into Syria for over a year, but in April and May of 2012, Amnesty entered the country without government permission.<sup>345</sup> Amnesty conducted over 200 interviews in 23 towns during the period, witnessed indiscriminate shooting at protesters, and heard testimony of lawless executions, torture, and abuse.<sup>346</sup>

**Arabic Network for Human Rights Information:** Arabic Network for Human Rights Information (ANHRI) is a regional human rights advocacy organization and network, dedicated to reporting on human rights and freedom of expression abuses in the Arab world.<sup>347</sup> ANHRI's goal is to bring as much free news as possible to the Arab world and to aid the free exchange of information.<sup>348</sup>

<sup>338</sup> Amnesty International, *Annual Report 2012: The State of the World's Human Rights: Syria* (2012), available at [http://files.amnesty.org/air12/air\\_2012\\_full\\_en.pdf](http://files.amnesty.org/air12/air_2012_full_en.pdf).

<sup>339</sup> Amnesty International, *Syria: End Human Rights Violations in Syria*, (Oct. 2011), available at <http://www.amnesty.org/en/library/asset/MDE24/034/2011/en/c6666d8d-abc3-4cd5-8684-dea9178e765d/mde240342011en.pdf>.

<sup>340</sup> Amnesty International, *Eyes on Syria*, <http://www.eyesonsyria.org/>.

<sup>341</sup> Amnesty International, *Enforced Disappearances in Syria*, available at <http://amnesty.org/en/campaigns/enforced-disappearances-in-syria>, see also Amnesty International, 'I wanted to die': Syria's Torture Survivors Speak Out, (Mar. 2012), available at <http://www.amnestyusa.org/research/reports/i-wanted-to-die-syria-s-torture-survivors-speak-out>.

<sup>342</sup> Amnesty International, *Civilians Bearing the Brunt in the Battle for Aleppo*, (Aug. 23, 2012), available at <http://www.amnesty.org/en/news/syria-civilians-bear-brunt-battle-aleppo-rages-2012-08-23>.

<sup>343</sup> Amnesty International, *Syria: Satellite Images from Aleppo Raise Concerns Over Risk to Civilians*, (Aug. 7, 2012), available at <http://www.amnesty.org/en/news/syria-satellite-images-aleppo-raise-concerns-over-risk-civilians-2012-08-07>.

<sup>344</sup> Emily Alpert, *Inside Syria, Amnesty International Finds Revenge Slayings*, LOS ANGELES TIMES, (Jun. 13, 2012), available at [http://latimesblogs.latimes.com/world\\_now/2012/06/amnesty-syria.html](http://latimesblogs.latimes.com/world_now/2012/06/amnesty-syria.html).

<sup>345</sup> Amnesty International, *Deadly Reprisals: Deliberate Killings and Other Abuses by Syria's Armed Forces*, (Jun. 14, 2012), available at <http://www.amnestyusa.org/research/reports/deadly-reprisals-deliberate-killings-and-other-abuses-by-syria-s-armed-forces>.

<sup>346</sup> Emily Alpert, *Inside Syria, Amnesty International finds Revenge Slayings*, LOS ANGELES TIMES, (June 13, 2012), available at [http://latimesblogs.latimes.com/world\\_now/2012/06/amnesty-syria.html](http://latimesblogs.latimes.com/world_now/2012/06/amnesty-syria.html).

<sup>347</sup> Arabic Network for Human Rights Information, *About Us*, available at [http://www.anhri.net/en/?page\\_id=7](http://www.anhri.net/en/?page_id=7).

<sup>348</sup> Arab Network for Human Rights Information, *About Us*, available at [http://www.anhri.net/en/?page\\_id=7](http://www.anhri.net/en/?page_id=7).

ANHRI's website includes press releases and reports organized by state, including Syria.<sup>349</sup> It released a report on Freedom of Expression in the Arab World in 2011.<sup>350</sup> It releases a weekly newsletter that compiles news from the Middle East and North Africa from a variety of sources for those to read who do not have access to free press.<sup>351</sup>

**ARK F.Z.C.:** ARK (“Analysis Research Knowledge”) is a UAE-based consulting firm specializing in conflict transformation, civil society capacity building, and research on social development in the Middle East and North Africa.<sup>352</sup> ARK has been working with implementing partner Tsamota, Ltd. (see below) to provide pro bono training and support for investigators selected by the Syrian Commission for Justice and Accountability (SCJA) (see above) since May 2011. Together, these organizations have provided direct assistance to the UNHRC Commission of Inquiry (see above), which has acknowledged their TJE collection efforts.

The first component of ARK's and Tsamota's program involved training Syrian investigators in basic international criminal and humanitarian law. Specifically, trainings focused on the links between international humanitarian law and human rights law, as well as possibilities for a domestic justice process in a future transitional Syria. Simultaneously, ARK and Tsamota provided training on international criminal investigative methodology. These activities included production of a short training video and training memo on collecting physical evidence from indirect fire weapons (mortars, rockets, and artillery), as well as training and distribution of field investigative kits for evidence collection.

The second component of ARK's and Tsamota's program was a more advanced ten-day training course in Istanbul for Syrian investigators, lawyers, and activists. The training centered on the theoretical foundations of international investigations and underlying criminal acts, with focus on skills enabling investigators to link state and non-state actors to underlying criminal acts, and collecting TJE to a criminal evidentiary standard. Participants were then divided into teams of investigators according to their regions (Aleppo, Idlib, Homs, Hama, and the Al-Jazeera region) and equipped with field investigative kits.

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<sup>349</sup> Arab Network for Human Rights Information, *Home Page*, available at <http://www.anhri.net/>.

<sup>350</sup> Arab Network for Human Rights Information, *Freedom of Expression in the Arab World 2011*, available at <http://www.anhri.net/en/?p=8578>.

<sup>351</sup> Arab Network for Human Rights Information, *Weekly Newsletter #410*, (Aug. 26, 2012), available at <http://www.anhri.net/en/?p=9245>.

<sup>352</sup> ARK: *Analysis Research Knowledge* (under construction), available at <http://arkfzc.com/>.

ARK and Tsamota provided remote support and mentoring to the teams of SCJA investigators in their various regions. Investigators reunited in Istanbul in September 2012 to report and assess investigative efforts, and address challenges.

**The Day After Project, United States Institute of Peace:** An initiative known as the Day After Project is engaged in collection and transportation of captured documentary evidence from *mukhabarat* facilities inside Syria. This initiative is part of the implementation phase of the United States Institute of Peace (USIP) project, which brought Syrian activists together with international technical experts to formulate a vision for the Syrian transition.<sup>353</sup> The implementation phase of the Day After Project involves establishment of an office in Istanbul, as well as operation under NGO status within Europe. One facilitator of the project may be Mr. Abdullah al-Dardari, former Deputy Prime Minister of Economic Affairs of Syria, who was pushed out of the Syrian government in April 2011 but has useful connections in Syria because of his former post.<sup>354</sup>

**Doctors Without Borders:** Doctors Without Borders is an independent organization dedicated to giving medical care to people caught in crisis.<sup>355</sup> Doctors Without Borders aims to speak out publicly after witnessing violence and atrocities that would not otherwise receive international attention.<sup>356</sup>

Doctors Without Borders published a report entitled, *Syria: Medicine as a Weapon of Persecution*.<sup>357</sup> The report is not fully verified because the organization is not authorized to work inside Syria.<sup>358</sup> Although Doctors Without Borders cannot work directly within Syria, it gathered direct video testimony from doctors operating within Syria and patients treated outside of Syria who were wounded in Syria, but were refused urgent medical care.<sup>359</sup> For its report, Doctors Without Borders interviewed 15 people in January and February 2012.<sup>360</sup>

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<sup>353</sup> United States Institute of Peace, *The Day After Project*, available at <http://www.usip.org/the-day-after-project>. The USIP Day After Project referred to a temporary office to be established in Istanbul called the Syrian Transition Support Network. This office is intended to oversee the implementation of the recommendations produced by Working Groups of the Day After Project.

<sup>354</sup> See Patrick Martin, *Two Forces, No Victor in Syrian Struggle*, THE GLOBE AND MAIL, Aug. 5, 2012, available at <http://m.theglobeandmail.com/news/world/two-forces-no-victor-in-syrian-struggle/article4462752/?service=mobile>.

<sup>355</sup> Doctors Without Borders, *About Us*, available at <http://www.msf-me.org/en/article/about-us/overview.html>.

<sup>356</sup> Doctors Without Borders, *About Us*.

<sup>357</sup> Doctors Without Borders, *Syria: Medicine as a Weapon of Persecution*, (Feb. 8, 2012), available at <http://www.doctorswithoutborders.org/publications/reports/2012/In-Syria-Medicine-as-a-Weapon-of-Persecution.pdf>.

<sup>358</sup> Doctors Without Borders, *Syria: Medicine as a Weapon of Persecution*, (Feb. 8, 2012).

<sup>359</sup> Doctors Without Borders, *Syria: Medicine as a Weapon of Persecution*, (Feb. 8, 2012).

<sup>360</sup> Doctors Without Borders, *Syria: Medicine as a Weapon of Persecution*, (Feb. 8, 2012).

The testimonies evidence casualties involving multiple fractures, gunshot wounds, and a concerted program of violence and torture.<sup>361</sup> Among other findings, the report also demonstrates repression of not only the injured but their caregivers as well.<sup>362</sup>

**Freedom House:** Freedom House was founded in 1941 and was the first American organization to advocate for the advancement of freedom on a global scale.<sup>363</sup> Freedom House is an independent watchdog organization dedicated to the expansion of freedom around the world.<sup>364</sup>

Freedom House speaks out against the major threats to democracy and empowers citizens to exercise their fundamental rights.<sup>365</sup> Freedom House aims to analyze the challenges to freedom, advocate for greater political and civil liberties, and support frontline activists to defend human rights and promote democratic change.<sup>366</sup> Freedom House supports non-violent civic initiatives in societies where freedom is denied or under threat.<sup>367</sup>

Freedom House publishes yearly reports about the freedom of the world and of the press by state.<sup>368</sup> It categorizes each state based on the freedom of its press.<sup>369</sup> It also categorizes reports into issues such as civil society, rule of law, foreign policy, freedom of association, and women's rights.<sup>370</sup>

**Front Line Defenders:** Front Line Defenders is a legally registered Irish charity founded in Dublin in 2001.<sup>371</sup> Front Line Defenders provides practical support to human rights defenders who are at risk and protects those who work, in a non-violent manner, for any or all of the rights protected in the Universal Declaration of Human Rights.<sup>372</sup>

The organization produces press releases and reports regarding human rights abuses, including the persecution of human rights activists in Syria.<sup>373</sup> Front Line

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<sup>361</sup> Doctors Without Borders, *Syria: Medicine as a Weapon of Persecution*, (Feb. 8, 2012).

<sup>362</sup> Doctors Without Borders, *Syria: Medicine as a Weapon of Persecution*, (Feb. 8, 2012).

<sup>363</sup> Freedom House, *About Us*, available at <http://www.freedomhouse.org/about-us>.

<sup>364</sup> Freedom House, *About Us*, available at <http://www.freedomhouse.org/about-us>.

<sup>365</sup> Freedom House, *About Us*, available at <http://www.freedomhouse.org/about-us>.

<sup>366</sup> Freedom House, *About Us*, available at <http://www.freedomhouse.org/about-us>.

<sup>367</sup> Freedom House, *About Us*, available at <http://www.freedomhouse.org/about-us>.

<sup>368</sup> Freedom House, *Syria*, available at <http://www.freedomhouse.org/country/syria>.

<sup>369</sup> Freedom House, *Syria*, available at <http://www.freedomhouse.org/country/syria>.

<sup>370</sup> Freedom House, *Issues*, available at <http://www.freedomhouse.org/issues>.

<sup>371</sup> Front Line Defenders, *About Us*, available at [www.frontlinedefenders.org/about-front-line](http://www.frontlinedefenders.org/about-front-line).

<sup>372</sup> Front Line Defenders, *About Us*, available at [www.frontlinedefenders.org/about-front-line](http://www.frontlinedefenders.org/about-front-line).

<sup>373</sup> Front Line Defenders, available at <http://www.frontlinedefenders.org>.

Defenders reports that human rights defenders face arbitrary arrests, detention, malicious prosecutions, death threats and forms of intimidation including harassment.<sup>374</sup>

Front Line Defenders has produced case reports on eight defenders in Syria.<sup>375</sup> For instance, its latest report documents the arrest and incommunicado detention of journalist Saleem Qabbani who was documenting human rights violations in Syria.<sup>376</sup>

**Human Rights First:** Human Rights First (HRF) is a non-profit, nonpartisan, international human rights organization based in New York and Washington, DC.<sup>377</sup> Its central mission is to foster American global leadership on human rights.<sup>378</sup> For over 30 years, HRF has worked with activists and built bipartisan coalitions in an effort to work toward consistent respect for human rights.<sup>379</sup>

HRF provides some research and documentation surrounding human rights violations in Syria, as well as policy research pertaining to the international community's involvement in Syria.<sup>380</sup> Its goal is to disrupt the supply chains that the Syrian government uses to carry out attacks against civilians.<sup>381</sup> One of its methods of doing so is to study those enabling Syrian atrocities.<sup>382</sup>

Currently, HRF is targeting “enablers” of mass atrocities and is posting commentaries, press releases, and videos.<sup>383</sup> They also have a page consisting of what they consider to be their “key documents.”<sup>384</sup> This page includes documents entitled, “Fact Sheet: Atrocities Prevention Board,” “Disrupting the Supply Chain

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<sup>374</sup> Front Line Defenders, *Syria: Overview*, available at <http://www.frontlinedefenders.org/syria>.

<sup>375</sup> Front Line Defenders, *Syria: Overview*, available at <http://www.frontlinedefenders.org/syria>.

<sup>376</sup> Front Line Defenders, *Syria: Overview*, available at <http://www.frontlinedefenders.org/syria>.

<sup>377</sup> Human Rights First, *About Us*, available at <http://www.humanrightsfirst.org/about-us/>.

<sup>378</sup> Human Rights First, *Annual Reports*, available at <http://www.humanrightsfirst.org/about-us/annual-reports/>.

<sup>379</sup> Human Rights First, *About Us*, available at <http://www.humanrightsfirst.org/about-us/>.

<sup>380</sup> Human Rights First, *Syria*, available at <http://www.humanrightsfirst.org/our-work/crimes-against-humanity/syria/>.

<sup>381</sup> Human Rights First, *Syria*, available at <http://www.humanrightsfirst.org/our-work/crimes-against-humanity/syria/>.

<sup>382</sup> Human Rights First, *Syria*, available at <http://www.humanrightsfirst.org/our-work/crimes-against-humanity/syria/>.

<sup>383</sup> Human Rights First, *Enablers of Atrocities*, available at <http://www.humanrightsfirst.org/our-work/crimes-against-humanity/enablers/>.

<sup>384</sup> Human Rights First, *Key Documents*, available at <http://www.humanrightsfirst.org/our-work/crimes-against-humanity/key-documents/>.

for Mass Atrocities,” “Fact Sheet: Enablers of Mass Atrocities,” “What Companies Should Know and Do about Enablers,” and many more.<sup>385</sup>

**Human Rights Watch:** Human Rights Watch (HRW), established in 1978, is a nonprofit, nongovernmental human rights organization.<sup>386</sup> The organization’s staff, made up of more than 280 staff members around the world, consists of human rights professionals, lawyers, journalists, and academics with diverse backgrounds.<sup>387</sup> HRW aims to give a voice to the oppressed by focusing international attention to human rights violations.<sup>388</sup> HRW maintains a mission to prevent discrimination, uphold political freedom, to protect people from inhumane conduct in wartime, and to bring offenders to justice.<sup>389</sup>

HRW publishes dozens of reports and briefings every year concerning human rights issues.<sup>390</sup> HRW’s most recent report from July 3, 2012, is entitled, “Torture Archipelago: Arbitrary Arrests, Torture, and Enforced Disappearances in Syria’s Underground Prisons since March 2011.”<sup>391</sup> HRW created this report by conducting more than 200 interviews since the beginning of anti-governmental demonstrations in Syria in March 2011.<sup>392</sup> HRW uses maps marking the detention facilities, videos from former detainees, and sketches of torture techniques described by witnesses and even people who experienced torture in these facilities.<sup>393</sup>

**International Crisis Group:** The International Crisis Group (ICG) was founded in 1995 and is a non-governmental organization committed to preventing and resolving deadly conflict.<sup>394</sup> The president and CEO of ICG is Louise Arbour, former UN High Commissioner for Human Rights.<sup>395</sup> The organization consists of 150 permanent staff workers worldwide, from 53 nationalities, speaking 50

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<sup>385</sup> Human Rights First, *Key Documents*, available at <http://www.humanrightsfirst.org/our-work/crimes-against-humanity/key-documents/>.

<sup>386</sup> Human Rights Watch, *About Us*, available at <http://www.hrw.org/node/75136>.

<sup>387</sup> Human Rights Watch, *About Us*, available at <http://www.hrw.org/node/75136>.

<sup>388</sup> Human Rights Watch, *About Us*, available at <http://www.hrw.org/node/75136>.

<sup>389</sup> Human Rights Watch, *About Us*, available at <http://www.hrw.org/node/75136>.

<sup>390</sup> Human Rights Watch, *Reports*, available at <http://www.hrw.org/publications/reports?topic=All&region=238>.

<sup>391</sup> Human Rights Watch, *Torture Archipelago*, available at <http://www.hrw.org/reports/2012/07/03/torture-archipelago>.

<sup>392</sup> Human Rights Watch, *Torture Archipelago*, available at <http://www.hrw.org/reports/2012/07/03/torture-archipelago>.

<sup>393</sup> Human Rights Watch, *Torture Archipelago*, available at <http://www.hrw.org/reports/2012/07/03/torture-archipelago>.

<sup>394</sup> International Crisis Group, *About Crisis Group*, available at <http://www.crisisgroup.org/en/about.aspx>.

<sup>395</sup> International Crisis Group, *About Crisis Group*, available at <http://www.crisisgroup.org/en/about.aspx>.

different languages.<sup>396</sup> ICG publishes around 90 reports and briefings every year and over 100 issues of the CrisisWatch bulletin have been published monthly since 2003.<sup>397</sup> ICG is recognized as the world's leading independent, non-partisan source of analysis and advice to governments and intergovernmental bodies like the United Nations, European Union and World Bank, on the prevention and resolution of deadly conflict.<sup>398</sup>

ICG has a page dedicated to Syria in which it posts reports, podcasts, and commentaries surrounding the crisis.<sup>399</sup> ICG analysis includes regular editions of a Syria "Crisis Watch," which summarizes and compiles recent events in the armed conflict, including attacks and violations.<sup>400</sup> ICG also publishes regular policy analysis of the conflict.<sup>401</sup>

**Justice for Syria:** Justice for Syria is based in Syria, Lebanon, Turkey, Jordan, Morocco, US, United Kingdom (UK), and Australia.<sup>402</sup> The slogan published on its website is "Documenting the Humanitarian Crisis in Syria." The group's aim is to end the Assad government's "campaign to exterminate pro-democracy protest in Syria by military means."<sup>403</sup> Further, there is a page on the website asking viewers to mail a letter to the Russian UN Ambassador to stop the arms supplies to Syria, or to step down from the UN Security Council.<sup>404</sup>

Several videos and articles are uploaded onto the website documenting atrocity crimes in Syria.<sup>405</sup> The videos document the conflict and bombings occurring in Syria, including some that show the targeting of children.<sup>406</sup> Justice for Syria is focused on documenting atrocities by the Assad regime.<sup>407</sup>

**KurdWatch:** KurdWatch is an independent, non-governmental, internet-based organization that reports exclusively on atrocities and human rights abuses

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<sup>396</sup> International Crisis Group, *About Crisis Group*, available at <http://www.crisisgroup.org/en/about.aspx>.

<sup>397</sup> International Crisis Group, *About Crisis Group*, available at <http://www.crisisgroup.org/en/about.aspx>.

<sup>398</sup> International Crisis Group, *About Crisis Group*, available at <http://www.crisisgroup.org/en/about.aspx>.

<sup>399</sup> International Crisis Group, *Syria*, available at <http://www.crisisgroup.org/en/regions/middle-east-north-africa/egypt-syria-lebanon/syria.aspx>.

<sup>400</sup> International Crisis Group, *Syria*, available at <http://www.crisisgroup.org/en/regions/middle-east-north-africa/egypt-syria-lebanon/syria.aspx>.

<sup>401</sup> International Crisis Group, *Syria*, available at <http://www.crisisgroup.org/en/regions/middle-east-north-africa/egypt-syria-lebanon/syria.aspx>.

<sup>402</sup> Justice for Syria, available at <http://www.justiceforsyria.org>.

<sup>403</sup> Justice for Syria, available at <http://www.justiceforsyria.org>.

<sup>404</sup> Justice for Syria, *Global Campaign*, available at <http://www.justiceforsyria.org/node/20>.

<sup>405</sup> Justice for Syria, available at <http://www.justiceforsyria.org>.

<sup>406</sup> Justice for Syria, available at <http://www.justiceforsyria.org>.

<sup>407</sup> Justice for Syria, available at <http://www.justiceforsyria.org>.

against Kurdish people in Syria.<sup>408</sup> KurdWatch is a part of the European Center for Kurdish Studies in Berlin, Germany.<sup>409</sup>

KurdWatch keeps track of human rights violations since 2009, including arrests, convictions, and Kurdish people tortured, killed, and disappeared.<sup>410</sup> There are separate pages for news each year since 2009, interviews with those affected, reports, documents, the applicable penal code, and those cities most affected.<sup>411</sup> There is also a page with links to other websites and organizations that have reporting on the crisis in Syria.<sup>412</sup>

The goal of KurdWatch is to give reliable information for the benefit of the international community about daily events as well as daily life regarding such issues as the economy, health care, and violence against women.<sup>413</sup> No information is given about where the information and statistics come from.

**No Peace Without Justice:** No Peace Without Justice (NPWJ) is a non-profit organization that works for the protection and protection of human rights, democracy, the rule of law, and international justice. One of NPWJ's main focus areas is international criminal justice. NPWJ programs include dialogues to foster partnerships between public institutions and civil society, as well as provision of technical legal assistance. NPWJ also engages in conflict mapping and documentation of humanitarian law violations, as well as local programs engaging conflict and post-conflict communities on issues of international criminal justice.<sup>414</sup> NPWJ's international criminal justice programming aims to ensure accountability for massive violations, reduce impunity, and increase the impact, transparency, and effectiveness of accountability mechanisms.<sup>415</sup> NPWJ has assisted with the establishment and operation of accountability mechanisms in several post-conflict states, and is currently working in Libya, Tunisia, and Bahrain on transitional justice processes.

NPWJ cooperates with in-country and regional partners to promote democracy and human rights protection through incorporating "Transitional

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<sup>408</sup> KurdWatch, *About Us*, available at <http://kurdwatch.com/index.php?cid=182&z=en>.

<sup>409</sup> KurdWatch, *Contact Us*, available at <http://kurdwatch.com/index.php?cid=179&z=en>.

<sup>410</sup> KurdWatch, *Home Page*, available at <http://kurdwatch.org/index.php?cid=1&z=en>.

<sup>411</sup> KurdWatch, *Home Page*, available at <http://kurdwatch.org/index.php?cid=1&z=en>.

<sup>412</sup> KurdWatch, *Links*, available at <http://kurdwatch.org/index.php?cid=181&z=en>.

<sup>413</sup> KurdWatch, *About Us*, available at <http://kurdwatch.com/index.php?cid=182&z=en>.

<sup>414</sup> No Peace Without Justice, *About Us: Overview*, available at <http://www.npwj.org/About-NPWJ/Overview.html>.

<sup>415</sup> No Peace Without Justice, *International Criminal Justice Program: Overview*, available at <http://www.npwj.org/ICC/Overview.html>.

Justice, Accountability and Reconciliation (TJAR)” in decision-making on conflict resolution and stability, democratic development, and reconstruction planning in the Middle East and North Africa, including Syria.<sup>416</sup> These activities include technical assistance to build capacity on transitional justice issues, including advocacy and documenting human rights violations. Local and regional partners include the Arab Transitional Justice Working Group and Al-Kawakibi Democracy Transition Centre.<sup>417</sup> In early 2013, NPWJ also hosted a roundtable featuring the Syrian organization Dawlaty (see above).<sup>418</sup>

**Observatory for the Protection of Human Rights Defenders:** The Observatory for the Protection of Human Rights Defenders is a joint program of the International Federation for Human Rights (FIDH) and the World Organization Against Torture (OMCT).<sup>419</sup> FIDH is an international non-governmental organization that acts in both the legal and political fields for the protection of human rights defending all civil, political, economic, social, and cultural rights defined in the Universal Declaration of Human Rights.<sup>420</sup> FIDH’s purpose includes maintaining its relationship with partners and utilizing its funds to increase professionalism in the human rights field.<sup>421</sup> OMCT is an NGO based in Geneva and was established in 1985.<sup>422</sup> OMCT works to prevent torture, summary executions, enforced disappearances and other atrocities.<sup>423</sup>

The observatory documents human rights abuses and atrocities throughout the world, including Syria.<sup>424</sup> For instance, FIDH published a report in mid-2011 on Bashar al-Assad’s alleged crimes against humanity.<sup>425</sup> FIDH and the OMCT also publish regular updates and reports of individual instances of wrongful detentions and major human rights violations in Syria.<sup>426</sup>

<sup>416</sup> No Peace Without Justice, *International Criminal Justice Program: Overview*, available at <http://www.npwj.org/ICC/Overview.html>.

<sup>417</sup> No Peace Without Justice, *International Criminal Justice Program: Overview*, available at <http://www.npwj.org/ICC/Overview.html>.

<sup>418</sup> No Peace Without Justice, *Syria: Roundtable discussion with Mustafa Haid on the role of “Dawlaty” in raising awareness of transitional justice* (Jan. 24, 2013), available at <http://www.npwj.org/MENA/Syria-Roundtable-discussion-with-Mustafa-Haid-role-Dawlaty-raising-awareness-transitional-justi>.

<sup>419</sup> FIDH, *About Us*, available at <http://www.fidh.org/-FIDH-s-Role-.html>.

<sup>420</sup> FIDH, *About Us*, available at <http://www.fidh.org/-FIDH-s-Role-.html>.

<sup>421</sup> FIDH, *What is FIDH?*, available at <http://www.fidh.org/-FIDH-s-Role-.>

<sup>422</sup> OMCT, *About OMCT*, available at <http://www.omct.org/about/>.

<sup>423</sup> OMCT, *About OMCT*, available at <http://www.omct.org/about/>.

<sup>424</sup> FIDH, *Observatory*, available at [http://www.fidh.org/spip.php?page=mot&id\\_mot=27&lang=en](http://www.fidh.org/spip.php?page=mot&id_mot=27&lang=en).

<sup>425</sup> *Bashar Al-Assad: Criminal Against Humanity*, International Federation for Human Rights (FIDH) (Aug. 9, 2011), available at [www.fidh.org/Bashar-Al-Assad-Criminal-Against](http://www.fidh.org/Bashar-Al-Assad-Criminal-Against).

<sup>426</sup> FIDH, *Syria (Latest News)*, available at <http://www.fidh.org/-Syria->.

**Physicians for Human Rights:** Physicians for Human Rights (PHR) is an independent organization that focuses on medical and scientific investigations to prevent small scale acts of violence from becoming mass atrocities, to protect individual rights and civilian populations, and to prosecute human rights violators.<sup>427</sup>

Since 1986, PHR has worked in more than 40 countries to stop human rights violations.<sup>428</sup> To prevent, stop, and ensure accountability for violations, PHR conducts investigations using forensic science, medical and psychological examinations, and epidemiological studies.<sup>429</sup> PHR documents its investigations for reports, briefing papers, court-admissible evidence, and testimony for national and international governmental bodies, among other things.<sup>430</sup>

PHR human rights specialists then meet with representatives from governments, the UN and regional groups such as the European Union to draft legislation, call for sanctions and interventions, appoint commissions of inquiry, and host hearings and briefings on key human rights issues.<sup>431</sup> A December 2011 report on Syria, entitled, “Syria: Attacks on Doctors, Patients, and Hospitals” features detailed information about documented attacks on Syria’s medical profession.<sup>432</sup>

PHR is also conducting an initiative to train local Syrian physicians on how to document international crimes. This initiative involves building Syrian doctors’ capacity to conduct epidemiological research and conduct medical documentation using the Istanbul Protocol on documentation of torture. Another component of the program is the collection of documentation of human rights violations from Syrian refugees living in Turkish border areas (specifically, Rehanli, Hatay). PHR has been working with the Union of Syrian Medical Relief Organizations (UOSSM) (see below) to disseminate training and resources inside Syria.

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<sup>427</sup> Physicians for Human Rights, *About Us*, available at <http://physiciansforhumanrights.org/about/>.

<sup>428</sup> Physicians for Human Rights, *Where We Work*, available at <http://physiciansforhumanrights.org/about/places/>.

<sup>429</sup> Physicians for Human Rights, *How We Work*, available at <http://physiciansforhumanrights.org/about/how-we-work.html>.

<sup>430</sup> Physicians for Human Rights, *How We Work*, available at <http://physiciansforhumanrights.org/about/how-we-work.html>.

<sup>431</sup> Physicians for Human Rights, *How We Work*, available at <http://physiciansforhumanrights.org/about/how-we-work.html>.

<sup>432</sup> Physicians for Human Rights, *Syria: Attacks on Doctors, Patients, and Hospitals*, available at <http://physiciansforhumanrights.org/library/reports/syria-attacks-on-doctors.html>.

**Reporters Without Borders:** In 1985, Reporters Without Borders was founded in France by four journalists.<sup>433</sup> Reporters Without Borders is an international non-governmental advocacy organization and network dedicated to promoting human rights and freedom of expression.<sup>434</sup> The organization has correspondents in 150 countries and issues over 1,000 press releases on violations of freedom of information every year.<sup>435</sup>

Reporters Without Borders believes that massacres are prevented when the international media exposes violent acts.<sup>436</sup> Its mission is to continuously monitor attacks on freedom of information worldwide and to denounce any attacks in the media.<sup>437</sup> The organization provides press releases and statistics on the human rights situation in Syria, particularly the persecution of journalists and human rights activists.<sup>438</sup> For instance, Reporters Without Borders tracks and publishes the number of journalists, “netizens” (online activists such as bloggers, Twitter users, etc.), and “citizen journalists” killed and imprisoned since March 2011.<sup>439</sup> Reporters Without Borders also publishes detailed updates on the situation of journalists and reporters in Syria during the conflict.<sup>440</sup>

**Reliefweb:** Reliefweb was established in 1996 and is administered by the United Nations Office for the Coordination of Humanitarian Affairs.<sup>441</sup> ReliefWeb is a source for humanitarian information and analysis.<sup>442</sup> ReliefWeb has offices in Bangkok, Nairobi, and New York and provides frequent updates.<sup>443</sup> Reliefweb aims to help the public make sense of worldwide humanitarian crises by scanning websites of international and non-governmental organizations, governments, research institutions, and the media for news, press releases, reports, and policy documents related to humanitarian crises.<sup>444</sup>

Reliefweb’s compiles and posts information, reports, and analysis on the humanitarian situation in Syria.<sup>445</sup> Reliefweb is chiefly a hub that compiles

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<sup>433</sup> Reporters Without Borders, *About Us*, available at <http://en.rsf.org/introduction-24-03-2011,32617.html>

<sup>434</sup> Reporters Without Borders, *About Us*, available at <http://en.rsf.org/introduction-24-03-2011,32617.html>

<sup>435</sup> Reporters Without Borders, *About Us*, available at <http://en.rsf.org/introduction-24-03-2011,32617.html>

<sup>436</sup> Reporters Without Borders, *About Us*, available at <http://en.rsf.org/introduction-24-03-2011,32617.html>

<sup>437</sup> Reporters Without Borders, *About Us*, available at <http://en.rsf.org/introduction-24-03-2011,32617.html>

<sup>438</sup> Reporters Without Borders, *Syria*, available at <http://en.rsf.org/syrie.html>.

<sup>439</sup> Reporters Without Borders, *Syria*, available at <http://en.rsf.org/syriea.html>.

<sup>440</sup> Reporters Without Borders, *Syria*, available at <http://en.rsf.org/syriea.html>.

<sup>441</sup> Reliefweb, *Our History*, available at <http://reliefweb.int/history>.

<sup>442</sup> Reliefweb, *About Us*, available at <http://reliefweb.int/about>.

<sup>443</sup> Reliefweb, *About Us*, available at <http://reliefweb.int/about>.

<sup>444</sup> Reliefweb, *About Us*, available at <http://reliefweb.int/about>.

<sup>445</sup> Reliefweb, *Syrian Arab Republic*, available at [http://reliefweb.int/country/syr?f\[0\]=field\\_content\\_format%3A9420](http://reliefweb.int/country/syr?f[0]=field_content_format%3A9420).

documents and reports released by other organizations focusing on displaced persons within Syria and Syrian refugees in surrounding states.<sup>446</sup>

**Strategic Research and Communication Centre:** The Strategic Research and Communication Centre (SRCC, or Strescom) is dedicated to producing fact-driven research and reports on political, socio-economic, and strategic issues related to Syria. The SRCC engages with Syrian academics and researchers to obtain unbiased on-the-ground data, with the aim of producing more homegrown policy research, and combines these resources with in-house researchers' work. The SRCC makes its studies available to the public, and specifically to policy-makers, reporters, journalists, and academics who deal with Syrian issues. The SRCC's objective is a better-informed public discussion of Syria which can influence the agenda of decision makers.<sup>447</sup>

The SRCC publishes the "Syrian Revolution Daily Round-Up" and the "Syrian Weekly Brief."<sup>448</sup> These daily and weekly bulletins, respectively, summarize news of the Syria conflict from mainstream media, but also include reports gleaned from non-mainstream and on-the-ground coverage. The "Syrian Revolution Daily Round-Up" also links to videos from main conflict regions, contains a section listing daily statistics, and lists cumulative "revolution statistics." The daily statistics identify numbers of civilian deaths by region, government soldiers, overall wounded, and persons in detained. The cumulative "revolution statistics" section identifies numbers of overall Syrian fatalities, child fatalities, women fatalities, soldiers killed, deaths by torture, missing persons, detained persons, and refugees (overall and by region).<sup>449</sup>

**Syrian Emergency Task Force:** The Syrian Emergency Task Force (SETF) is a non-profit organization based in the US.<sup>450</sup> Its mission is to organize and empower the Syrian-American community in order to have a positive influence on Syrian public policy.<sup>451</sup> SETF was created to convey the democratic aspirations of Syrians to the American people and its goal is to create strong ties between the American and the Syrian people.<sup>452</sup> SETF supports other

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<sup>446</sup> Reliefweb, *Syrian Arab Republic*, available at [http://reliefweb.int/country/syr?f\[0\]=field\\_content\\_format%3A9420](http://reliefweb.int/country/syr?f[0]=field_content_format%3A9420).

<sup>447</sup> Strategic Research and Communication Centre, *About: Mission Statement*, available at <http://www.strescom.org/about/mission-statement.html>.

<sup>448</sup> See Strategic Research and Communication Centre, *Home*, available at <http://www.strescom.org/>.

<sup>449</sup> See, e.g., *Syrian Revolution Daily Round-Up: Mon. 19-Nov-12* (Nov. 12, 2012), available at <http://www.strescom.org/briefings/daily-round-ups/item/470-db19112012.html>.

<sup>450</sup> The Syrian Emergency Task Force, *About Us*, available at <http://syriantaskforce.org/about-2/>.

<sup>451</sup> The Syrian Emergency Task Force, *About Us*, available at <http://syriantaskforce.org/about-2/>.

<sup>452</sup> The Syrian Emergency Task Force, *About Us*, available at <http://syriantaskforce.org/about-2/>.

organizations that focus on aiding the Syrian people and that bring those who committed atrocities to justice through legal and peaceful means.<sup>453</sup>

SETF is the main contact point for the ICC in collecting evidence, accompanied by a detailed dossier.<sup>454</sup> SETF provides the ICC with the required information in order to expedite the arrest warrant process following a UN Security Council referral.<sup>455</sup>

**Syrian Human Rights Committee:** The Syrian Human Rights Committee (SHRC) is a Syrian-focused NGO founded in 1997.<sup>456</sup> It is temporarily based in London, with the intention of establishing headquarters in Damascus and branch offices throughout Syria.<sup>457</sup> SHRC's mission is to defend and advocate for human rights in Syria as an impartial and independent organization through five methods.<sup>458</sup> First, it exposes human rights abuses in Syria through publications in the media, contacting the authorities, and continuing communication with all affected parties afterwards.<sup>459</sup> Second, the SHRC conducts research and publishes books on the state of human rights in Syria, including first-hand accounts of abuses.<sup>460</sup> Third, the SHRC writes reports focusing on specific aspects of human rights in Syria.<sup>461</sup> For instance, the SHRC issued a report asserting that the August 2012 attacks on bakeries constituted war crimes and another report detailed cases of kidnap, rape, and assault against Syrian women from 2011 through 2012.<sup>462</sup> Fourth, the SHRC participates actively in raising awareness of human rights in Syria and encouraging members of Syrian society to demand their rights through peaceful means.<sup>463</sup> For instance, in London, the SHRC's President Walid Saffour engages in panel discussions and gives speeches on human rights violations in Syria.<sup>464</sup> Fifth, the SHRC cooperates with other human rights organizations, in addition to its own independent work.<sup>465</sup>

<sup>453</sup> The Syrian Emergency Task Force, *About Us*, available at <http://syriantaskforce.org/about-2/>.

<sup>454</sup> The Syrian Emergency Task Force, *Legal Action: Criminal*, available at <http://syriantaskforce.org/legal/legal-action-criminal/>.

<sup>455</sup> The Syrian Emergency Task Force, *Legal Action: Criminal*, available at <http://syriantaskforce.org/legal/legal-action-criminal/>.

<sup>456</sup> The Syrian Human Rights Committee, *About*, available at <http://www.facebook.com/pages/Syrian-Human-Rights-Committee-SHRC/193415067345425?sk=info>.

<sup>457</sup> The Syrian Human Rights Committee, *About Us*, available at <http://www.shrc.org/data/asp/d8/358.aspx>.

<sup>458</sup> The Syrian Human Rights Committee, *About Us*, available at <http://www.shrc.org/data/asp/d8/358.aspx>.

<sup>459</sup> The Syrian Human Rights Committee, *About Us*, available at <http://www.shrc.org/data/asp/d8/358.aspx>.

<sup>460</sup> The Syrian Human Rights Committee, *About Us*, available at <http://www.shrc.org/data/asp/d8/358.aspx>.

<sup>461</sup> The Syrian Human Rights Committee, *About Us*, available at <http://www.shrc.org/data/asp/d8/358.aspx>.

<sup>462</sup> The Syrian Human Rights Committee, *About Us*, available at <http://www.shrc.org/data/asp/d8/358.aspx>.

<sup>463</sup> The Syrian Human Rights Committee, *About Us*, available at <http://www.shrc.org/data/asp/d8/358.aspx>.

<sup>464</sup> Foundation for Political, Economic, and Social Research (SETA), *Panel Discussion: The Human Cost: Syria in Crisis and Human Rights*, available at <http://newsletter.setav.org/en/Mail/panel-discussion-the-human-cost-syria-in->

Through its reports, the SHRC targets abuses carried out by President Assad's administration and details individual cases of abuses.<sup>466</sup> For instance, its report on abuses against women details when and how abuses against specific women took place, as well as confessions from various perpetrators.<sup>467</sup> The SHRC also engages in legal analysis of such crimes and how they may be prosecuted and prevented in the future.<sup>468</sup> The SHRC does not provide detailed information about how it gathers information, but asserts that it uses scientific methods and investigates claims for authentication.<sup>469</sup>

**Syrian Network for Human Rights:** The Syrian Network for Human Rights (SNHR) is a London-based organization that works with the Damascus Center for Human Rights Studies (DCHRS) (see above) to publish daily reports about the casualties and other violations, including names and causes of death.<sup>470</sup> Its website has not been updated since July 3, 2012.<sup>471</sup> SNHR has 246 members operating in every province of Syria.<sup>472</sup> Its members are mostly doctors, lawyers, and academic professors, who have all worked in the human rights field since 2007.<sup>473</sup> The purpose of the organization is to disseminate information about the people being killed in the conflict to stop more violence from occurring and ease the suffering of the Syrian community as a whole.<sup>474</sup> Due to its mission, the Syrian Network for Human Rights explicitly states that it is willing to share details of its

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crisis-and-human-rights.aspx; Youtube, *The Road to Freedom 29/10/11 – Walid Saffour Speech (SHRC)*, available at [http://www.youtube.com/watch?v=cPcfxCOIE\\_Q](http://www.youtube.com/watch?v=cPcfxCOIE_Q).

<sup>465</sup> The Syrian Human Rights Committee, *About Us*, available at <http://www.shrc.org/data/asp/d8/358.aspx>.

<sup>466</sup> The Syrian Human Rights Committee, *Cases of Kidnapping, Raping, and Assaulting Women in Syria 3/2011 – 7/2012*, 4 (Jul. 28, 2012), available at <http://www.shrc.org/data/pdf/ANNUALREPORT2012.pdf>.

<sup>467</sup> The Syrian Human Rights Committee, *Cases of Kidnapping, Raping, and Assaulting Women in Syria 3/2011 – 7/2012*, 4-10 (Jul. 28, 2012).

<sup>468</sup> The Syrian Human Rights Committee, *Cases of Kidnapping, Raping, and Assaulting Women in Syria: 3/2011 – 7/2012*, 3-4, 23-29 (Jul. 28, 2012),

<sup>469</sup> The Syrian Human Rights Committee, *About Us*, available at <http://www.shrc.org/data/asp/d8/358.aspx>.

<sup>470</sup> Syrian Human Rights Network, *Homepage*, (July 3, 2012), available at <http://syrianhr.org/>; Damascus Center for Human Rights Studies, *Latest News*, available at <http://www.dchrs.org/english/news.php?id=546&idC=1>.

<sup>471</sup> Syrian Human Rights Network, *Homepage*, (July 3, 2012), available at <http://syrianhr.org/>.

<sup>472</sup> Syrian Human Rights Network, *A Statement About the Number of Martyrs of the Syrian Revolution*, 4 (Feb. 3, 2012), available at [http://syrianhr.org/index.php?view=article&catid=2%3Aour-statements&id=782%3Aa-statement-about-the-number-of-martyrs-of-the-syrian-revolution&format=pdf&option=com\\_content&Itemid=6](http://syrianhr.org/index.php?view=article&catid=2%3Aour-statements&id=782%3Aa-statement-about-the-number-of-martyrs-of-the-syrian-revolution&format=pdf&option=com_content&Itemid=6).

<sup>473</sup> Syrian Human Rights Network, *A Statement About the Number of Martyrs of the Syrian Revolution*, 4 (Feb. 3, 2012), available at [http://syrianhr.org/index.php?view=article&catid=2%3Aour-statements&id=782%3Aa-statement-about-the-number-of-martyrs-of-the-syrian-revolution&format=pdf&option=com\\_content&Itemid=6](http://syrianhr.org/index.php?view=article&catid=2%3Aour-statements&id=782%3Aa-statement-about-the-number-of-martyrs-of-the-syrian-revolution&format=pdf&option=com_content&Itemid=6).

<sup>474</sup> Syrian Human Rights Network, *A Statement About the Number of Martyrs of the Syrian Revolution*, 5-6 (Feb. 3, 2012), available at [http://syrianhr.org/index.php?view=article&catid=2%3Aour-statements&id=782%3Aa-statement-about-the-number-of-martyrs-of-the-syrian-revolution&format=pdf&option=com\\_content&Itemid=6](http://syrianhr.org/index.php?view=article&catid=2%3Aour-statements&id=782%3Aa-statement-about-the-number-of-martyrs-of-the-syrian-revolution&format=pdf&option=com_content&Itemid=6).

findings with any organization and it lists approximately 57 organizations with which it currently partners.<sup>475</sup>

The Syrian Network for Human Rights focuses on the deaths of Syrians as a result of the conflict, covering fighters from both sides and civilians.<sup>476</sup> It also documents those that have disappeared.<sup>477</sup> The organization engages in a three-step process to ensure the veracity of its findings.<sup>478</sup> First, it receives the names and manner of those killed from the revolutionary councils of the Syrian Revolution General Commission and the Coordinators of the Syrian Revolution, which operate in the villages, cities, and provinces.<sup>479</sup> Second, the organization receives written or filmed information regarding the deceased from his or her family, friends, or doctors who provided treatment or issued the death certificate.<sup>480</sup> Third, all of this information is reviewed by members in Syria for verification, including comparing statements of friends who may not know each other to ensure factual consistency.<sup>481</sup> The verified accounts are then listed by name on the Syrian Network for Human Rights' website, along with any existing video documentation.<sup>482</sup> The organization also issued the number of deaths it found from March 2011 through February 2012 and broke them down into categories, including those that were killed by torture, children, those over the age of 60, civilians, military fighters, men, and women.<sup>483</sup> It also categorized them by

<sup>475</sup> Syrian Human Rights Network, *A Statement About the Number of Martyrs of the Syrian Revolution*, 4 (Feb. 3, 2012), available at [http://syrianhr.org/index.php?view=article&catid=2%3Aour-statements&id=782%3Aa-statement-about-the-number-of-martyrs-of-the-syrian-revolution&format=pdf&option=com\\_content&Itemid=6](http://syrianhr.org/index.php?view=article&catid=2%3Aour-statements&id=782%3Aa-statement-about-the-number-of-martyrs-of-the-syrian-revolution&format=pdf&option=com_content&Itemid=6); Syrian Human Rights Network, *Our Partners*, (Feb. 1, 2012), available at [http://syrianhr.org/index.php?option=com\\_content&view=article&id=776&Itemid=12](http://syrianhr.org/index.php?option=com_content&view=article&id=776&Itemid=12).

<sup>476</sup> Syrian Human Rights Network, *A Statement About the Number of Martyrs of the Syrian Revolution*, 5 (Feb. 3, 2012), available at [http://syrianhr.org/index.php?view=article&catid=2%3Aour-statements&id=782%3Aa-statement-about-the-number-of-martyrs-of-the-syrian-revolution&format=pdf&option=com\\_content&Itemid=6](http://syrianhr.org/index.php?view=article&catid=2%3Aour-statements&id=782%3Aa-statement-about-the-number-of-martyrs-of-the-syrian-revolution&format=pdf&option=com_content&Itemid=6).

<sup>477</sup> Syrian Human Rights Network, *A Statement About the Number of Martyrs of the Syrian Revolution*, 5 (Feb. 3, 2012), available at [http://syrianhr.org/index.php?view=article&catid=2%3Aour-statements&id=782%3Aa-statement-about-the-number-of-martyrs-of-the-syrian-revolution&format=pdf&option=com\\_content&Itemid=6](http://syrianhr.org/index.php?view=article&catid=2%3Aour-statements&id=782%3Aa-statement-about-the-number-of-martyrs-of-the-syrian-revolution&format=pdf&option=com_content&Itemid=6).

<sup>478</sup> Syrian Human Rights Network, *A Statement About the Number of Martyrs of the Syrian Revolution*, 4 (Feb. 3, 2012), available at [http://syrianhr.org/index.php?view=article&catid=2%3Aour-statements&id=782%3Aa-statement-about-the-number-of-martyrs-of-the-syrian-revolution&format=pdf&option=com\\_content&Itemid=6](http://syrianhr.org/index.php?view=article&catid=2%3Aour-statements&id=782%3Aa-statement-about-the-number-of-martyrs-of-the-syrian-revolution&format=pdf&option=com_content&Itemid=6).

<sup>479</sup> Syrian Human Rights Network, *A Statement About the Number of Martyrs of the Syrian Revolution*, 4 (Feb. 3, 2012), available at [http://syrianhr.org/index.php?view=article&catid=2%3Aour-statements&id=782%3Aa-statement-about-the-number-of-martyrs-of-the-syrian-revolution&format=pdf&option=com\\_content&Itemid=6](http://syrianhr.org/index.php?view=article&catid=2%3Aour-statements&id=782%3Aa-statement-about-the-number-of-martyrs-of-the-syrian-revolution&format=pdf&option=com_content&Itemid=6).

<sup>480</sup> Syrian Human Rights Network, *A Statement About the Number of Martyrs of the Syrian Revolution*, 4 (Feb. 3, 2012), available at [http://syrianhr.org/index.php?view=article&catid=2%3Aour-statements&id=782%3Aa-statement-about-the-number-of-martyrs-of-the-syrian-revolution&format=pdf&option=com\\_content&Itemid=6](http://syrianhr.org/index.php?view=article&catid=2%3Aour-statements&id=782%3Aa-statement-about-the-number-of-martyrs-of-the-syrian-revolution&format=pdf&option=com_content&Itemid=6).

<sup>481</sup> Syrian Human Rights Network, *A Statement About the Number of Martyrs of the Syrian Revolution*, 4 (Feb. 3, 2012), available at [http://syrianhr.org/index.php?view=article&catid=2%3Aour-statements&id=782%3Aa-statement-about-the-number-of-martyrs-of-the-syrian-revolution&format=pdf&option=com\\_content&Itemid=6](http://syrianhr.org/index.php?view=article&catid=2%3Aour-statements&id=782%3Aa-statement-about-the-number-of-martyrs-of-the-syrian-revolution&format=pdf&option=com_content&Itemid=6).

<sup>482</sup> Syrian Human Rights Network, *Homepage*, (July 3, 2012), available at <http://syrianhr.org/>.

<sup>483</sup> Syrian Human Rights Network, *A Statement About the Number of Martyrs of the Syrian Revolution*, 1-2 (Feb. 3, 2012), available at [http://syrianhr.org/index.php?view=article&catid=2%3Aour-statements&id=782%3Aa-statement-about-the-number-of-martyrs-of-the-syrian-revolution&format=pdf&option=com\\_content&Itemid=6](http://syrianhr.org/index.php?view=article&catid=2%3Aour-statements&id=782%3Aa-statement-about-the-number-of-martyrs-of-the-syrian-revolution&format=pdf&option=com_content&Itemid=6).

province.<sup>484</sup>

**Syria Tracker:** Syria Tracker is a crowdsourced effort developed by nine Arab-Americans and one American, all based out of the US.<sup>485</sup> Syria Tracker has been documenting crimes in Syria since April 2011.<sup>486</sup> Syria Tracker collaborates with ten other organizations, including Women Under Siege, and thus appears open to forming partnerships with other organizations.<sup>487</sup>

Anyone may submit information about abuses as they occur during the conflict through email or twitter and the submissions can be anonymous.<sup>488</sup> This information is referred to as a report and is published on Syria Tracker's website.<sup>489</sup> Syria Tracker does not specify how it verifies reports, but all are labeled as verified.<sup>490</sup> The reports are organized under the following categories: articles, eyewitness reports, food tampering, killed, missing/detained, refugees, revenge killings, and water tampering.<sup>491</sup>

**Tsamota, Ltd.:** Tsamota ("The Selection And Maintenance Of The Aim"), Ltd., is an international consulting firm that provides specialized advice and undertakes operational or strategic tasks for companies, governments, IGOs, NGOs, and individuals.<sup>492</sup> These services include information and evidence collection, monitoring and assessments, research and analysis, investigations, legal representation, training, and project management. Tsamota provides these services in the rule of law, human rights, counter-terrorism, international criminal, environmental, business, and security sectors.<sup>493</sup>

Tsamota works closely with implementing partner ARK (see above) and the Syrian Commission for Justice and Accountability (SCJA) (see above) to train Syrian investigators in international humanitarian and human rights standards, as well as international criminal investigative methodology. These training programs involve in-person training in Turkey, as well as remote support and mentoring for

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<sup>484</sup> Syrian Human Rights Network, *A Statement About the Number of Martyrs of the Syrian Revolution*, 2 (Feb. 3, 2012), available at [http://syrianhr.org/index.php?view=article&catid=2%3Aour-statements&id=782%3Aa-statement-about-the-number-of-martyrs-of-the-syrian-revolution&format=pdf&option=com\\_content&Itemid=6](http://syrianhr.org/index.php?view=article&catid=2%3Aour-statements&id=782%3Aa-statement-about-the-number-of-martyrs-of-the-syrian-revolution&format=pdf&option=com_content&Itemid=6).

<sup>485</sup> Syria Tracker, *About Us*, available at <https://syriatracker.crowdmap.com/page/index/1>.

<sup>486</sup> Syria Tracker, *About Us*, available at <https://syriatracker.crowdmap.com/page/index/1>.

<sup>487</sup> Syria Tracker, *About Us*, available at <https://syriatracker.crowdmap.com/page/index/1>.

<sup>488</sup> Syria Tracker, *Instructions on How to Securely Submit Reports to Syria Tracker*, available at <https://syriatracker.crowdmap.com/page/index/2>.

<sup>489</sup> Syria Tracker, *Reports*, (Sept. 13, 2012), available at <https://syriatracker.crowdmap.com/reports>.

<sup>490</sup> Syria Tracker, *Reports*, (Sept. 13, 2012), available at <https://syriatracker.crowdmap.com/reports>.

<sup>491</sup> Syria Tracker, *Reports*, (Sept. 13, 2012), available at <https://syriatracker.crowdmap.com/reports>.

<sup>492</sup> *Home*, TSAMOTA, available at <http://www.tsamota.com/index.php?id=1158>.

<sup>493</sup> *About*, TSAMOTA, available at <http://www.tsamota.com/index.php?id=1159>.

field investigative teams (see ARK program description above for more information).

**Union of Syrian Medical Relief Organizations:** The Union of Syrian Medical Relief Organizations (Union des Organizations Syriennes de Secours Médicaux, or UOSSM), founded in Paris in response to the Syrian humanitarian crisis, is an independent coalition of twelve medical and relief organizations from the United States, Canada, Europe, and Arab states.<sup>494</sup> UOSSM operates within Syria in coordination with Syrian doctors to bring medical care to threatened Syrian communities. UOSSM coordinates its work from states bordering Syria, such as Turkey, Jordan, and Lebanon.<sup>495</sup>

One component of UOSSM's work involves documenting medical evidence of human rights violations. UOSSM works with Physicians for Human Rights (PHR) (see above) to collect medical documentation of international human rights and humanitarian law violations, and train Syrian doctors inside Syria.

**Women Under Siege:** Women Under Siege documents sexual and gender based violence. Women Under Siege works with an epidemiologist from Columbia University, a doctor from Harvard, and several Syrian activists on this project.<sup>496</sup> The organization asks people working with Syrian refugees to provide it with reports of sexualized violence in Syria.<sup>497</sup> Women Under Siege uses this evidence to alert the international community and to provide the base for potential prosecutions.<sup>498</sup> This organization works to increase public awareness of gender based violence in the hope of preventing future mass sexual assaults of other conflicts.<sup>499</sup> The organization publishes its reports on sexualized violence, but they classify all these reports as “unverified” since there is no way to independently verify their veracity.<sup>500</sup>

Recently, Women Under Siege began live-tracking the use of sexualized violence in Syria. The program uses data collected from public online sources such as Facebook, Twitter, and Youtube, which is then analyzed by public health

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<sup>494</sup> Union of Syrian Medical Relief Organizations, *About Us*, available at [http://www.uossm.org/?page\\_id=322&lang=en](http://www.uossm.org/?page_id=322&lang=en); Union of Syrian Medical Relief Organizations, *Member Organizations*, available at [http://www.uossm.org/?page\\_id=328&lang=en](http://www.uossm.org/?page_id=328&lang=en).

<sup>495</sup> Union of Syrian Medical Relief Organizations, *About Us*, available at [http://www.uossm.org/?page\\_id=322&lang=en](http://www.uossm.org/?page_id=322&lang=en).

<sup>496</sup> Women Under Siege, *About Us*, available at <https://womenundersiegesyria.crowdmap.com/page/index/1>.

<sup>497</sup> Women Under Siege, *About Us*, available at <https://womenundersiegesyria.crowdmap.com/page/index/1>.

<sup>498</sup> Women Under Siege, *About Us*, available at <https://womenundersiegesyria.crowdmap.com/page/index/1>.

<sup>499</sup> Women Under Siege, *About Us*, available at <https://womenundersiegesyria.crowdmap.com/page/index/1>.

<sup>500</sup> Women Under Siege, *About Us*, available at <https://womenundersiegesyria.crowdmap.com/page/index/1>.

researchers and Arabic translators at Columbia University.<sup>501</sup> The information is published in a “crowdmap,” on which incidents of sexual violence are represented by points on a map of Syria.<sup>502</sup> Each report is tagged with the perpetrator’s name, date, and location.<sup>503</sup> Reports are also made available individually, and searchable according to a variety of filters.<sup>504</sup> The project utilizes the same data analysis methodology as Syria Tracker, with whom it shares some team members.<sup>505</sup>

In addition to data analysts who collect reports from online sources, Women Under Siege’s website for documenting sexualized violence in Syria includes a form where victims can submit reports of sexualized violence.<sup>506</sup> The form contains some Arabic text, but is primarily in English. Required information for a submission includes description, categorization, and location.<sup>507</sup> The available category tags encompass extremely detailed descriptions presented as boxes that can be selected.<sup>508</sup> The submission form also contains optional fields for submitting additional information such as photos and videos.<sup>509</sup> Lastly, the website contains directions for persons who wish to submit reports via Twitter or email.<sup>510</sup> It also includes several tips for victims who wish to take extra precautions to safeguard the digital security of information they submit.<sup>511</sup>

### News Agencies

**Al Arabiya News:** Al Arabiya News Channel is a major news channel in the Arab world.<sup>512</sup> There are two versions of the website.<sup>513</sup> AlArabiya.net was

<sup>501</sup> Deborah Amos, *Tracking Rape in Syria Through Social Media*, NATIONAL PUBLIC RADIO (Feb. 5, 2013), available at <http://www.npr.org/2013/02/05/171158882/through-social-media-tracking-rape-in-syria>.

<sup>502</sup> Women Under Siege – Documenting Sexualized Violence in Syria, *Home*, available at <https://womenundersiegesyria.crowdmap.com/>.

<sup>503</sup> Deborah Amos, *Tracking Rape in Syria Through Social Media*, NATIONAL PUBLIC RADIO (Feb. 5, 2013), available at <http://www.npr.org/2013/02/05/171158882/through-social-media-tracking-rape-in-syria>.

<sup>504</sup> Women Under Siege – Documenting Sexualized Violence in Syria, *Reports*, available at <https://womenundersiegesyria.crowdmap.com/reports>.

<sup>505</sup> Deborah Amos, *Tracking Rape in Syria Through Social Media*, NATIONAL PUBLIC RADIO (Feb. 5, 2013), available at <http://www.npr.org/2013/02/05/171158882/through-social-media-tracking-rape-in-syria>.

<sup>506</sup> Women Under Siege – Documenting Sexualized Violence in Syria, *Submit a Report*, available at <https://womenundersiegesyria.crowdmap.com/reports/submit>.

<sup>507</sup> Women Under Siege – Documenting Sexualized Violence in Syria, *Submit a Report*, available at <https://womenundersiegesyria.crowdmap.com/reports/submit>.

<sup>508</sup> Women Under Siege – Documenting Sexualized Violence in Syria, *Submit a Report*, available at <https://womenundersiegesyria.crowdmap.com/reports/submit>.

<sup>509</sup> Women Under Siege – Documenting Sexualized Violence in Syria, *Submit a Report*, available at <https://womenundersiegesyria.crowdmap.com/reports/submit>.

<sup>510</sup> Women Under Siege – Documenting Sexualized Violence in Syria, *Digital Security & Submissions*, available at <https://womenundersiegesyria.crowdmap.com/page/index/2>.

<sup>511</sup> Women Under Siege – Documenting Sexualized Violence in Syria, *Digital Security & Submissions*, available at <https://womenundersiegesyria.crowdmap.com/page/index/2>.

<sup>512</sup> Al Arabiya News, *About Alarabiya*, available at [http://english.alarabiya.net/index/static/about\\_en](http://english.alarabiya.net/index/static/about_en).

established on February 21, 2004.<sup>514</sup> In March 2008, versions of the website were created in Farsi and Urdu to reach out to audiences in Iran, Pakistan and Afghanistan.<sup>515</sup> The website consists of news stories, exclusives, and multimedia content.<sup>516</sup> Al Arabiya also broadcasts videos sent in by viewers.<sup>517</sup>

English.alarabiya.net was established in August 2007 and targets an international audience and expatriates living in the Middle East and North Africa.<sup>518</sup> Its aim is to deepen the understanding of Arab societies and cultures.<sup>519</sup> The website has analytical text, strong visuals, a forum for Arab opinion, expanded social-media outreach, and a Web-TV platform.<sup>520</sup>

The reporting on Syria consists of news stories, features, and analysis of a range of topics from the number of people killed to the situation of Christians in Aleppo.<sup>521</sup>

**Al Jazeera:** Al Jazeera News has in-depth coverage of Syria over many different subjects, including escalating violence with news reports, video reports, and live reporting.<sup>522</sup> They have not had a reporter embedded in Syria since April 2011.<sup>523</sup> Al Jazeera has often been criticized as biased in its reporting on the Syrian conflict, detractors arguing that the Qatari news agency's reporting is influenced by Qatar's strong anti-Assad stance. However, Al Jazeera's recent reporting on atrocities committed by rebel fighters has mitigated some of this criticism.

**British Broadcasting Corporation (BBC):** The BBC has extensive coverage on Syria, dedicating a portion of the site to "The Story of the Conflict," which includes news, photos, videos, and profiles of all parties involved.<sup>524</sup> There

<sup>513</sup> Al Arabiya News, *About Alarabiya*, available at [http://english.alarabiya.net/index/static/about\\_en](http://english.alarabiya.net/index/static/about_en).

<sup>514</sup> Al Arabiya News, *About Alarabiya*, available at [http://english.alarabiya.net/index/static/about\\_en](http://english.alarabiya.net/index/static/about_en).

<sup>515</sup> Al Arabiya News, *About Alarabiya*, available at [http://english.alarabiya.net/index/static/about\\_en](http://english.alarabiya.net/index/static/about_en).

<sup>516</sup> Al Arabiya News, *About Alarabiya*, available at [http://english.alarabiya.net/index/static/about\\_en](http://english.alarabiya.net/index/static/about_en).

<sup>517</sup> Al Arabiya News, *About Alarabiya*, available at [http://english.alarabiya.net/index/static/about\\_en](http://english.alarabiya.net/index/static/about_en).

<sup>518</sup> Al Arabiya News, *About Alarabiya*, available at [http://english.alarabiya.net/index/static/about\\_en](http://english.alarabiya.net/index/static/about_en).

<sup>519</sup> Al Arabiya News, *About Alarabiya*, available at [http://english.alarabiya.net/index/static/about\\_en](http://english.alarabiya.net/index/static/about_en).

<sup>520</sup> Al Arabiya News, *About Alarabiya*, available at [http://english.alarabiya.net/index/static/about\\_en](http://english.alarabiya.net/index/static/about_en).

<sup>521</sup> Al Arabiya News, *Search: Syria*, available at

[http://english.alarabiya.net/index/searchengine/search\\_en?PHPSESSID=j8jlojj2av47e718v1mpjuo44&q=syria](http://english.alarabiya.net/index/searchengine/search_en?PHPSESSID=j8jlojj2av47e718v1mpjuo44&q=syria).

<sup>522</sup> Al Jazeera, *Search: Depth Coverage Violence Syria*, (2012), available at

[http://www.aljazeera.com/Services/Search/?q=depth%20coverage%20violence%20syria&s=as\\_q&r=15&o=any&t=r](http://www.aljazeera.com/Services/Search/?q=depth%20coverage%20violence%20syria&s=as_q&r=15&o=any&t=r).

<sup>523</sup> Peter Beaumont, *Shoot the journalists: Syria's lesson from the Arab spring*, THE OBSERVER, Feb. 25, 2012, available at <http://www.guardian.co.uk/world/2012/feb/26/syria-targets-journalists>.

<sup>524</sup> BBC, *Syria: The Story of the Conflict*, (Aug. 30, 2012), available at <http://www.bbc.co.uk/news/world-middle-east-19331551>.

is also a section entitled “Syria Conflict,” which has videos, news, and maps of fighting and refugee movement.<sup>525</sup>

**The Christian Science Monitor:** The Christian Science Monitor is an international organization owned by The First Church of Christ, Scientist, in Boston, Massachusetts.<sup>526</sup> It provides global coverage through its website, weekly magazines, daily news briefings and email newsletters.<sup>527</sup> This organization prides itself on being an independent voice, rather than be constrained by corporate allegiances, pressures, and critics that often skew today’s media.<sup>528</sup> The Christian Science Monitor has a commitment to covering the world, and dedicates itself to a public-service mission.<sup>529</sup> The Christian Science Monitor has writers based in 11 countries, including Russia, China, France, the UK, South Africa, Mexico, India, and throughout the US.<sup>530</sup> One Monitor reporter travels periodically to Syria during the day before returning to Turkey for the night.<sup>531</sup>

**Cable News Network (CNN):** The Cable News Network is an American news channel headquartered in Atlanta.<sup>532</sup> It provides a 24-hour news broadcasting, and maintains a news website and blogs that publish breaking news.<sup>533</sup> CNN reports internationally, and uses team of over 4,000 workers worldwide.<sup>534</sup> CNN has a “Syria” link on the home page that takes the user to an article entitled “What You Need to Know About Syria Today” and many other links to articles, photographs, videos, and analysis.<sup>535</sup>

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<sup>525</sup> BBC, *News: Syria Conflict*, (Sept. 6, 2012), available at <http://www.bbc.co.uk/news/world-middle-east-17258397>.

<sup>526</sup> The Christian Science Monitor, *About the Christian Science Monitor*, available at <http://www.csmonitor.com/About/The-Monitor-difference>.

<sup>527</sup> The Christian Science Monitor, *About the Christian Science Monitor*, available at <http://www.csmonitor.com/About/The-Monitor-difference>.

<sup>528</sup> The Christian Science Monitor, *About the Christian Science Monitor*, available at <http://www.csmonitor.com/About/The-Monitor-difference>.

<sup>529</sup> The Christian Science Monitor, *About the Christian Science Monitor*, available at <http://www.csmonitor.com/About/The-Monitor-difference>.

<sup>530</sup> The Christian Science Monitor, *About the Christian Science Monitor*, available at <http://www.csmonitor.com/About/The-Monitor-difference>.

<sup>531</sup> Tom A. Peter, *My Daily Commute Into War-Torn Syria*, CHRISTIAN SCIENCE MONITOR, (Sept. 11, 2012), available at <http://www.csmonitor.com/World/Middle-East/2012/0911/My-daily-commute-into-war-torn-Syria>.

<sup>532</sup> Charles Bierbauer, *CNN Senior Washington Correspondent, Discusses His 19-Year Career at CNN*, CNN (May 8, 2000), available at <http://www.cnn.com/COMMUNITY/transcripts/2000/5/8/bierbauer/>.

<sup>533</sup> CNN, *About*, available at <http://www.cnn.com/about/>.

<sup>534</sup> CNN, *About*, available at <http://www.cnn.com/about/>.

<sup>535</sup> CNN, *What You Need to Know About Syria Today*, (Sept. 12, 2012), available at [http://www.cnn.com/2012/09/12/world/meast/syria-civil-war/index.html?hpt=hp\\_inthenews](http://www.cnn.com/2012/09/12/world/meast/syria-civil-war/index.html?hpt=hp_inthenews).

**New York Times:** The New York Times is an American newspaper and is currently the third largest newspaper in the world.<sup>536</sup> It is a widely respected source for international news and commentary and publishes in print and electronic format.<sup>537</sup> The New York Times has a page dedicated to covering the Syria crisis.<sup>538</sup> Their coverage includes a timeline, an interactive map tracking the fighting in Damascus, videos, blogs, and an overview of the conflict.<sup>539</sup> They also have links to articles focusing on the migration of refugees to neighboring countries.<sup>540</sup>

**Reuters:** Reuters is a British news company headquartered in London, United Kingdom.<sup>541</sup> Reuters delivers international news in areas such as business, politics, and technology in several formats, including online, video, and mobile platforms.<sup>542</sup> Reuters has a page dedicated to their articles covering the crisis in Syria, as well as videos and a regional timeline map.<sup>543</sup>

**The Telegraph:** The Telegraph is a daily British newspaper, known for being the United Kingdom's first national newspaper to publish online.<sup>544</sup> The Telegraph has a page dedicated to their coverage of the crisis in Syria, which includes links to their articles and video coverage.<sup>545</sup>

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<sup>536</sup> New York Times, *The New York Times*, available at [http://topics.nytimes.com/top/reference/timestopics/organizations/n/newyorktimes\\_the/index.html](http://topics.nytimes.com/top/reference/timestopics/organizations/n/newyorktimes_the/index.html).

<sup>537</sup> New York Times, *The New York Times*, available at [http://topics.nytimes.com/top/reference/timestopics/organizations/n/newyorktimes\\_the/index.html](http://topics.nytimes.com/top/reference/timestopics/organizations/n/newyorktimes_the/index.html).

<sup>538</sup> New York Times, *Syria*, available at <http://topics.nytimes.com/top/news/international/countriesandterritories/syria/index.html>.

<sup>539</sup> New York Times, *Syria*, available at <http://topics.nytimes.com/top/news/international/countriesandterritories/syria/index.html>.

<sup>540</sup> New York Times, *Syria*, available at <http://topics.nytimes.com/top/news/international/countriesandterritories/syria/index.html>.

<sup>541</sup> Reuters, *Home*, available at <http://www.reuters.com/>.

<sup>542</sup> Reuters, *Home*, available at <http://www.reuters.com/>.

<sup>543</sup> Reuters, *Syria*, available at <http://www.reuters.com/places/syria>.

<sup>544</sup> *The UK's 'Other Paper of Record'*, BBC (Jan. 19, 2004), available at [http://news.bbc.co.uk/2/hi/uk\\_news/3409185.stm](http://news.bbc.co.uk/2/hi/uk_news/3409185.stm).

<sup>545</sup> The Telegraph, *Syria News*, available at <http://www.telegraph.co.uk/news/worldnews/middleeast/syria/>.

## About the Public International Law & Policy Group

The Public International Law & Policy Group is a non-profit organization that operates as a global *pro bono* law firm to provide free legal assistance to states, governments, and groups negotiating and implementing peace agreements, drafting post-conflict constitutions, and prosecuting war criminals. To facilitate the utilization of this legal assistance, PILPG also provides policy formulation advice and training on matters related to conflict resolution.

PILPG's primary practice areas are:

- **Peace Negotiations**
- **Post-Conflict Constitution Drafting**
- **War Crimes Prosecution**
- **Policy Planning**
- **Democracy and Governance**
- **Water Diplomacy**

To provide *pro bono* legal advice and policy formulation expertise, PILPG draws on the volunteer services of more than sixty former legal advisors and former Foreign Service officers from the US Department of State and other foreign ministries. PILPG also draws on *pro bono* assistance from major international law firms including Baker & McKenzie; Cleary, Gottlieb, Steen & Hamilton; Covington & Burling; Davis, Polk & Wardwell; Debevoise & Plimpton; DLA Piper/New Perimeter; Jones Day Milbank, Tweed, Hadley & McCloy; Orrick, Herrington & Sutcliffe; Shearman & Sterling; Skadden, Arps, Slate, Meagher & Flom; Sullivan & Cromwell; White & Case; and WilmerHale. Annually, PILPG is able to provide over \$15 million worth of *pro bono* international legal services.

Frequently, PILPG sends members in-country to facilitate the provision of legal assistance; its members often serve on the delegations of its clients during peace negotiations. PILPG is based in Washington, DC, with additional offices in New York and Amsterdam. PILPG has also operated field offices in Georgia, Iraq, Kenya, Kosovo, Nepal, Somaliland, South Sudan, Sri Lanka, Tanzania and Uganda, and maintains contacts in nearly two dozen key cities around the globe.

PILPG was founded in London in 1995 and moved to Washington, DC in 1996, where it operated under the auspices of the Carnegie Endowment for International Peace for two years. In July 1999, the United Nations granted official Non-Governmental Organization status to PILPG.

In January 2005, a half-dozen of PILPG's *pro bono* clients nominated PILPG for the Nobel Peace Prize for "significantly contributing to the promotion of peace throughout the globe by providing crucial *pro bono* legal assistance to states and non-state entities involved in peace negotiations and in bringing war criminals to justice."