



# Syria Actors

Country of Origin Information Report



December 2019





European Asylum Support Office

# Syria

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# Acknowledgements

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ACCORD, the Austrian Centre for Country of Origin and Asylum Research and Documentation

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It must be noted that the review carried out by the mentioned departments, experts or organisations contributes to the overall quality of the report but does not necessarily imply their formal endorsement of the final report, which is the full responsibility of EASO.

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# Disclaimer

This report was written according to the EASO COI Report Methodology (2019)<sup>1</sup>. The report is based on carefully selected sources of information. All sources used are referenced.

The information contained in this report has been researched, evaluated and analysed with utmost care. However, this document does not claim to be exhaustive. If a particular event, person or organisation is not mentioned in the report, this does not mean that the event has not taken place or that the person or organisation does not exist.

Furthermore, this report is not conclusive as to the determination or merit of any particular application for international protection. Terminology used should not be regarded as indicative of a particular legal position.

'Refugee', 'risk' and similar terminology are used as generic terminology and not in the legal sense as applied in the EU Asylum Acquis, the 1951 Refugee Convention and the 1967 Protocol relating to the Status of Refugees.

Neither EASO nor any person acting on its behalf may be held responsible for the use which may be made of the information contained in this report.

The drafting of this report was finalised on 31 October 2019. Some additional information was added during the finalisation of this report in response to feedback received during the quality control process, until 29 November 2019. Any event taking place after this date is not included in this report. More information on the reference period for this report can be found in the methodology section of the [Introduction](#).

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<sup>1</sup> The EASO methodology is largely based on the Common EU Guidelines for processing Country of Origin Information (COI), 2008, and can be downloaded from the EASO website: <http://www.easo.europa.eu>.



# Glossary and Abbreviations

AI	Amnesty International
Col	Independent International Commission of Inquiry on the Syrian Arab Republic
CTC	Counter Terrorism Court
HAD	Hurras al-Din
HTS	Hay'at Tahrir al-Sham
IRGC	Islamic Revolutionary Guard Corps
ISIL	Islamic State of Iraq and the Levant; also known as Islamic State of Iraq and Syria (ISIS), the Islamic State (IS), or Daesh
ISW	Institute for the Study of War
KNC	Kurdish National Council
LDF	Local Defense Forces
MFC	Military Field Courts
NDF	National Defence Forces
NLF	National Liberation Front
PKK	Kurdistan Workers' Party
PYD	Democratic Union Party (Kurdish)
SAA	Syrian Arab Army
SDF	Syrian Democratic Forces
SJAC	Syria Justice and Accountability Centre
SNA	Syrian National Army
SNHR	Syrian Network for Human Rights
SOHR	Syrian Observatory of Human Rights
TIP	Turkistan Islamic Party
YPG	Kurdish People's Protection Units
YPJ	Kurdish Women's Protection Units
US	United States of America
US CRS	US Congressional Research Service

# Introduction

The purpose of this report is to provide relevant information regarding the main actors in Syria for the assessment of international protection status determination, including refugee status and subsidiary protection, and in particular to inform the EASO country guidance development on Syria.

## Methodology

This report is produced in line with the EASO COI Report Methodology (2019)<sup>2</sup> and the EASO COI Writing and Referencing Style Guide (2019).<sup>3</sup>

The terms of reference of this report were defined by EASO based on discussions held and input received from COI experts and policy experts in EU+ countries<sup>4</sup> within the framework of a Country Guidance Network development on Syria. This report was drafted for the purpose of developing chapters on actors of protection and actors of persecution or serious harm.

Terms of Reference for this report can be found in the [annex](#) of this report.

The information gathered is a result of research using public, specialised paper-based and electronic sources until 31 October 2019. Some additional information was added during the finalisation of this report in response to feedback received during the quality control process, until 29 November 2019. The report is based on information from UN reports, reports from human rights organisations, academic publications and news articles, that in different ways describe the actors in Syria.

In line with the EASO COI Report Methodology, a peer review was performed by COI researchers from the departments listed as reviewers in the [Acknowledgements](#) section; an external review was also carried out.

## Structure and use of the report

The report starts with a brief introduction to the background to the civil war and the international actors involved. Chapter 2 describes the mandate/structure, protection capabilities and integrity issues of government actors and affiliated armed groups.

Subsequent chapters provide information on the main non-state actors operating in areas outside the control of the Syrian government, such as the Syrian Democratic Forces in the Kurdish controlled areas of north east Syria (Chapter 3), Hayat Tahrir al-Sham in the Idlib area (Chapter 4), the Syrian National Army in northern Aleppo governorate (Chapter 5) and the Islamic State of Iraq and the Levant (Chapter 6). Their objectives, structure, presence, and activities are discussed in the respective chapters.

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<sup>2</sup> EASO, EASO Country of Origin Information (COI) Report Methodology, June 2019, [url](#)

<sup>3</sup> EASO, Writing and Referencing Guide for EASO Country of Origin Information (COI) Reports, June 2019, [url](#)

<sup>4</sup> All EU Member States plus Norway and Switzerland

# Map



Map 1: Syria, © United Nations<sup>5</sup>

<sup>5</sup> Syria, Map No. 4204 Rev. 3, April 2012, United Nations, [url](#)

# 1. Context and international actors overview

## 1.1 Conflict background

The Syrian armed conflict began in 2011 as a civil uprising against the government of President Bashar al Assad inspired by the Arab Spring protests across the Middle East. Since 2012, the conflict became increasingly violent and developed in a full-scale civil war as armed opposition groups confronted Syrian government forces and began seizing key territories. The rise of Islamist groups and subsequent infighting marked another phase in the conflict that culminated in 2014 with the Islamic State of Iraq and the Levant (ISIL) conquering large areas in the eastern part of the country and further into Iraq and establishing the so-called Islamic State caliphate.<sup>6</sup> The creation of the caliphate prompted the military intervention of an international US-led coalition against ISIL.<sup>7</sup> Since late 2015, military interventions of external actors in support of Assad marked the comeback of the Syrian government who gradually recaptured most territories and consolidated its control.<sup>8</sup> By the end of 2018, the conflict was viewed as having shifted decisively in Assad's favour.<sup>9</sup>

During the course of the war, Syria became the scene for a complex series of intersecting conflicts involving many internal and international actors pursuing their own interests and goals. The conflict has become increasingly international in character, drawing the involvement of countries such as the United States (US), Russia, Turkey, Iran, Israel and others. The conflict is viewed as being more about the geopolitical future of the Middle East rather than only about Syria.<sup>10</sup> Complex alliances, shifting allegiances, rivalries and conflicting interests between the actors involved continue to affect the balance of power and to foster uncertainty.<sup>11</sup>

## 1.2 International involvement

### 1.2.1 Iran

Iran has been a close ally of Syria and of Assad's regime since Iran's 1979 Islamic revolution.<sup>12</sup> According to Syria expert Aron Lund, Iran has supported Assad's government since the beginning of conflict by 'exporting arms and extending several billion dollars' worth of credit lines, helping to organize Iraqi oil shipments, training Syrian militias, recruiting foreign Shia Islamists to fight in

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<sup>6</sup> USIP, Syria Timeline: Since the Uprising Against Assad, 2 July 2019, [url](#); US CRS, Syria Conflict Overview: 2011-2018, 23 January 2019, [url](#), p. 1; Geneva Academy of International Humanitarian Law and Human Rights, The War Report 2018, April 2019, [url](#), pp. 124-125

<sup>7</sup> US CRS, Syria Conflict Overview: 2011-2018, 23 January 2019, [url](#), p. 2

<sup>8</sup> USIP, Syria Timeline: Since the Uprising Against Assad, 2 July 2019, [url](#)

<sup>9</sup> Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 9; ECFR, What Europe should do about Syria?, 28 January 2019, [url](#); US, Office of the Director of National Intelligence, Worldwide Threat Assessment of the US Intelligence Community, 29 January 2019, [url](#), p. 32

<sup>10</sup> Geneva Academy of International Humanitarian Law and Human Rights, The War Report 2018, April 2019, [url](#), pp. 124-125; Syria Study Group, Final Report and Recommendations, USIP, 24 September 2019, [url](#), p. 12

<sup>11</sup> CoE-PACE, Situation in Syria: prospects for a political solution?, 16 May 2019, [url](#), p. 10; New York Times (The), 4 Big Questions About Syria's Future, 15 October 2019, [url](#)

<sup>12</sup> Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 28; Goodarzi, J, Iran and Syria, USIP, August 2015, [url](#)

Syria, and even sending units of the Islamic Revolutionary Guard Corps (IRGC) and the regular Iranian army to fight alongside Assad's forces'.<sup>13</sup>

Since 2012, Iran has supplied Assad's troops with IRGC advisors, a network of Shia foreign fighters from the Lebanese Hezbollah and various militias from Afghanistan, Pakistan, and Iraq.<sup>14</sup> Iran has also played an important role in the foundation of the Syrian pro-government militias such as the National Defense Forces (NDF), which were formed under IRGC supervision.<sup>15</sup> These forces are fighting on behalf of the Syrian government against anti-government groups and ISIL.<sup>16</sup> For more information on the NDF see section [2.3.4](#)

US Ambassador James Jeffrey, the Special Representative for Syrian Engagement and Special Envoy for the Global Coalition Against Daesh [ISIL] assessed in a May 2019 statement that Iran retained thousands of IRGC-QF advisors in Syria, which provide leadership for over 10 000 Iranian-backed proxies from third countries.<sup>17</sup> The US Congress-appointed Syria Study Group noted in a September 2019 report that the Iranian military presence in Syria was at its height in 2015 and has since decreased gradually.<sup>18</sup>

According to the Israeli chief of staff Gadi Esenkot, 3 000 members of the IRGC were deployed to Syria by 2016 and Iran was 'building a force of up 100 000 Shia fighters Shiite fighters from Pakistan, Afghanistan and Iraq'.<sup>19</sup> Other estimations put the total number of Hezbollah and Shia militia fighters present in Syria between 10 000 to 20 000.<sup>20</sup>

In April 2018, Iranian forces were reported to be present in nearly 40 locations in Syria.<sup>21</sup> IRGC fighters and regular Iranian forces deployed in Syria were located in areas which included airfields in Homs and at the Al-Kiswah base south of Damascus.<sup>22</sup> In a May 2019 report, the US Department of Defense (USDOD) stated that Iranian forces were also assisting military operations by the Syrian government in the Idlib area.<sup>23</sup>

Apart from providing the Syrian government with troops and training, Iran has also established military command centres and deployed advanced weapons systems in Syria, including long-range missiles, drones, radar systems and air defense capabilities. These moves have been interpreted by the US as projections of power and security threats towards Iran's adversaries in the Middle East, especially Israel.<sup>24</sup> Iran and Israel have been adversaries since 1979 and are 'locked in a low-level conflict in Syria'.<sup>25</sup>

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<sup>13</sup> Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 28

<sup>14</sup> The Syria Study Group is a bipartisan task force mandated by the US Congress to make recommendations for U.S. policy in Syria. Syria Study Group, Final Report and Recommendations, USIP, 24 September 2019, [url](#), p. 22-23; USDOD, Operation Inherent Resolve. Lead Inspector General Report to the US Congress, April 1, 2019–June 30, 2019, 6 August 2019, [url](#), pp. 27-28

<sup>15</sup> ISW, Iran's Assad Regime, 8 March 2017, [url](#), p. 3; Omran Centre for Strategic Studies, Changing the Security Sector in Syria, 01 October 2017, [url](#), p. 90

<sup>16</sup> USDOD, Operation Inherent Resolve. Lead Inspector General Report to the US Congress, April 1, 2019–June 30, 2019, 6 August 2019, [url](#), p. 7

<sup>17</sup> US Government, Searching for Solutions in Syria: The Trump Administration Strategy. Hearing before the Committee of Foreign Affairs House of Representatives. Serial No. 116-42, 22 May 2019, [url](#), p. 20

<sup>18</sup> Syria Study Group, Final Report and Recommendations, USIP, 24 September 2019, [url](#), p. 23

<sup>19</sup> New York Times (The), The Man Who Humbled Qassim Suleimani, 11 January 2019, [url](#)

<sup>20</sup> Syria Study Group, Final Report and Recommendations, USIP, 24 September 2019, [url](#), p. 23

<sup>21</sup> ISW, Posture of Syrian Regime and Allies, 2 April 2018, [url](#)

<sup>22</sup> Jones, S. and Markusen, M., The Escalating Conflict with Hezbollah in Syria, CSIS, June 2018, [url](#), p. 2

<sup>23</sup> USDOD, Operation Inherent Resolve. Lead Inspector General Report to the US Congress, January 1, 2019–March 31, 2019, 7 May 2019, [url](#), p. 30

<sup>24</sup> Syria Study Group, Final Report and Recommendations, USIP, 24 September 2019, [url](#), pp. 22-23

<sup>25</sup> US CRS, Iran and Israel: Tension Over Syria, 5 June 2019, [url](#), p. 1; Syria Study Group, Final Report and Recommendations, USIP, 24 September 2019, [url](#), p. 23

According to the US Congressional Research Service (US CRS), Iran is trying to establish a permanent presence and influence in Syria from where it can leverage its position against Israel and gain more power in the Middle East.<sup>26</sup> A Council of Europe report assessed that Iran's strategy in Syria is to 'create a model similar to Lebanon and Iraq, with strong non-State actors allying with Iran and a weak State'.<sup>27</sup> This view was not shared by Aron Lund, who considered that the longstanding alliance between Iran and Syria does not indicate Iran's preference for a weak Syrian state.<sup>28</sup>

Despite having different agendas in Syria that occasionally led to tensions, Iran maintained an 'alliance of convenience' with Russia whose common goal is ensuring the survival of Assad's government and pursuing their own military and economic interests.<sup>29</sup>

For more information on Iran's involvement in the Syrian conflict, see also section [2.3.4](#)

### 1.2.2 US-led coalition

The US-led Global Coalition Against Daesh [ISIL], currently comprising of 81 states, was formed in 2014 to combat ISIL in Iraq and Syria.<sup>30</sup> Since September 2014, the coalition has carried out military operations against ISIL and other targets in Syria.<sup>31</sup> The Syrian government did not consent to the coalition being on its territory.<sup>32</sup>

Direct confrontations between the US and the Syrian state took place for the first time in April 2017 when US President Donald Trump ordered a missile attack on a Syrian government airbase in retaliation for a chemical weapons attack<sup>33</sup> carried out by Syrian government forces on the rebel-held town of Khan Sheikhoun.<sup>34</sup> In April 2018, US forces launched further airstrikes against Syrian government military and research facilities in response to another suspected chemical attack<sup>35</sup> near Damascus.<sup>36</sup> Coalition air strikes on Syrian government forces also took place in 2017.<sup>37</sup>

In mid-2018, approximately 2 000 US troops were operating in Kurdish-controlled areas in northeast Syria, supported by smaller forces from France and other coalition members.<sup>38</sup> In the

<sup>26</sup> US CRS, Iran and Israel: Tension Over Syria, 5 June 2019, [url](#), p. 1

<sup>27</sup> CoE-PACE, Situation in Syria: prospects for a political solution?, 16 May 2019, [url](#), p. 11

<sup>28</sup> Lund, A., Comment made during the review of this report, 22 November 2019.

<sup>29</sup> Syria Study Group, Final Report and Recommendations, USIP, 24 September 2019, [url](#), p. 24; Khatib, L. and Sinjab, L., Syria's Transactional State How the Conflict Changed the Syrian State's Exercise of Power, Chatham House, October 2018, [url](#), pp. 2, 22

<sup>30</sup> Notable states that are members of the coalition include USA, Belgium, Canada, Denmark, France, Germany, Italy, Jordan, Morocco, the Netherlands, Saudi Arabia, Turkey, United Arab Emirates and the United Kingdom. See Geneva Academy of International Humanitarian Law and Human Rights, The War Report 2018, April 2019, [url](#), p. 125; See also Global Coalition, 81 Partners United in Ensuring Daesh's Enduring Defeat, n.d., [url](#)

<sup>31</sup> Business Insider, Trump reportedly wants to get out of Syria — here's how many troops the US has in the country, 4 April 2018, [url](#)

<sup>32</sup> Geneva Academy of International Humanitarian Law and Human Rights, The War Report 2018, April 2019, [url](#), p. 123

<sup>33</sup> The UN Security Council-mandated UN-OPCW investigation panel ruled that the Syrian government was behind the attack. See UN Security Council, Seventh report of the Organisation for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism, 26 October 2017, [url](#), p. 10

<sup>34</sup> New York Times (The), Dozens of U.S. Missiles Hit Air Base in Syria, 6 April 2017, [url](#); BBC, Syria profile – Timeline, 14 January 2019, [url](#)

<sup>35</sup> The Organisation for the Prohibition of Chemical Weapons (OPCW) ruled that there are 'reasonable grounds' to believe that a chemical attack took place. See OPCW, Report of the Fact-Finding Mission Regarding the Incident of Alleged USE of Toxic Chemical as a Weapon in Douma, Syrian Arab Republic, on 7 April 2018, 1 March 2019, [url](#), p. 4

<sup>36</sup> New York Times (The), U.S., Britain and France Strike Syria Over Suspected Chemical Weapons Attack, 13 April 2018, [url](#)

<sup>37</sup> BBC, US coalition downs first Syria government jet, 19 June 2017, [url](#)

<sup>38</sup> Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 59

fight against ISIL in northeast Syria, the US has partnered with the Kurdish-led Syrian Democratic Forces (SDF), an alliance of predominately Kurdish and Arab fighters, but also smaller Turkmen, Armenian and Syriac-Assyrian contingents and international volunteers (mainly Europeans and Americans)<sup>39</sup>, to whom it provided training and military support.<sup>40</sup> Turkey, a NATO member, views the Kurdish People's Protection Units (YPG), which provides the core fighting force within the SDF, as a manifestation of the Kurdistan Workers' Party (PKK), the EU<sup>41</sup>, US<sup>42</sup> and Turkey-designated terrorist organization, that it considers of high strategic and national security concern to Turkey.<sup>43</sup> The US's continued support to the SDF has led to a strained relationship with Turkey, which came under even more pressure in July 2019 after Turkey decided to purchase air defense systems from Russia.<sup>44</sup>

According to the Independent International Commission of Inquiry on the Syrian Arab Republic (Col), numerous attacks carried out by the US-led coalition in Syria in the fight against ISIL resulted in civilian casualties.<sup>45</sup> During the military campaign to retake Raqqa that took place from June to October 2017, Amnesty International (AI) reported that more than 1 600 civilians were killed 'as a direct result of thousands of US, UK and French air strikes and tens of thousands of US artillery strikes'.<sup>46</sup>

Under President Donald Trump, the US reduced its involvement in the Syrian conflict, shutting down the CIA program to arm Syrian rebels and in December 2018, announcing the withdrawal of US troops from Syria as a result of ISIL's territorial defeat.<sup>47</sup> Since then, Trump has reversed his policy and taken a more gradual approach to the withdrawal of troops from Syria.<sup>48</sup>

In the beginning of October 2019, after a call between President Trump and Turkish President Recep Tayyip Erdogan, US troops began to withdraw from Syria's northern border with Turkey, giving way to an announced Turkish military offensive into northern Syria against the Kurdish controlled SDF.<sup>49</sup> Official representatives of the US stated that 'the United States Armed Forces will not support or be involved in the operation, and United States forces, having defeated the Isis territorial 'Caliphate', will no longer be in the immediate area'.<sup>50</sup> After the launch of the Turkish offensive the US took the decision to withdraw almost 1 000 troops from northern Syria, although no information on the timeframe for the withdrawal or where the troops will be redeployed was given.<sup>51</sup>

On 20 October 2019, the New York Times, citing a senior US official, reported that President Trump was leaning towards keeping a contingent of about 200 troops in eastern Syria to fight ISIL and

<sup>39</sup> Lund, A., Comment made during the review of this report, 22 November 2019.

<sup>40</sup> Al Jazeera, What is the future of the Syrian Democratic Forces?, 25 November 2017, [url](#); Omran Center for Strategic Studies, Military and Security Structures of the Autonomous Administration in Syria, 24 January 2018, [url](#), p. 7

<sup>41</sup> European Council, Council Decision of 17 June 2002 implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism and repealing Decision 2002/334/EC, 18 June 2002, [url](#)

<sup>42</sup> USDOS, Country Report on Terrorism 2018 - Chapter 5 - Kurdistan Workers' Party, 1 November 2019, [url](#)

<sup>43</sup> International Crisis Group, Squaring the Circles in Syria's North East, 31 July 2019, [url](#), pp. 3-4

<sup>44</sup> International Crisis Group, Squaring the Circles in Syria's North East, 31 July 2019, [url](#), pp. 4-8; New York Times (The), Turkey Gets Shipment of Russian Missile System, Defying U.S., 12 July 2019, [url](#)

<sup>45</sup> UN Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic [A/HRC/42/51], 15 August 2019, [url](#), p. 7

<sup>46</sup> AI, Syria: Unprecedented investigation reveals US-led Coalition killed more than 1,600 civilians in Raqqa 'death trap', 25 April 2019, [url](#)

<sup>47</sup> Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 30; International Crisis Group, Squaring the Circles in Syria's North East, 31 July 2019, [url](#), p. 1

<sup>48</sup> International Crisis Group, Squaring the Circles in Syria's North East, 31 July 2019, [url](#), p. 2

<sup>49</sup> Washington Post (The), Trump administration pulls troops from northern Syria as Turkey readies offensive, 7 October 2019, [url](#)

<sup>50</sup> BBC, Trump makes way for Turkey operation against Kurds in Syria, 7 October 2019, [url](#)

<sup>51</sup> BBC, Turkey-Syria offensive: US to evacuate 1,000 troops as Turkey advances, 13 October 2019, [url](#)

block the Syrian government's forces and Russian allies from taking the region's oil fields.<sup>52</sup> As of 22 October 2019, the forces of the US-led coalition had reportedly withdrawn from 'nearly all of its bases in Raqqa and Aleppo provinces'.<sup>53</sup> US officials confirmed the redeployment of US forces in the oil field areas in Deir Ez Zor governorate. Joint US and Kurdish patrols of oilfields were also reported near the Qamishli, in Hasaka governorate.<sup>54</sup>

### 1.2.3 Turkey

Turkey has been involved in Syria's conflict since 2011, supporting opposition groups attempting to remove the Assad government from power such as the Free Syrian Army-branded factions and Islamist groups.<sup>55</sup> As the conflict progressed, Turkey's priorities changed and while recent sources indicate that it formally still calls for Assad's removal, it 'engaged in a mix of coordination and competition with Russia and Iran (both Assad supporters)' to advance its own interests in the region.<sup>56</sup> Turkey hosts approximately 3.6 million registered Syrian refugees as of reporting from November 2019; more than any other country.<sup>57</sup>

Turkey's main objective in Syria has been to prevent the Syrian Kurdish People's Protection Units (YPG) from 'establishing an autonomous area along Syria's northern border with Turkey'.<sup>58</sup> Turkey has been at war with the terrorist designated Kurdistan Workers' Party (PKK) since 1981 and views the YPG as an extension of the PKK and a top threat to Turkish security. Since 2014, the US partnered with the YPG-led SDF increasing its military and financial capabilities which in turn created tensions with Turkey.<sup>59</sup>

In terms of regional activity, in Idlib governorate, Turkish forces established outposts starting late 2017.<sup>60</sup> As of March 2019, Turkish forces were deployed at observation points around the de-escalation zone, but they did not manage territory. Turkey however supported opposition armed groups that were present and active in Idlib.<sup>61</sup>

For more information on Turkey's involvement in the Idlib area, see [Chapter 4](#) and section [4.3](#)

In terms of regional activity in the north, Turkey has maintained a military presence in northern Syria in Aleppo governorate since 2016 following two military operations: Euphrates Shield and Olive Branch. In 2016, Turkey partnered with Syrian opposition armed groups<sup>62</sup> and launched together the military operation Euphrates Shield in northern Aleppo governorate to fight ISIL and contain YPG gains in the area. The operation resulted in the capture of the al-Bab area, including Jarabulus and other towns.<sup>63</sup> In January 2018, Turkish and affiliated local armed groups launched an offensive dubbed Operation Olive Branch on the Kurdish held Afrin district, in Aleppo

<sup>52</sup> New York Times (The), Trump Said to Favor Leaving a Few Hundred Troops in Eastern Syria, 20 October 2019, [url](#)

<sup>53</sup> ISW, Syria Situation Report: October 10 – 22 2019, 24 October 2019, [url](#)

<sup>54</sup> ISW, Syria Situation Report: October 23 – November 5, 2019, 8 November 2019, [url](#)

<sup>55</sup> Manhoff, T., Turkey's Foreign Policy Towards Syria. From Neo-Ottoman Adventurism to Neo-Ottoman Realpolitik, Konrad-Adenauer-Stiftung, n.d., [url](#), p. 5; Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), pp. 17-18

<sup>56</sup> US CRS, Turkey: Background and U.S. Relations In Brief, 14 August 2019, [url](#), p. 10; Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 29

<sup>57</sup> US CRS, Turkey: Background and U.S. Relations In Brief, 1 November 2019, [url](#), p. 4

<sup>58</sup> US CRS, Turkey: Background and U.S. Relations In Brief, 1 November 2019, [url](#), p. 3

<sup>59</sup> Syria Study Group, Final Report and Recommendations, USIP, 24 September 2019, [url](#), p. 31; International Crisis Group, Squaring the Circles in Syria's North East, 31 July 2019, [url](#), pp. 4-5

<sup>60</sup> Lund, A., Comment made during the review of this report, 23 November 2019.

<sup>61</sup> International Crisis Group, The Best of Bad Options for Syria's Idlib, 14 March 2019, [url](#), pp. 6, 21

<sup>62</sup> US CRS, Turkey: Background and U.S. Relations In Brief, 1 November 2019, [url](#), p. 18

<sup>63</sup> Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 53; International Crisis Group, Squaring the Circles in Syria's North East, 31 July 2019, [url](#), p. 7



governorate. In March 2018, the operation concluded as Turkish and affiliated forces established complete control of the Afrin region.<sup>64</sup>

On 9 October 2019, following the withdrawal of US troops from the region, Turkey launched Operation Peace Spring, a military offensive into Kurdish-held territory in northeastern Syria.<sup>65</sup> The stated objectives of the Turkish offensive were to remove YPG and ISIL ‘terrorist’<sup>66</sup> elements, from along the border area and to establish a ‘safe zone’ 32 km wide and 480 km long inside northern Syria, where it intends to relocate up to two million Syrian refugees currently residing in Turkey.<sup>67</sup> Turkey’s offensive was supported by 14 000 fighters of the opposition armed group, the Syrian National Army (SNA), according to the SNA’s own estimates.<sup>68</sup>

During the first week of the October 2019 offensive into north east Syria, Turkish and affiliated forces managed to capture the towns of Tall Abyad in Raqqa and Ras al-Ain in Hasaka governorates,<sup>69</sup> as well as the border areas between the two towns.<sup>70</sup> A US-facilitated ceasefire was agreed on 17 October but hours before its expiry it was superseded by a Turkey-Russia agreement reached on 22 October that imposed a new ceasefire.<sup>71</sup> The agreement established that Turkey would preserve its control of the areas captured between Tall Abyad and Ras al-Ain to a depth of 32 km.<sup>72</sup> The agreement also ‘provided for a primarily Turkish-patrolled safe zone [...] as well as Russian-Syrian help in removing Kurdish-led militias from other border areas east of the Euphrates’.<sup>73</sup>

For more information on Turkey’s involvement in the Syrian conflict, see also section [4.3](#) and [Chapter 5](#).

#### 1.2.4 Russia

Russia intervened militarily in the Syrian conflict in September 2015, in support of the Syrian government, when it began to launch air strikes on opposition and ISIL-held areas.<sup>74</sup> Russia’s intervention was credited with changing the tides of war in Assad’s favour.<sup>75</sup> Its presence in Syria is regulated by a bilateral agreement signed between the two countries in August 2015, whose stipulations include: that Russian aviation will be permitted to remain in Syria indefinitely; the right of Syrian authorities to inspect Russian forces is denied; and that Russian forces are granted full immunity for any infractions committed in Syria. Either side can nullify the agreement with one year’s notice.<sup>76</sup>

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<sup>64</sup> al-Hilu, K., Afrin Under Turkish Control: Political, Economic and Social Transformations, European University Institute, 25 July 2019, [url](#), p. 3

<sup>65</sup> Al Jazeera, Turkey’s military operation in Syria: All the latest updates, 11 October 2019, [url](#)

<sup>66</sup> US CRS, Turkey: Background and U.S. Relations In Brief, 1 November 2019, [url](#), p. 4

<sup>67</sup> International Crisis Group, Averting an ISIS Resurgence in Iraq and Syria, 11 October 2019, [url](#), p. 22; BBC, Turkey-Syria offensive: Kurds reach deal with Syrian army, 14 October 2019, [url](#); HRW, Turkey’s ‘Safe Zone’ Would Be Anything But, 11 October 2019, [url](#)

<sup>68</sup> VOA, Which Syrian Groups Are Involved in Turkey’s Syria Offensive?, 9 October 2019, [url](#); New York Times (The), Syrian Rebels See Chance for New Life With Turkish Troops, 8 October 2019, [url](#)

<sup>69</sup> ACLED, Regional Overview – Middle East (6-12 October 2019), 15 October 2019, [url](#), p. 2

<sup>70</sup> US CRS, Turkey: Background and U.S. Relations In Brief, 1 November 2019, [url](#), p. 19

<sup>71</sup> International Crisis Group, Steadying the New Status Quo in Syria’s North East, 27 November 2019, [url](#), pp. 1, 4

<sup>72</sup> COAR, Syria Update: 16-22 October 2019, 23 October 2019, [url](#), p. 10

<sup>73</sup> US CRS, Turkey: Background and U.S. Relations In Brief, 1 November 2019, [url](#), Summary

<sup>74</sup> US CRS, Syria Conflict Overview: 2011-2018, 23 January 2019, [url](#), p. 2; Lund, A., Syria’s Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 21

<sup>75</sup> EPRS, Russia in the Middle East. From Sidelines to center Stage, November 2018, [url](#), p. 2; Lund, A., Syria’s Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 21

<sup>76</sup> Lund, A., Syria’s Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), pp. 26-27

Russia controls airspace over western and central Syria while also having a naval base in Tartous governorate and an airbase at Hmeimim, Latakia governorate.<sup>77</sup> Russia concluded an agreement with the Syrian government in 2017, that ensured its presence in the East Mediterranean region for at least until 2066<sup>78</sup> and in October 2019 announced the expansion and reconstruction of its Hmeimim airbase.<sup>79</sup>

The European Parliamentary Research Service (EPRS) assessed in a November 2018 report that Russia 'retains a significant military presence in Syria and continues to participate in airstrikes against opposition strongholds'.<sup>80</sup>

According to a September 2019 report by the Washington Institute for Near East Policy, Russia's military presence was focused mainly on an aerial campaign with a naval component. Ground forces consisted 'primarily of special forces, which focused on training, advising, and assistant partner forces and conducting special reconnaissance missions'.<sup>81</sup> According to Russian defence ministry data released in August 2018, around 63 000 Russian troops had 'received combat experience' in Syria since September 2015.<sup>82</sup>

In Syria, Russia tried to contain the proliferation of militias and instead pushed towards integrating them in the Syrian Arab Army (SAA) by creating Russian-backed units such as the 4<sup>th</sup> Assault Corps and 5<sup>th</sup> Assaults Corps.<sup>83</sup> Russia's attempt to regularise the pro-government armed groups and limit Iran's influence reportedly led to tensions and military clashes between Iranian and Russian backed militias and divisions of the SAA.<sup>84</sup>

Some experts viewed Russia as the 'dominant external actor in Syria'<sup>85</sup> and potentially on its way to becoming 'the leading player in the Middle East'.<sup>86</sup> During the last years, a number of Middle Eastern countries, including Turkey and other traditional US allies such as Israel and Saudi Arabia increased their engagement with Russia by signing wide-ranging agreements, some of which envisaged the purchase of advanced weapons systems.<sup>87</sup>

Pro-opposition human rights organisations estimated the number of civilians killed by Russian airstrikes since September 2015 to be between 6 700 and 8 300.<sup>88</sup>

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<sup>77</sup> Washington Institute for Near East Policy, *Shifting Landscape. Russia's Military Role in the Middle East*, September 2019, [url](#), p. 7; EPRS, *Russia in the Middle East. From Sidelines to center Stage*, November 2018, [url](#), p. 5

<sup>78</sup> Lund, A., *From Cold War to Civil War: 75 Years of Russian-Syrian Relations*, Swedish Institute of International Affairs, July 2019, [url](#), pp. 38-39

<sup>79</sup> Washington Institute for Near East Policy, *Shifting Landscape. Russia's Military Role in the Middle East*, September 2019, [url](#), p. 7; Al Monitor, *Four years in Syria, Russia expands military base, eyes challenges ahead*, 2 October 2019, [url](#)

<sup>80</sup> EPRS, *Russia in the Middle East. From Sidelines to center Stage*, November 2018, [url](#), p. 3

<sup>81</sup> Washington Institute for Near East Policy, *Shifting Landscape. Russia's Military Role in the Middle East*, September 2019, [url](#), p. 5

<sup>82</sup> BBC, *Russia says 63,000 troops have seen combat in Syria*, 23 August 2018, [url](#)

<sup>83</sup> Al-Jabassini, A., *From Insurgents to Soldiers: The Fifth Assault Corps in Daraa, Southern Syria*, Middle East Directions. European University Institute, 14 May 2019, [url](#), p. 5; ECFR, *Can Assad Win the Peace?*, May 2019, [url](#), p. 9

<sup>84</sup> Al-Jabassini, A., *From Insurgents to Soldiers: The Fifth Assault Corps in Daraa, Southern Syria*, Middle East Directions. European University Institute, 14 May 2019, [url](#), p. 7; New Arab (The), *Russian-Iranian Struggle for Control of Aleppo*, 21 April 2019, [url](#); Arab Weekly (The), *Is Russia-Iran marriage of convenience unravelling in Syria?*, 21 April 2019, [url](#)

<sup>85</sup> Lund, A., *Syria's Civil War: Government Victory or Frozen Conflict?*, Swedish Defence Research Agency, December 2018, [url](#), p. 25

<sup>86</sup> EPRS, *Russia in the Middle East. From Sidelines to center Stage*, November 2018, [url](#), p. 9

<sup>87</sup> EPRS, *Russia in the Middle East. From Sidelines to center Stage*, November 2018, [url](#), p. 9

<sup>88</sup> SNHR, *Russian Forces Killed 6,686 Civilians, including 1,928 Children, Since the Start of Their Military Intervention in Syria*, 30 September 2019, [url](#); SOHR, *More than 19000 people including about 8300 civilians killed by Russian warplanes since their military participation began on the Syrian territory at the end of September 2015*, 30 September 2019, [url](#)

### 1.2.5 Israel

Israel has been formally at war with Syria since 1948 and has occupied the Syrian Golan Heights since 1967.<sup>89</sup> Israel annexed the Golan Heights in 1981 although the United Nations (UN) did not recognise this move. On 25 March 2019, President Trump recognised the Golan Heights as part of Israel prompting Syrian officials to respond that they will recapture the area ‘through all available means’.<sup>90</sup>

US CRS wrote in 2019 that Israeli officials view the military presence of Iran-backed forces in Syria as security threats.<sup>91</sup> According to the Syria Study Group’s September 2019 report, Iran and Israel are ‘locked in a low-level conflict in Syria, which may escalate to open conflict, especially in the Golan Heights’.<sup>92</sup> The US CRS noted that Israeli leadership has indicated that it ‘would act in Syria to prevent Iran from establishing permanent military bases or weapons factories, and opening new “terror fronts” against Israel’.<sup>93</sup>

Since the beginning of the Syrian war in 2011, Israel has conducted over 100 strikes against Hezbollah and Iranian targets in Syria according to Centre for Strategic and International Studies (CSIS) estimates.<sup>94</sup> In September 2018, Israeli Intelligence Minister Israel Katz stated that Israel has carried out more than 200 attacks against Iranian targets in Syria in the last two years.<sup>95</sup> During May – July 2019, the Israeli Air Force continued to attack Iranian and Hezbollah targets in Syria and air strikes targeting pro-government positions were recorded in southern Quneitra, Homs, and reportedly in Damascus and Rural Damascus governorates, with some strikes being alleged to have led to civilian deaths and injuries.<sup>96</sup>

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<sup>89</sup> US CRS, Iran and Israel: Tension Over Syria, 5 June 2019, [url](#), p. 1; Jones, S. and Markusen, M., The Escalating Conflict with Hezbollah in Syria, CSIS, June 2018, [url](#), p. 1; Reuters, Timeline of Israeli-Syrian relations, 22 May 2008, [url](#)

<sup>90</sup> BBC, Golan Heights: Trump signs order recognising occupied area as Israeli, 25 March 2019, [url](#)

<sup>91</sup> US CRS, Iran and Israel: Tension Over Syria, 5 June 2019, [url](#), p. 1

<sup>92</sup> Syria Study Group, Final Report and Recommendations, USIP, 24 September 2019, [url](#), p. 5

<sup>93</sup> US CRS, Iran and Israel: Tension Over Syria, 5 June 2019, [url](#), p. 1

<sup>94</sup> Jones, S. and Markusen, M., The Escalating Conflict with Hezbollah in Syria, CSIS, June 2018, [url](#), p. 2

<sup>95</sup> Reuters, Israel says struck Iranian targets in Syria 200 times in last two years, 4 September 2018, [url](#)

<sup>96</sup> UN Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic [A/HRC/42/51], 15 August 2019, [url](#), p. 6

## 2. The Government of Syria

### 2.1 State structure and governance

#### 2.1.1 Territorial control

As of September 2019, the Syrian government reportedly controlled most of the country, including the major cities of Damascus, Aleppo, Homs and Hama, and nearly all the provincial capitals. The government regained control over the entire border with Lebanon, restored limited land access to Iraq, and reclaimed control of the entire southern border with Jordan, reopening a border crossing for trade in October 2018.<sup>97</sup> Three larger areas remained outside of the territorial control of the government: Idlib governorate and adjacent areas in western Aleppo governorate and northern Hama governorate, the northern and eastern parts of the country under the control of the Kurdish-dominated Syrian Democratic Forces (SDF), and a 55 km wide buffer zone around the Al Tanf border crossing with Iraq and near the Rukban refugee camp, in Homs governorate.<sup>98</sup> Reporting from July 2019 stated that the government maintained a limited security presence in north-eastern Syria which included the cities of Qamishli and Hasaka, both in Hasaka governorate.<sup>99</sup>

Following the start of Turkey's offensive against the Kurdish controlled northeast Syria in the beginning of October 2019, the Syrian government and the Kurdish controlled SDF have announced an agreement to allow the Syrian government's troops to be deployed along the border with Turkey to assist Kurdish forces in repelling the Turkish offensive. The agreement also envisages that areas such as Afrin are to be reconquered.<sup>100</sup> Further information on the implementation of this agreement as of December 2019 could not be found within the time constraints of this report.

At the end of September 2019, SAA and affiliated armed groups were reported to have positions on the eastern bank of the Euphrates River near the towns of Salihyah, Hatlah, Husseiniyah and Tabiyah located close to Deir Ez Zor city.<sup>101</sup> During the October Turkish-led offensive, Syrian government forces, accompanied by Russian forces, were reported to be deployed in Kurdish-controlled territories, including the cities of Ain Issa in Raqqqa governorate and Manbij and Kobane in Aleppo governorate.<sup>102</sup>

For the situation regarding the Syrian government's territorial control in Syria as of 21 October please see Map 2 below.

<sup>97</sup> See Liveuamap, Syria, 30 September 2019, [url](#); Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 39

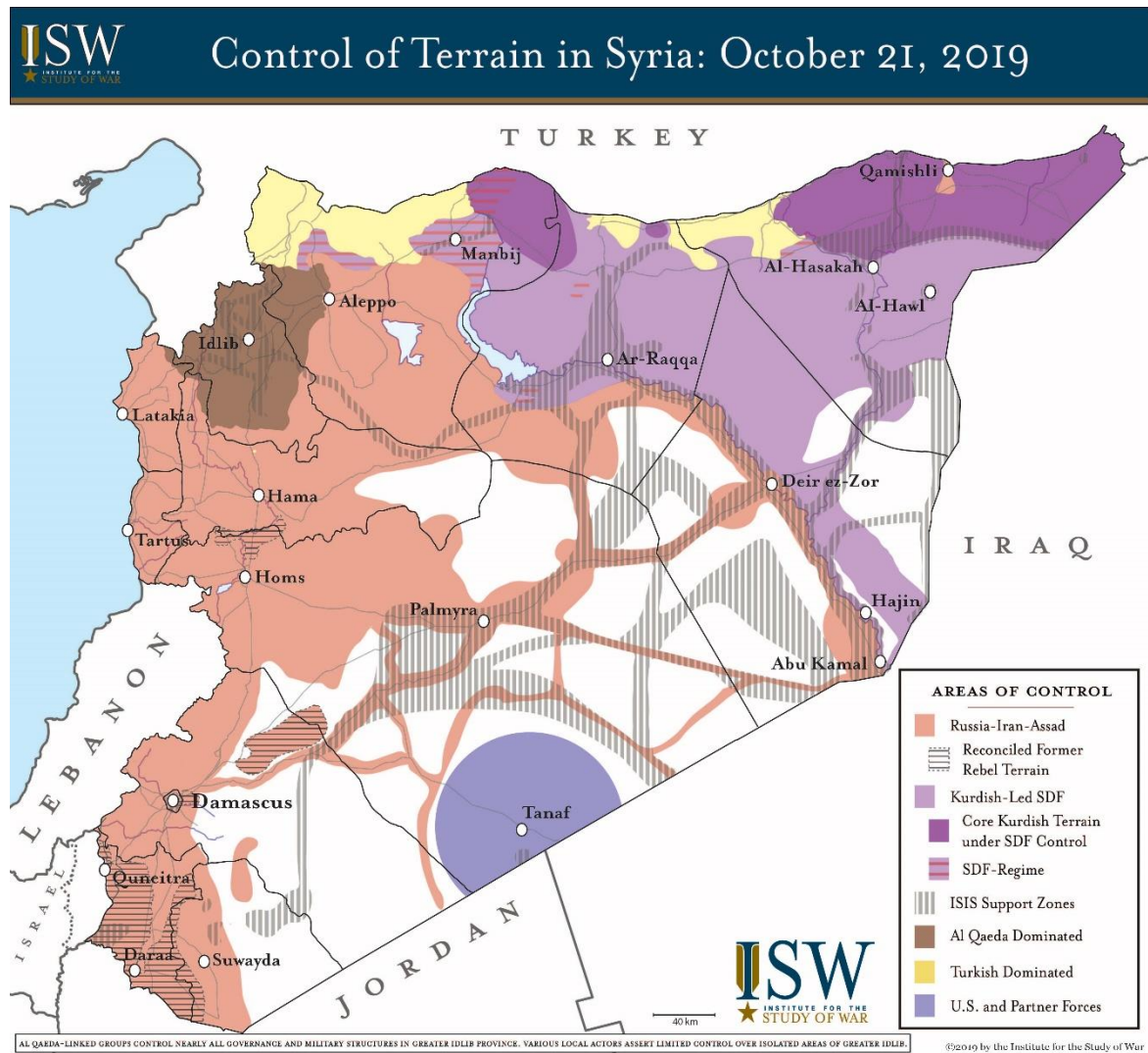
<sup>98</sup> UN Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic [A/HRC/40/70], 31 January 2019, [url](#), p. 6; Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), pp. 51-54

<sup>99</sup> International Crisis Group, Squaring the Circles in Syria's North East, 31 July 2019, [url](#), p. 13

<sup>100</sup> Al Jazeera, Syria's army to deploy along Turkey border as Kurds strike deal, 14 October 2019, [url](#)

<sup>101</sup> ISW, Syria Situation Report: September 25 – October 10 2019, 11 October 2019, [url](#)

<sup>102</sup> Reuters, Syrian Observatory: government forces deploy to Ain Issa in northern Syria, 14 October 2019, [url](#); DW, Russia-backed Syrian forces enter key city Manbij in northern Syria, 15 October 2019, [url](#); Defense Post (The), Syrian army troops enter symbolic Kurdish city of Kobani, 16 October 2019, [url](#); New Yorker (The), Turkey, Syria, the Kurds, and Trump's Abandonment of Foreign Policy, 20 October 2019, [url](#)



Map 2: Control of Terrain in Syria: 21 October 2019, ©ISW

According to a September 2019 report by the US Congress-appointed Syria Study Group, despite holding 60 % of the country's territory, the government's control outside Damascus 'is tenuous, in part because it lacks the forces to secure the areas it retakes, but also because it pursues punitive policies against local populations'.<sup>103</sup>

Several other sources pointed out that despite the government's ability to recapture the majority of Syria's territories, the conflict significantly affected the state's role, reach and institutional capacity in government-held areas.<sup>104</sup> In areas nominally under the government's control, its authority was reported to be 'dispersed, fragmented, and outsourced to multiple groups in the form of pro-regime paramilitaries, foreign powers and local militias'.<sup>105</sup> This multitude of actors were filling power vacuums and competing against each other for resources and influence,

<sup>103</sup> Syria Study Group, Final Report and Recommendations, USIP, [url](#), p. 7

<sup>104</sup> Haid, H., Understanding the characteristics of the new emerging state in Syria, Chatham House, June 2019, [url](#); Khatib, L. and Sinjab, L., Syria's Transactional State How the Conflict Changed the Syrian State's Exercise of Power, Chatham House, October 2018, [url](#), p. 17; Collombier, V. (et. all), Armed conflicts and the erosion of the state, MENARA Working Papers, 22 November 2018, [url](#), p. 6

<sup>105</sup> Danish Institute for International Studies, Mosaics of Power. Fragmentation of the Syrian State Since 2011, 2018, [url](#), p. 8

creating overlapping structures that undermined centralised control by the government.<sup>106</sup> While in some areas, such as Darayya, eastern Aleppo and eastern Ghouta, that have been reconquered by military force or negotiated surrender, the authority of the government was regarded as high, in areas from Dar'a governorate where the presence of other pro-government actors is strong or foreign powers have directly brokered the surrender of rebel groups, the access and authority of government was considered limited at best.<sup>107</sup>

Destruction of economic infrastructure and loss of human resources as result of the war reduced the capacity of many government services and functions such as water supply, agriculture and the production of oil.<sup>108</sup> The provision and quality of state services such as health, education, electricity was reported to vary in government-controlled areas depending on their perceived loyalty / hostility towards Assad's government. In areas with a history of resistance against the Assad's regime, the government was reportedly focusing more on restoring governance rather than providing services.<sup>109</sup>

Despite the economic pressure the Syrian government managed to maintain state institutions and economic entities functional to a certain degree, keeping schools and hospitals operating, although at reduced capacity, and paying salaries and pensions. Some state functions were reported to still operate partially in SDF-controlled areas in the northeast and to a far lesser degree in rebel-held Idlib.<sup>110</sup>

### 2.1.2 Executive branch

The US Department of State (USDOS) annual report on human rights practices in Syria (covering 2018) noted that 'Assad and Baath party leaders dominate all three branches of government as an authoritarian regime'.<sup>111</sup>

The president is elected for a seven-year mandate at a time in elections that are tightly controlled. President Bashar al-Assad has ruled Syria since he took over the presidency in 2000 following the rule of his father Hafez al-Assad who came into power in 1970. Assad is the supreme commander of the armed forces and leader of the ruling Baath Party.<sup>112</sup> De facto authority over government-controlled areas was considered to be held by the president and his 'political, security, and business allies rather than in formal institutions such as the cabinet and parliament. Foreign powers like Iran and Russia also wielded considerable influence over state policy'.<sup>113</sup>

The last presidential elections were held in 2014, but were not considered free or fair.<sup>114</sup> The vote took place only in government-controlled areas while out of country voting was possible mainly in Lebanon, but also Jordan<sup>115</sup> and at the embassies of other countries. Many Syrians from opposition-held areas did not participate in the elections. Although the 2014 elections marked the

<sup>106</sup> Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 49

<sup>107</sup> Haid, H., Understanding the characteristics of the new emerging state in Syria, Chatham House, June 2019, [url](#)

<sup>108</sup> Khatib, L. and Sinjab, L., Syria's Transactional State How the Conflict Changed the Syrian State's Exercise of Power, Chatham House, October 2018, [url](#), p. 17

<sup>109</sup> Haid, H., Understanding the characteristics of the new emerging state in Syria, Chatham House, June 2019, [url](#)

<sup>110</sup> Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 39

<sup>111</sup> USDOS, Country Report on Human Rights Practices 2018 - Syria, 13 March 2019, [url](#), p. 1

<sup>112</sup> Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 40

<sup>113</sup> Freedom House, Freedom in the World 2019 - Syria, 4 February 2019, [url](#)

<sup>114</sup> USDOS, Country Report on Human Rights Practices 2018 - Syria, 13 March 2019, [url](#), p. 54

<sup>115</sup> BBC, Syria election: Refugees vote in Lebanon and Jordan, 28 May 2014, [url](#)

first time when more than one candidate ran for president, the other candidates were considered supporters of Assad. Assad won the elections receiving 88.7 % of the votes.<sup>116</sup>

### 2.1.3 Legislative branch

The Baath Party has governed Syria without interruption since the 1960s, mostly under the leadership of Assad or under his late father Hafez al-Assad.<sup>117</sup> Although the Baath Party's mandate as 'leading party in society and state' was left out of the 2012 Constitution, in practice the Baath Party still controls all political institutions.<sup>118</sup>

Syria's legislative body, the 250-member People's Council, is controlled by the Baath party and other minor allies such as the Syrian Social Nationalist Party, businessmen and tribal sheikhs. In practice, the People's Council is considered a 'rubber stamp' parliament, which does not play an important role in the Syrian political system.<sup>119</sup>

The last parliamentary elections were held in 2016 only in government-held territories and were won by the Baath Party-led coalition who took 200 of the 250 seats, with the remainder being secured by nominal independents, some of whom were pro-Assad militia leaders.<sup>120</sup> The elections were considered unfair and illegitimate. Several opposition groups that were traditionally tolerated by the authorities boycotted the polls.<sup>121</sup>

### 2.1.4 Judicial branch

Syria's judicial system consists of civil, criminal, military, personal status courts, Terrorism Court, as well as a court of cassation, among others.<sup>122</sup> Article 3 of the Syrian Judicial Authority Law Decree No. 98 of 1961 stipulates that the judiciary system in Syria is composed of the following units: Central Directorate, Judiciary Inspection, Courts, Public Prosecution, Investigation Departments, Execution Department, Notary Public Departments, and Forensic Medicine Institution.<sup>123</sup>

The Syrian judicial system is described by the International Legal Assistance Consortium (ILAC) - an international organisation representing judges, lawyers, prosecutors and academics - as being 'subservient to and corrupted by the President of the Republic, the Ba'ath Party and organs of the multiple security services in Syria'.<sup>124</sup>

The Constitution provides for an independent judiciary; however, in practice the judiciary is not independent and is subjected to political influence, intimidation and abuse.<sup>125</sup> The president heads the highest judicial authority in Syria - the Supreme Judicial Council, which according to the Syrian Constitution 'ensures the provision of the guarantees necessary for the independence of the judiciary'.<sup>126</sup> The Supreme Constitutional Court is comprised of at least seven judges who are

<sup>116</sup> Bertelsmann Stiftung, BTI 2018; Syria Country Report, 2018, [url](#), pp. 9-10

<sup>117</sup> Freedom House: Freedom in the World 2019 - Syria, 4 February 2019, [url](#)

<sup>118</sup> Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 41

<sup>119</sup> Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), pp. 40-41; Bertelsmann Stiftung, BTI 2018; Syria Country Report, 2018, [url](#), p. 10

<sup>120</sup> Freedom House: Freedom in the World 2019 - Syria, 4 February 2019, [url](#); Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), pp. 40-41

<sup>121</sup> Freedom House: Freedom in the World 2019 - Syria, 4 February 2019, [url](#); NPR, Parts Of Syria Vote In Parliamentary Elections That Critics Say Are A Sham, 13 April 2016, [url](#)

<sup>122</sup> Syrian Law Journal, An Overview of the Syrian Court System, 5 September 2016, [url](#)

<sup>123</sup> Syria, قانون السلطة القضائية و تعديلاته (98) لعام 1961 [Decree 98 of 1961 the Judicial Authority Law and its amendments], 15 November 1961, [url](#)

<sup>124</sup> ILAC, ILAC Rule of Law Assessment Report: Syria 2017, April 2017, [url](#), p. 41

<sup>125</sup> USDOS, Country Report on Human Rights Practices 2018 - Syria, 13 March 2019, [url](#), p. 15

<sup>126</sup> Article 133 (2) of Constitution of Syrian Arab Republic Syria. See Constitution of the Syrian Arab Republic, published by ILO, 2012, [url](#), p. 23

appointed by the President of Syria for a renewable mandate of four years.<sup>127</sup> Judges and prosecutors are required to be members of the Baath Party and in practice follow the political line regarding the interpretation and review of existing laws.<sup>128</sup>

The results of cases with a political context reportedly appeared to be predetermined. The right to a fair trial is enshrined in the Constitution but is not respected in practice. According to USDOS thousands of individuals were detained by the government's forces without having access to a fair public trial. Impunity was reportedly pervasive and there were no functional civil remedies for human rights violations.<sup>129</sup>

## 2.2 Judiciary and penal system

### 2.2.1 Court structure

According to Muhammad Al Masri, a Syrian lawyer and member of the Damascus Bar Association, the judiciary system in Syria is divided into three areas of jurisdiction: ordinary, administrative and exceptional, and each jurisdiction has its own court structure and laws governing it.<sup>130</sup>

The ordinary system comprises civil courts and criminal courts that operate in accordance with the Civil Procedure and the Criminal Procedure Codes, respectively. Cases that fall within this jurisdiction can be adjudicated before Conciliation Courts (*Mahakem Al Solh*) or First Instance Courts (*Mahakem Al Bidayat*) depending on the gravity of the case, and can be appealed to the Courts of Appeal (*Mahakem Al Isti'naf*), which constitute the second instance.<sup>131</sup> The Court of Assize is a criminal court, which looks into cases that might entail a punishment of more than three years of imprisonment.<sup>132</sup> Cases can be brought before the Court of Cassation (*Mahkamat Al Naqd*) which constitutes the highest court in the judiciary system in Syria, and which examines the form rather than the content of a case.<sup>133</sup> In this regard, the rulings of the Court of Cassation serve as precedents for the other lower courts.<sup>134</sup> According to a judge interviewed in 2016 by ILAC, Execution Courts have the mandate to enforce the final judgements of civil and criminal courts.<sup>135</sup>

In addition to the above mentioned courts, there are courts that examine cases that fall under the Personal Status Law (e.g. cases related to marriage, inheritance, etc.), namely Sharia (for Muslims), Canonical (for Druze) and Spiritual (for Christians and Jews); such courts are mandated by the Civil Procedure Code.<sup>136</sup> The rulings of Personal Status Courts can be appealed before the relevant division at the Court of Cassation.<sup>137</sup> According to lawyers interviewed by ILAC, 'women are not allowed to appear alone in a Sharia court, [but] can represent themselves in criminal cases'.

<sup>127</sup> Article 141 and Article 143 of Constitution of Syrian Arab Republic. See Syria, Constitution of the Syrian Arab Republic, published by ILO, 2012, [url](#), pp. 23-24

<sup>128</sup> Freedom House, Freedom in the World 2019 - Syria, 4 February 2019, [url](#)

<sup>129</sup> USDOS, Country Report on Human Rights Practices 2018 - Syria, 13 March 2019, [url](#), p. 15

<sup>130</sup> Masri Al, M, النظام القضائي في سوريا [The judicial system in Syria], n.d., [url](#)

<sup>131</sup> ILAC, ILAC Rule of Law Assessment Report: Syria 2017, April 2017, [url](#), pp. 31-33; Syrian Law Journal, An Overview of the Syrian Court System, 5 September 2016, [url](#)

<sup>132</sup> ILAC, ILAC Rule of Law Assessment Report: Syria 2017, April 2017, [url](#), p. 31

<sup>133</sup> Masri Al, M, النظام القضائي في سوريا [The judicial system in Syria], n.d., [url](#); ILAC, ILAC Rule of Law Assessment Report: Syria 2017, April 2017, [url](#), p. 32

<sup>134</sup> Syrian Law Journal, An Overview of the Syrian Court System, 5 September 2016, [url](#)

<sup>135</sup> ILAC, ILAC Rule of Law Assessment Report: Syria 2017, April 2017, [url](#), p. 32

<sup>136</sup> ILAC, ILAC Rule of Law Assessment Report: Syria 2017, April 2017, [url](#), pp. 35-36; Syrian Law Journal, An Overview of the Syrian Court System, 5 September 2016, [url](#)

<sup>137</sup> International Bar Association's Human Rights Institute, Human Rights Lawyers and Defenders in Syria: a Watershed for the Rule of Law, July 2011, [url](#), p. 28



Juvenile Courts (*Mahakem Al Ahdath*) try children between the ages of 8 and 18 for criminal offenses, where safeguards are applied.<sup>138</sup>

The administrative judicial system in Syria comprises two structures: Regular Administrative Courts which ‘operate within the relevant ministry of government in relation to cases involving that ministry’, and the Council of State which examines cases in which the state is party.<sup>139</sup> Additionally there is the Supreme Administrative Court (second instance court). The Advisory Division of the Council provides jurisprudence and legal opinions on matters referred to it by the Syrian presidency, the People’s Assembly, the Council of Ministers, as well as the various ministries and public bodies.<sup>140</sup>

The ‘exceptional’ area of jurisdiction in Syria constitutes all law cases that fall outside the scope of the ordinary judiciary. The Syrian judicial system does not contain a specific law that regulates the exceptional judiciary, nevertheless, its rules can be found scattered across Syrian legislation.<sup>141</sup> ILAC noted however that ‘no clear limitations on the jurisdiction of the exceptional courts means a given case might be heard in either system’.<sup>142</sup>

ILAC assessed on the basis of numerous interviews with Syrian lawyers and judges that ‘a parallel system of exceptional courts has been created in Syria through a raft of repressive laws to deal with perceived threats to the state or the political control of the Ba’ath party’. The exceptional courts in Syria comprise military and civilian systems.<sup>143</sup> The civilian system falls under the Ministry of Justice and constitutes the Counter-Terrorism Court (CTC) established by Law No. 22 of 2012 and which can look into cases of civilians and military staff.<sup>144</sup> The military system, on the other hand, comprises Military Courts and Military Field Courts (MFC) and falls under the Ministry of Defence. While MFCs are ‘presided over solely by military officers’ Military Courts and the CTC have a mix of military officers and judges.<sup>145</sup>

For more information on the CTC and MFC see [section 2.2.2](#)

## 2.2.2 Criminal trial procedures

### Ordinary system

Apart from arbitration provided under the Arbitration Law and aimed at avoiding lengthy procedures<sup>146</sup>, ILAC outlined the steps of the penal process in the Syrian ordinary judiciary system as follows: the police receive a complaint, contacts the accused and conducts a preliminary investigation. Based on the findings of the preliminary investigation, the case can be referred to the public prosecutor who is entitled to refer the case for further inquiry by a system known as the *Niyaba* (public prosecution), and if the accused is detained, the public prosecutor states the charges and decides on which court is competent to examine the case. For offences of a more serious nature, the public prosecutor works in collaboration with an investigating judge, and ‘if there is evidence showing a 50 % likelihood that the accused committed the offence’, the case is

<sup>138</sup> ILAC, ILAC Rule of Law Assessment Report: Syria 2017, April 2017, [url](#), pp. 31-32, 34

<sup>139</sup> ILAC, ILAC Rule of Law Assessment Report: Syria 2017, April 2017, [url](#), p. 32

<sup>140</sup> Masri Al, M, النظام القضائي في سوريا [The judicial system in Syria], n.d., [url](#)

<sup>141</sup> Masri Al, M, النظام القضائي في سوريا [The judicial system in Syria], n.d., [url](#)

<sup>142</sup> ILAC, ILAC Rule of Law Assessment Report: Syria2017, April 2017, [url](#), pp. 28-29

<sup>143</sup> ILAC, ILAC Rule of Law Assessment Report: Syria2017, April 2017, [url](#), p. 42

<sup>144</sup> HRW, Syria: Counterterrorism Court Used to Stifle Dissent, 25 June 2013, [url](#); ILAC, ILAC Rule of Law Assessment Report: Syria2017, April 2017, [url](#), p. 42; Syria, إحداه محكمة للنظر في قضايا الإرهاب مقرها دمشق: القانون 22 لعام 2012 [Law 22 of 2012 creating a court to deal with terrorism cases based in Damascus], 25 July 2012, [url](#);

<sup>145</sup> ILAC, ILAC Rule of Law Assessment Report: Syria2017, April 2017, [url](#), pp. 42-43

Syria, إحداه محكمة للنظر في قضايا الإرهاب مقرها دمشق: القانون 22 لعام 2012 [Law 22 of 2012 creating a court to deal with terrorism cases based in Damascus], 25 July 2012, [url](#)

<sup>146</sup> Syrian Law Journal, An Overview of the Syrian Court System, 5 September 2016, [url](#)

sent to the competent court by the investigating judge. The investigating judge can decide on the innocence of the accused in cases of insufficient evidence. For more severe crimes, a referral judge is involved, who is in charge of issuing an indictment, and it is only at this stage that accusation becomes formal.<sup>147</sup>

Civil and criminal courts apply the civil and criminal procedure codes respectively and have a similar court structure. For cases of a less serious nature, the Conciliation Court (Magistrates' Court or *Mahkamat Al Sulh*) is the competent court. More serious offences (e.g. offences incurring a punishment of more than one-year imprisonment), the case is looked into by the Court of First Instance (*Mahkamat Al Bidaya*). The rulings of both courts can be appealed to the Court of Appeal (*Mahkamat Al Ist'inaf*) and further to the Court of Cassation (*Mahkamat Al Naqd*).<sup>148</sup> While the defendant has the right to legal representation during all the processes of ordinary courts 'trials are inquisitorial in nature with the judge in control and lawyers playing a more marginal role than in many adversarial systems'.<sup>149</sup>

### Exceptional system

In 2012 the Syrian government adopted the Counter-Terrorism Law No. 19 which contained a broad definition of terrorism as 'every act that aims at creating a state of panic among the people, destabilizing public security and damaging the basic infrastructure of the country by using weapons, ammunition, explosives, flammable materials, toxic products, epidemiological or bacteriological factors or any method fulfilling the same purposes'. The reference to 'any method' was interpreted by Human Rights Watch as 'labeling virtually any act as a terrorist offense'.<sup>150</sup> The Counter Terrorism Court (CTC) was also established in 2012 to enforce the aforementioned law.<sup>151</sup>

The CTC has its own prosecution system and its bench is composed of three judges with one of them being a military member, all proposed by the Supreme Judicial Council and appointed by the President of the Republic. The CTC can try minors and its decisions can be appealed only to a special committee at the Court of Cassation, established by a decree.<sup>152</sup>

ILAC reported that CTC imposes harsh sentences including 10 to 20 years of hard labour, or the death penalty. Although it is not clear whether CTC can apply the death penalty, lawyers interviewed by ILAC have confirmed that the court has imposed the death penalty.<sup>153</sup> According to a June 2019 European Institute of Peace (EIP) report 'CTC trials tend to be brief; defendants are generally unable to mount adequate defenses, and evidence gathered under torture is admissible'. Those outside of Syria can be reportedly be tried by CTC in absentia or placed on wanted lists, sometimes without prior notification.<sup>154</sup> Human Rights Watch reported that up to 50 000 people had been referred to these courts by mid-2013.<sup>155</sup>

Military Field Courts (MFC) were set up by Decree 25/2/1966 and have the authority to try civilians and military personnel for 'crimes committed during wartime or during military operations, as designated by the minister of defence'.<sup>156</sup> While Military Courts are comprised of two civilian judges and one military judge, all the judges in a MFC are military personnel, and the Court is

<sup>147</sup> ILAC, ILAC Rule of Law Assessment Report: Syria2017, April 2017, [url](#), pp. 33-34

<sup>148</sup> Syrian Law Journal, An Overview of the Syrian Court System, 5 September 2016, [url](#)

<sup>149</sup> ILAC, ILAC Rule of Law Assessment Report: Syria2017, April 2017, [url](#), p. 34

<sup>150</sup> HRW, Syria: Counterterrorism Court Used to Stifle Dissent, 25 June 2013, [url](#)

<sup>151</sup> SJAC, Return is a Dream – Options for Post-Conflict Property Restitution in Syria, September 2018, [url](#), p. 12

<sup>152</sup> Najjar, O., السلسلة الأخيرة من المحاكم الاستثنائية في سوريا [The last series of exceptional courts in Syria], 25 February 2018, [url](#)

<sup>153</sup> ILAC, ILAC Rule of Law Assessment Report: Syria2017, April 2017, [url](#), p. 67

<sup>154</sup> EIP, Refugee return in Syria: Dangers, security risks and information scarcity, June 2019, [url](#), p. 13

<sup>155</sup> HRW, Syria: Counterterrorism Court Used to Stifle Dissent, 25 June 2013, [url](#)

<sup>156</sup> EIP, Refugee return in Syria: Dangers, security risks and information scarcity, June 2019, [url](#), p. 13

established by a decision of the Minister of Defence.<sup>157</sup> Freedom House noted that ‘military judges are neither independent nor impartial, as they are subordinate to the military command’.<sup>158</sup>

MFCs ‘can refuse to appoint a lawyer to represent the accused, in defiance of the constitution and the Universal Declaration of Human Rights’.<sup>159</sup> Moreover, MFCs do not apply the Syrian Criminal Code in their rulings and their judgements include life imprisonment and death penalty.<sup>160</sup> The decisions of the MFC’s are final and no appeals are possible. The President of Syria is responsible for approval of death sentences issued by the MFC’s while other sentences undergo ratification by the minister of defence. Both the president and minister of defence have the possibility of reducing a sentence, replacing it with another penalty or cancelling the case.<sup>161</sup>

The MFCs are said to have issued death sentences since 2011 against ‘opponents and detainees in civilian and military prisons’ in trials that took 2-3 minutes to prosecute.<sup>162</sup> An AI report published in February 2017 stated that detainees in Saydnaya prison [a military prison located 30km north of Damascus] undergo ‘a one or two-minute procedure at a so-called Military Field Court. These proceedings are so summary and arbitrary that they cannot be considered to constitute a judicial process.’<sup>163</sup> According to USDOS the MFCs have relied on ‘forced confessions and information acquired through torture to obtain convictions’.<sup>164</sup> AI also noted in a 2017 report that detainees in Saydnaya prison who confessed after they were tortured by Syrian intelligence services were subsequently tried by the MFCs.<sup>165</sup> EIP noted the testimony of a Syrian defected army officer that headed the MFC and had issued more than 5 000 death sentences by the end of 2014.<sup>166</sup>

In several interviews conducted by ILAC, lawyers and judges indicated that cases could be transferred from ordinary to exceptional courts based on the state’s willingness to secure a certain outcome; this included cases of persons known for opposing the government.<sup>167</sup> Both CTC and MFC’s are said to have been used against activists and peaceful opposition without granting the right to fair trials.<sup>168</sup>

### 2.2.3 Death penalty

According to France Diplomatie, Syria is one of the countries that continued to apply the capital punishment.<sup>169</sup> The Syrian Penal Code provides for the death penalty in the following circumstances:

- **Aggravated murder:** premeditated murder, murder to further a felony, murder of one’s ascendants or descendants and murder of a state employee charged with the implementation of the Narcotic Drugs Law during the performance of his function;
- **Military offenses:** espionage by military personnel, desertion, and insubordination/rebellion.

<sup>157</sup> ILAC, ILAC Rule of Law Assessment Report: Syria2017, April 2017, [url](#), pp. 43, 45

<sup>158</sup> Freedom House: Freedom in the World 2019 - Syria, 4 February 2019, [url](#)

<sup>159</sup> EIP, Refugee return in Syria: Dangers, security risks and information scarcity, June 2019, [url](#), pp. 13-14

<sup>160</sup> ILAC, ILAC Rule of Law Assessment Report: Syria2017, April 2017, [url](#), p. 45

<sup>161</sup> EIP, Refugee return in Syria: Dangers, security risks and information scarcity, June 2019, [url](#), pp. 13-14

<sup>162</sup> EIP, Refugee return in Syria: Dangers, security risks and information scarcity, June 2019, [url](#), p. 14

<sup>163</sup> AI, Syria, Secret campaign of mass hangings and extermination at Saydnaya Prison, 7 February 2017, [url](#)

<sup>164</sup> USDOS, Country Report on Human Rights Practices 2018 - Syria, 13 March 2019, [url](#), p. 5

<sup>165</sup> AI, Human Slaughterhouse. Mass Hangings and Extermination at Saydnaya Prison, Syria, February 2017, [url](#), p. 15

<sup>166</sup> EIP, Refugee return in Syria: Dangers, security risks and information scarcity, June 2019, [url](#), p. 14

<sup>167</sup> ILAC, ILAC Rule of Law Assessment Report: Syria2017, April 2017, [url](#), p. 35

<sup>168</sup> HRW, Absent an International Outcry, Detainees Start Hunger Strike for Justice in Syria, 18 November 2018, [url](#)

<sup>169</sup> France Diplomatie is a website by the French Ministry for Europe and Foreign Affairs. France Diplomatie, The Death Penalty around the World, updated October 2019, [url](#)

- **Terrorism-related offenses:** terrorist acts and the financing of terrorist acts, regardless of whether such acts result in death or no;
- **Drug trafficking** not resulting in death and drug possession;
- **Numerous treasonous acts**, broadly defining treason to even include actions such as political dissidence;
- **Arson resulting in death;**
- **Gang robbery resulting in death;**
- **Other offenses not resulting in death:** subjecting a person to torture or barbaric treatment during commission of a gang-robbery; attempting a death penalty-eligible crime; and being convicted for the second time for a felony punishable by forced labour for life.<sup>170</sup>

AI stated that the death penalty continued to be in force for several offences, and that ‘the authorities disclosed little information about death sentences passed and no information on executions’.<sup>171</sup>

While EASO could not find information on the enforcement of the death penalty, numerous sources report on extrajudicial executions committed by the Syrian government. In a report published in June 2019, Human Rights Watch stated that it ‘extensively documented abusive practices by the Syrian intelligence branches, including mistreatment, torture, arbitrary detentions, and extrajudicial execution’.<sup>172</sup> According to an AI report published in 2017, between 5 000 and 13 000 people, mainly civilians opposing the regime, were executed at Saydnaya Prison over the course of five years.<sup>173</sup> In December 2018, the Washington Post published an article suggesting that the rate of death sentences and executions in Syria’s prisons was increasing. Testimonies of former detainees spoke of transfers of prisoners from other locations to Saydnaya to be executed by hanging. The number of detainees in Saydnaya prison, which once held between 10 000 to 20 000 inmates, have begun to decrease ‘largely because of the unyielding executions’ with one section being almost empty.<sup>174</sup>

A news report stated that 95 prisoners (mainly Jordanian, Lebanese, and Egyptian nationals as well as Palestinian refugees in Syria) at Saydnaya Prison were executed on 30 April 2019, including 14 convicted with offenses and 81 accused of terrorism.<sup>175</sup>

On 15 September 2019, President Bashar Al Assad issued an amnesty decree reducing the death penalty to life imprisonment for crimes and offences committed before 14 September 2019 and pardoned draft evaders if they turn themselves in with a three- to six-month delay.<sup>176</sup> Information on the implementation of the decree could not be found during the reference period for this report.

#### 2.2.4 Capacity

According to ILAC, the legal procedures in Syrian courts are very slow, and a case could take years to be closed. Reportedly, Syrian first instance courts had to deal with 4 000 to 5 000 cases per year, which left judges overwhelmed.<sup>177</sup> Insufficient courts and lack of legal provisions for speeding

<sup>170</sup> Williams, J. and Yarbrough, S., Justice for Syria, Vanderbilt University Law School, December 2013, [url](#), p. 11; Cornell Center on Death Penalty Worldwide, Syria, Cornell Law School, 6 April 2011, [url](#)

<sup>171</sup> AI, Human rights in the Middle East and North Africa: Review of 2018 - Syria [MDE 24/9903/2019], 26 February 2019, [url](#), p. 4

<sup>172</sup> HRW, Rigging the System: Government Policies Co-Opt Aid and Reconstruction Funding in Syria, 28 June 2019, [url](#)

<sup>173</sup> AI, Syria, Secret campaign of mass hangings and extermination at Saydnaya Prison, 7 February 2017, [url](#)

<sup>174</sup> Washington Post (The), Syria's once-teeming prison cells being emptied by mass murder, 23 December 2018, [url](#)

<sup>175</sup> Al Sharq, إعدامات جديدة نفذها النظام السوري بحق معتقلين بينهم 16 لاجئاً فلسطينياً [New executions by the Syrian regime against detainees, including 16 Palestinian refugees], 30 April 2019, [url](#)

<sup>176</sup> Reuters, Syria's Assad issues amnesty reducing punishment for crimes, 15 September 2019, [url](#)

<sup>177</sup> ILAC, ILAC Rule of Law Assessment Report: Syria 2017, April 2017, [url](#), p. 33

up trials led to pre-trial detentions that sometimes exceeded the sentence for the crime. Thousands of detainees were reportedly held incommunicado for months or years before being brought to trial.<sup>178</sup> Ali Al Zir, a Syrian lawyer from the Syrian Legal Forum, stated that corruption played a major role in avoiding lengthy procedures as parties preferred to hire a lawyer ‘who is not competent in law but who knows the judge’.<sup>179</sup>

### 2.2.5 Effectiveness and integrity

Bertelsmann Stiftung’s report on Syria (covering 2018) stated that the judiciary was not independent before the start of the civil war and was less independent in 2018, noting that it is subjected to political interference, lacks adherence to legal procedures and suffers from widespread corruption.<sup>180</sup> Syria ranked 178/180 on Transparency International’s corruption index for 2018.<sup>181</sup> Syria scored 1.5 on a 1-10 scale in BTI’s 2018 rule of law index, which is composed of four evaluated criteria (separation of powers, independent judiciary, prosecution of office abuse and civil rights).<sup>182</sup> In the World Bank’s 2018 indicator for rule of law, Syria scored 0.96 out of 100.<sup>183</sup>

According to Ali Al Zir, Syrian society lost its confidence in the Syrian judicial system due to corruption and the system’s ineffectiveness. One factor to which various sources referred is the lack of independence of the judiciary in Syria, especially with regards to the powers the president and the executive exercise on it.<sup>184</sup> According to the Euro-Mediterranean Human Rights Network<sup>185</sup>, ‘the annulment of the principle of separation of powers in the Syrian Constitution and the assignment of the judicial authority to a subordinate position takes place through the extensive powers held by the President of the Republic’ who ‘assumes full legislative authority’.<sup>186</sup> In interviews with Syrian judges, ILAC referred to the Syrian President’s capacity to fire judges with a decree.<sup>187</sup> The UN-funded National Agenda for the Future of Syria, argued that despite the constitutional safeguards of the independence of the Syrian judiciary ‘its functionality suffered obvious interferences from the political authority in the figures of the President of the Republic, the Minister of Justice and the security apparatus’.<sup>188</sup>

According to ILAC, appointed judges had no legal training despite the formal requirements.<sup>189</sup> Furthermore, the Judicial Inspection Department, which is mandated to monitor the independence of the judiciary and the impartiality of courts<sup>190</sup>, reports to the Minister of Justice and the Chair of the High Judicial Council.<sup>191</sup> This department is used by the Minister of Justice to ‘exert control over judges and the judicial system’.<sup>192</sup>

<sup>178</sup> USDOS, Country Report on Human Rights Practices 2018 - Syria, 13 March 2019, [url](#), p. 14

<sup>179</sup> Syrian Legal Forum, القضاء في سوريا, 20 March 2018, [url](#)

<sup>180</sup> Bertelsmann Stiftung, BTI 2018 Country Report: Syria, 2018, [url](#), p. 12

<sup>181</sup> Transparency International, Syria: Corruption Perceptions Index 2018, 29 January 2019, [url](#)

<sup>182</sup> Bertelsmann Stiftung, Syria Democracy Status. Rule of Law 1.5, 29 January 2019, [url](#)

<sup>183</sup> World Bank (The), Worldwide Governance Indicators, n.d, [url](#)

<sup>184</sup> Syrian Legal Forum, القضاء في سوريا, 20 March 2018, [url](#)

<sup>185</sup> Euro-Mediterranean Human Rights Network is a network of 80 human rights organisations, institutions and individuals based in 30 countries in Europe and the Mediterranean region. For more information see [url](#)

<sup>186</sup> Euro-Mediterranean Human Rights Network, The Reform of Judiciaries in the Wake of the Arab Spring, 11-12 February 2012, [url](#), p. 62

<sup>187</sup> ILAC, ILAC Rule of Law Assessment Report: Syria2017, April 2017, [url](#), p. 30

<sup>188</sup> UN ESCWA, National Agenda for the Future of Syria, تحليل فجوة السياسات في قطاع القضاء في سوريا, 2018, [url](#), p. 32

<sup>189</sup> ILAC, ILAC Rule of Law Assessment Report: Syria2017, April 2017, [url](#), p. 38

<sup>190</sup> Syria, قانون السلطة القضائية و تعديلاته, المرسوم 98 لعام 1961 [Decree 98 of 1961 the Judicial Authority Law and its amendments], 15 November 1961, Article 14, [url](#)

<sup>191</sup> Syria, قانون السلطة القضائية و تعديلاته, المرسوم 98 لعام 1961 [Decree 98 of 1961 the Judicial Authority Law and its amendments], 15 November 1961, Article 12, available at: [url](#)

<sup>192</sup> ILAC, ILAC Rule of Law Assessment Report: Syria2017, April 2017, [url](#), p. 30

Nael Georges, an academic and researcher in human rights, made reference to a number of laws in the Syrian legislature that empower the security apparatus and allow its members to act with impunity.<sup>193</sup> Such laws include:

- Legislative Decree No. 14 of 25 January 1969 which secured impunity for the employees of the State Security agency and absolved them from accountability for any crimes committed during the execution of tasks;<sup>194</sup>
- Decree No. 5409 of 1969, which reinforced the impunity of the employees of the security agencies in general.<sup>195</sup> This, according to the Office of the United Nations High Commissioner for Human Rights (OHCHR) Universal Periodic Review of November 2016, played a role in ‘the decline in monitoring and accountability of those responsible for torture’;<sup>196</sup>
- Decree No. 64 of 2008, which stipulated the protection of the employees of the internal security, political security and customs from accountability for crimes they committed.<sup>197</sup>

These laws together with other factors such as the absence of an independent and neutral judicial system and the fear of retaliation on the part of the security forces made it impossible for the victims and/or their families to start a lawsuit against the perpetrators.<sup>198</sup> ILAC stated that ‘interventions in the process by security officials or superiors to induce a certain outcome to the case were regular occurrence’. It also shared a testimony of a judge who was threatened by a gang connected to a security agency in Hama.<sup>199</sup>

Judges in Syria receive low wages despite subsequent increases, which encouraged corruption to the extent that a price for each type of law cases was established.<sup>200</sup> Family members of detainees and human rights activists have reported soliciting of bribes for issuing favourable decisions in courts.<sup>201</sup> A May 2019 Human Rights Watch report stated that detained persons in areas recaptured by the Syrian government were released from detention after their families paid bribes and/or sought intervention from the reconciliation committees or the Russian military police.<sup>202</sup>

ILAC stated that interviewees who belonged to diverse social backgrounds ‘described corruption within the courts as a major obstacle to justice’.<sup>203</sup> In interviews conducted by ILAC, Syrian judges ‘believed that corruption was deliberately encouraged by the government’ which kept the judicial salaries low. Additionally, personal contacts and connections played a role in securing jobs in the judiciary, and the sectarian element was present in the form of informally favouring the appointments of judges who belonged to the Alawite minority which is known for its support of the Assad family.<sup>204</sup>

<sup>193</sup> Georges, N., أجهزة الأمن السورية: الحاكم المطلق لسوريا (2) تأثير النصوص الدستورية على الواقع التشريعي لعمل الأجهزة الأمنية, [Constitutional reform in Syria and its impact on the security sector], 15 August 2018, [url](#)

<sup>194</sup> Georges, N., أجهزة الأمن السورية: الحاكم المطلق لسوريا (2) تأثير النصوص الدستورية على الواقع التشريعي لعمل الأجهزة الأمنية, [Constitutional reform in Syria and its impact on the security sector], [url](#), p. 153

<sup>195</sup> Georges, N., أجهزة الأمن السورية: الحاكم المطلق لسوريا (2) تأثير النصوص الدستورية على الواقع التشريعي لعمل الأجهزة الأمنية, [Constitutional reform in Syria and its impact on the security sector], [url](#), p. 153

<sup>196</sup> OHCHR, Joint submission on the Politic and Civic Rights Universal Periodic Review 26rd session of the Working group - November 2016 Syria, November 2016, [url](#), p. 7

<sup>197</sup> Georges, N., أجهزة الأمن السورية: الحاكم المطلق لسوريا (2) تأثير النصوص الدستورية على الواقع التشريعي لعمل الأجهزة الأمنية, [Constitutional reform in Syria and its impact on the security sector], [url](#), p. 153; ILAC, ILAC Rule of Law Assessment Report: Syria2017, April 2017, [url](#), p. 22

<sup>198</sup> Georges, N., أجهزة الأمن السورية: الحاكم المطلق لسوريا (2) تأثير النصوص الدستورية على الواقع التشريعي لعمل الأجهزة الأمنية, [Constitutional reform in Syria and its impact on the security sector], [url](#), p. 153

<sup>199</sup> ILAC, ILAC Rule of Law Assessment Report: Syria2017, April 2017, [url](#), pp. 31, 41

<sup>200</sup> UN ESCWA, National Agenda for the Future of Syria, تحليل فجوة السياسات في قطاع القضاء في سوريا, 2018, [url](#), pp. 32 - 33

<sup>201</sup> USDOS, Country Report on Human Rights Practices 2018 - Syria, 13 March 2019, [url](#), p. 56

<sup>202</sup> HRW, Syria: Detention, Harassment in Retaken Areas, 21 May 2019, [url](#)

<sup>203</sup> ILAC, ILAC Rule of Law Assessment Report: Syria2017, April 2017, [url](#), p. 39

<sup>204</sup> ILAC, ILAC Rule of Law Assessment Report: Syria2017, April 2017, [url](#), pp. 37-38, 41

### 2.2.6 Prison conditions

In a March 2018 report, the Col stated that since the beginning of the conflict ‘the Syrian Government perpetrated the crimes of extermination, murder, rape or other forms of sexual violence, torture, and imprisonment in the context of its widespread and systematic detentions of dissidents, as well as those perceived to be sympathetic to armed groups.’<sup>205</sup> Prison and detention centre conditions were reportedly ‘harsh and in many instances were life threatening due to food shortages, gross overcrowding, physical and psychological abuse, and inadequate sanitary conditions and medical care’. Children were held in prisons together with adults.<sup>206</sup>

In May 2019, the New York Times reported that the Syrian government runs a network of secret prisons where detainees are forcefully disappeared, tortured and killed.<sup>207</sup> A report published by the OHCHR and covering the period of January to July 2019 referred to the risk of ill-treatment, and even execution, for detainees in Syria.<sup>208</sup> In May 2019, Human Rights Watch stated that civilians from recaptured areas who were detained by intelligence forces ‘were held incommunicado either throughout or for part of their detention and denied access to a lawyer’. In at least one case there was a transfer to Saydnaya Prison, which is ‘known for torture and extrajudicial executions’.<sup>209</sup>

In an October 2019 report, the Syrian Network for Human Rights (SNHR) listed 72 methods of torture reportedly used by the Syrian security forces in detention centres, which are divided into physical torture, health neglect and detention conditions, sexual violence, psychological torture, forced labour, torture in military hospitals and separation. SNHR claimed to have documented that 14 131 people died under torture inflicted by the Syrian government forces between March 2011 and September 2019, leaving open the possibility that there were more.<sup>210</sup>

Conditions in the headquarters of the four intelligence branches and other military prisons included small, overcrowded cells, spread of respiratory and dermatological diseases due to lack of medical treatment, starvation, lack of sanitary facilities and sleep deprivation.<sup>211</sup> Reportedly, children between the ages of 8 and 17 were detained in the same detention centres with adults and suffer from the same types of torture.<sup>212</sup> Citing the Human Rights Data Analysis Group, an NGO that uses a data analysis to estimate human rights violations in armed conflict, AI stated that an estimated 17 723 people were killed in custody across Syria between 2011 and 2015, although the real number is thought to be higher.<sup>213</sup>

Detainees from different centres and prisons are reportedly sent to Saydnaya Prison, situated 30 kilometres to the north of Damascus, to be executed; warnings of accelerating execution rates

<sup>205</sup> Independent International Commission of Inquiry on the Syrian Arab Republic, Detention in the Syrian Arab Republic: A Way Forward, 8 March 2018, [url](#), p. 4

<sup>206</sup> USDOS, Country Report on Human Rights Practices 2018 - Syria, 13 March 2019, [url](#), p. 8

<sup>207</sup> New York Times (The), Inside Syria’s Secret Torture Prisons: How Bashar al-Assad Crushed Dissent, 11 May 2019, [url](#)

<sup>208</sup> UN Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic [A/HRC/42/51], 15 August 2019, [url](#), p. 6

<sup>209</sup> HRW, Syria: Detention, Harassment in Retaken Areas, 21 May 2019, [url](#)

<sup>210</sup> SNHR, Documentation of 72 Torture Methods the Syrian Regime Continues to Practice in Its Detention Centers and Military Hospitals, 21 October 2019, [url](#), pp. 7-8

<sup>211</sup> SNHR, Documentation of 72 Torture Methods the Syrian Regime Continues to Practice in Its Detention Centers and Military Hospitals, 21 October 2019, [url](#), pp. 26-29

<sup>212</sup> Pro Justice, الأطفال في سجون النظام السوري ضمن معتقلات الكبار؟! [Children are Arrested with Adults or with their Detained Mothers, as the Number of Women Exceeds 5,000. All this in Detention Conditions, Contrary to International Covenants and Laws], 22 February 2019, [url](#)

<sup>213</sup> AI, ‘It Breaks the Human’. Torture, Disease and Death in Syria’s Prisons, 18 August 2016, [url](#), p. 7

were reported.<sup>214</sup> A joint project with AI and Forensic Architecture<sup>215</sup> reconstructed the experience of detainees at Saydnaya Prison<sup>216</sup> in which AI observed that ‘people suffer from acute mental health problems due to overcrowding and lack of sunlight ... [where] people told us there could be more than 50 people in cells as small as 3m by 3m ... People die from starvation. From lack of air in the cells. And from completely treatable diseases. Cuts, ingrown fingernails and rashes become infected, and people die from desperate lack of medical care’.<sup>217</sup> Assad denied these accounts, claiming that ‘any abuses [...] were isolated mistakes unavoidable in a war’.<sup>218</sup>

According to AI, Syrian authorities subjected detainees to enforced disappearances, torture during the arrest and detention, kept them confined in overcrowded cells, and denied access to basic needs such as food, water and health care.<sup>219</sup>

For more information on the treatment of detainees by Syrian government authorities see also section [2.4](#)

## 2.3 Security institutions

### 2.3.1 The Syrian Arab Army

#### Mandate and Structure

The Syrian Armed Forces consist of the Syrian Arab Army (SAA), the navy, the air force, the intelligence services and the National Defense Forces.<sup>220</sup> Bashar al Assad acts as the commander in chief of the SAA and the armed forces.<sup>221</sup> Operational control of the forces was maintained by the Chief of Staff of the Syrian Armed Forces.<sup>222</sup>

The SAA is comprised of professional officers and conscripts.<sup>223</sup> At the outbreak of the civil war in 2011 the SAA numbered around 220 000 troops, based on unverified estimates.<sup>224</sup> It consisted of 12 divisions, most of which were concentrated in the south around Damascus and southwestern parts of the country, near Israel.<sup>225</sup>

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<sup>214</sup> New York Times (The), Inside Syria’s Secret Torture Prisons: How Bashar al-Assad Crushed Dissent, 11 May 2019, [url](#)

<sup>215</sup> Forensic Architecture is a research agency, based at Goldsmiths, University of London, which undertakes advanced spatial and media investigations into cases of human rights violations. For more information see [url](#)

<sup>216</sup> The status of the project is ‘ongoing’ and covers the period starting from 2011: [url](#)

<sup>217</sup> AI, Detention in Syria, n.d., [url](#)

<sup>218</sup> New York Times (The), Inside Syria’s Secret Torture Prisons: How Bashar al-Assad Crushed Dissent, 11 May 2019, [url](#)

<sup>219</sup> AI, Syria: Tell Families of Missing the Fate of Loved Ones, 13 May 2019, [url](#)

<sup>220</sup> CIA World Factbook, Syria, 16 September 2019, [url](#)

<sup>221</sup> Article 105 of Constitution of Syrian Arab Republic Syria. See Constitution of the Syrian Arab Republic, published by ILO, 2012, [url](#), p. 23; Omran Centre for Strategic Studies, Transformations of the Syrian Military: The Challenge of Change and Restructuring, 31 December 2018, [url](#), p. 126; Lund, A., Syria’s Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 40

<sup>222</sup> ISW, The Syrian Army Doctrinal Order of Battle, February 2013, [url](#), p. 5

<sup>223</sup> Norway, Landinfo, Syria: Reactions against deserters and draft evaders, 3 January 2018, [url](#), p. 5; Omran Centre for Strategic Studies, Transformations of the Syrian Military: The Challenge of Change and Restructuring, 31 December 2018, [url](#), p. 33

<sup>224</sup> ISW, The Syrian Army Doctrinal Order of Battle, February 2013, [url](#), p. 5

<sup>225</sup> Lund, A., Syria’s Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 44; Omran Centre for Strategic Studies, Transformations of the Syrian Military: The Challenge of Change and Restructuring, 31 December 2018, [url](#), p. 29



Using sources which included interviews with defectors and former members of the Syrian military, ISW assessed that at the onset of the 2011 conflict the SAA comprised of the following main units<sup>226</sup>:

- Republican Guard
- 4<sup>th</sup> Armored Division
- Independent Special Forces Regiments
- 14<sup>th</sup> Special Forces Division
- 15<sup>th</sup> Special Forces Division
- 5<sup>th</sup> Mechanized Division
- 7<sup>th</sup> Mechanized Division
- 9<sup>th</sup> Armored Division
- Independent Infantry Brigades (Golan Heights)
- 1<sup>st</sup> Armored Division
- 10<sup>th</sup> Mechanized Division
- 3<sup>rd</sup> Armored Division
- 11<sup>th</sup> Armored Division
- 18<sup>th</sup> Armored Division
- 17<sup>th</sup> Reserve Division

Middle East Institute analyst, Gregory Waters documented the SAA order of battle as of early 2019, by using almost entirely information available on pro-government social media.<sup>227</sup> The order of battle resulted from the research is shown in this [chart](#).

During 2011-2015, the SAA went through a period of fracture and partial collapse. By 2013, the SAA was estimated to have lost half of its strength to defections and combat casualties.<sup>228</sup> Since Russia's intervention in late 2015, the SAA entered a phase of reformation and rebuilding under the guidance of the Russian military.<sup>229</sup>

The SAA is said to rely often on key praetorian units such as the Republican Guard, the 4<sup>th</sup> Armored Division and the Special Forces for offensive operations. These units are reportedly mainly composed of Alawites loyal to the regime and reported to have receive preferential access to modern weapons.<sup>230</sup> The 4<sup>th</sup> Division is considered to be made up of 'elite' forces and reportedly under the command of the president's brother - Maher Assad.<sup>231</sup> According to sources interviewed by the Danish Immigration Service (DIS) and Danish Refugee Council (DRC) during a Fact-Finding Mission (FFM) conducted in November 2018, units of 4<sup>th</sup> Armored Division and the Republican

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<sup>226</sup> ISW, The Syrian Army Doctrinal Order of Battle, February 2013, [url](#), pp. 13-17; The full order of battle as assessed by ISW is available at ISW, The Syrian Army Doctrinal Order of Battle, February 2013, [url](#), pp. 4, 12

<sup>227</sup> The author notes with regard to the order of battle resulted from the research that 'it is entirely possible that some information is outdated and that other information is missing'. See Waters, G., The Lion and The Eagle: The Syrian Arab Army's Destruction and Rebirth, Middle East Institute, 18 July 2019, [url](#)

<sup>228</sup> Waters, G., The Lion and The Eagle: The Syrian Arab Army's Destruction and Rebirth, Middle East Institute, 18 July 2019, [url](#); Kozak, C., "An Army in All Corners". Assad's Campaign Strategy in Syria, ISW, April 2015, [url](#), p. 12

<sup>229</sup> Waters, G., The Lion and The Eagle: The Syrian Arab Army's Destruction and Rebirth, Middle East Institute, 18 July 2019, [url](#);

<sup>230</sup> Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 45; Waters, G., The Lion and The Eagle: The Syrian Arab Army's Destruction and Rebirth, Middle East Institute, 18 July 2019, [url](#)

<sup>231</sup> Waters, G., The Lion and The Eagle: The Syrian Arab Army's Destruction and Rebirth, Middle East Institute, 18 July 2019, [url](#); Omran Centre for Strategic Studies, Transformations of the Syrian Military: The Challenge of Change and Restructuring, 31 December 2018, [url](#), p. 28

Guard were ‘endemically based in Damascus’.<sup>232</sup> According to Aron Lund, the 4<sup>th</sup> Armored Division and the Republican guard are also present in other areas of the country.<sup>233</sup>

To compensate for the army’s structural problems and insufficient number of soldiers the government established and reactivated numerous pro-regime militias after the outbreak of the war.<sup>234</sup> These militias have played an important role in military operations and local security enforcement during the conflict.<sup>235</sup> Foreign support from Iran and Russia has also been crucial for the SAA to resist and adapt during the conflict. These foreign allies have provided the SAA with logistical support, financial aid, human resources as well as setting up numerous paramilitary armed groups to strengthen its fighting capacity.<sup>236</sup> For instance, a number of militias were set up with Iranian assistance and trained by the IRGC while Russia contributed to the creation of two army corps – the 4<sup>th</sup> and 5<sup>th</sup> Corps.<sup>237</sup>

## Capacity

Current estimations of the strength of the SAA vary, with some military experts assessing that the army is one quarter of its pre-war size, while others estimate that only one-fifth of the army is left, which is attributed to defections, loss of life and emigration because of the conflict.<sup>238</sup> According to a 2017 estimation by Jane’s IHS Markit, the SAA consisted of about 20 regular SAA brigades, half dozen Tiger Forces regiments and 20 Republican Guard brigades that would amount to 50 000 personnel, excluding air force and air defense force. The front-line fighting strength of the army was estimated to be of 45 000.<sup>239</sup> Christopher Kozak, a Senior Analyst for the Institute for the Study of War (ISW), estimated the strength of the SAA in January 2017 to be of around 100 000 soldiers who are ‘mainly ill-equipped and poorly trained conscripts’.<sup>240</sup>

## Effectiveness

The war has affected the SAA. The army has decreased in size, the quality of the troops is low and its combat capabilities remain limited.<sup>241</sup> Despite its shortcomings, the SAA is regarded as central to the Syrian government’s survival, has maintained its operational capability and ‘has remained the central platform for coordinating and providing logistical support to the various pro-regime forces deployed around the country’.<sup>242</sup>

According to the USDOS:

‘the General Command of the Army and Armed Forces may issue arrest warrants for crimes committed by military officers, members of the internal security forces, or customs police during their normal duties; military courts must try such cases. Nevertheless,

<sup>232</sup> DIS, DRC, Security Situation in Damascus. Province and Issues Regarding Return to Syria, February 2019, [url](#), p. 53

<sup>233</sup> Lund, A., Comment made during the review of this report, 20 November 2019.

<sup>234</sup> Khaddour, K., Syria’s Troublesome Militias, Carnegie Middle East Center, 5 November 2018, [url](#)

<sup>235</sup> Batrawi, S. and Grinstead, N., Six scenarios for pro-regime militias in ‘post-war’ Syria, Clingendael - Netherlands Institute for International Relations, March 2019, [url](#), p. 1

<sup>236</sup> Khaddour, K., Strength in Weakness: The Syrian Army’s Accidental Resilience, Carnegie Middle East Center, 14 March 2016, [url](#)

<sup>237</sup> Lund, A., Syria’s Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 47; Syrian Observer (The), Syrian Army is Geo-localised: Syrian Expert, 14 February 2017, [url](#); Syria Deeply, Analysis: The Fifth Corps and the State of the Syrian Army, 11 January 2017, [url](#)

<sup>238</sup> Omran Centre for Strategic Studies, Transformations of the Syrian Military: The Challenge of Change and Restructuring, 31 December 2018, [url](#), p. 33

<sup>239</sup> Ripley, T., Syrian army prepares for post-conflict challenges, Jane’s HIS Markit, 2 November 2017, [url](#), p. 2

<sup>240</sup> Kozak, C., EASO, EASO COI Meeting Report: Syria; 30 November & 1 December 2017; Valletta, Malta, March 2018, [url](#), p. 27

<sup>241</sup> Waters, G., The Lion and The Eagle: The Syrian Arab Army’s Destruction and Rebirth, Middle East Institute, 18 July 2019, [url](#)

<sup>242</sup> Syrian Observer (The), Despite its Weakness, the Syrian Army Remains Central to the Regime’s Survival – Syrian Expert, 13 February 2017, [url](#)

security forces operated independently and generally outside the control of the legal system. There were no known prosecutions or convictions of security force personnel for abuse or corruption and no reported government actions to increase respect for human rights by the security forces'.<sup>243</sup>

## Integrity

Under Bashar al Assad, the SAA has been traditionally dominated by members of the Alawite minority, especially at the leadership of military structures and intelligence branches. According to a pre-war study cited by Aron Lund, at the beginning of the conflict in 2011 ten out of twelve division commanders of the SAA were reportedly Alawites, as were the ministers of Defense and the Interior, heads of the Navy and the Air Force and two directors of the main four intelligence services.<sup>244</sup> As the conflict ensued, the percentage of Alawites in the military increased as a result of Sunni defections and sectarianism.<sup>245</sup> Recruitment to the officer corps has long favored Alawites, and during the conflict the selection of recruits for officer training has concentrated on Alawite-populated governorates such as Latakia and Tartous.<sup>246</sup> According to a 2018 report by Aron Lund, Alawites are overwhelmingly leading the Syrian Armed Forces.<sup>247</sup>

Conditions for Sunni conscripts in the SAA were reportedly worse than those of the Alawite minority. Sunni soldiers have been kept near the front lines for months, were poorly paid and insufficiently supplied. By comparison, Alawites were reportedly kept away from the front lines and said to receive preferential treatment, as stated in a December 2018 report by Chatham House.<sup>248</sup>

According to Syria expert Kheder Khaddour 'the SAA has been crippled by decades of corruption through various networks of patronage and nepotism'.<sup>249</sup> Several sources assessed that as a result of the conflict the SAA has become even more corrupt and fragmented.<sup>250</sup> Army officers reportedly make up to USD 300 a month from bribes received from each person wanting to avoid reserve conscription. The practice of receiving bribes of up to thousands of dollars to facilitate people-smuggling to Turkey or Lebanon to avoid military service or arrest by the government has also been documented. Members of the army were also setting up or renting checkpoints for the purpose of extorting money and brokering services for detainees such as providing information to family about whereabouts of detainees, delivering objects and speeding up investigation proceedings in exchange for sums that range from hundreds to tens of thousands of dollars.<sup>251</sup>

<sup>243</sup> USDOS, Country Report on Human Rights Practices 2018 - Syria, 13 March 2019, [url](#), p. 12

<sup>244</sup> Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 42

<sup>245</sup> Omran Centre for Strategic Studies, Transformations of the Syrian Military: The Challenge of Change and Restructuring, 31 December 2018, [url](#), p. 23

<sup>246</sup> Khaddour, K., Strength in Weakness: The Syrian Army's Accidental Resilience, Carnegie Middle East Center, 14 March 2016, [url](#)

<sup>247</sup> Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), pp. 42-43

<sup>248</sup> Khatib, L. and Sinjab, L., Syria's Transactional State How the Conflict Changed the Syrian State's Exercise of Power, Chatham House, October 2018, [url](#), p. 14

<sup>249</sup> Kheder Khaddour is a nonresident scholar at the Carnegie Middle East Center in Beirut. His research centers on civil military relations and local identities in the Levant, with a focus on Syria. Syrian Observer (The), Despite its Weakness, the Syrian Army Remains Central to the Regime's Survival – Syrian Expert, 13 February 2017, [url](#)

<sup>250</sup> Khatib, L. and Sinjab, L., Syria's Transactional State How the Conflict Changed the Syrian State's Exercise of Power, Chatham House, October 2018, [url](#), p. 2; Khaddour, K., Strength in Weakness: The Syrian Army's Accidental Resilience, Carnegie Middle East Center, 14 March 2016, [url](#); Omran Centre for Strategic Studies, Transformations of the Syrian Military: The Challenge of Change and Restructuring, 31 December 2018, [url](#), p. 21

<sup>251</sup> Khatib, L. and Sinjab, L., Syria's Transactional State How the Conflict Changed the Syrian State's Exercise of Power, Chatham House, October 2018, [url](#), pp. 19-20

According to Kheder Khaddour the SAA has ‘become vastly more corrupt, less professional, and more isolated from wider society in the five years since the start of the Syrian conflict’. The expert assessed that as a result of creating military networks of nepotism and patronage, the army and especially the officer corps have become ‘kleptocratic organizations’.<sup>252</sup>

The rise of militias, warlords and war profiteers coupled with heavy influence and dependence on foreign involvement are factors that experts assessed could potentially pose significant threats to maintaining centralised control by the state.<sup>253</sup> Competing economic interests of militias linked to smuggling, looting, and criminality have reportedly led to occasional clashes between army branches and militias.<sup>254</sup> Military skirmishes between the 5<sup>th</sup> Army Corps influenced by Russia and the Iranian-backed 4<sup>th</sup> Division of the SAA took place in January 2019 in Hama governorate and April 2019 in Aleppo city.<sup>255</sup>

### 2.3.2 Intelligence agencies

#### Mandate and Structure

Syria’s security apparatus is composed of four main intelligence branches that are formally coordinated by the National Security Bureau, which is overseen by the President’s office<sup>256</sup>:

- **Air Force Intelligence** is mainly comprised of Alawites officers and according to EIP has the closest relationship with President Assad. It consists of seven branches plus regional offices.<sup>257</sup> The Air Force Intelligence is reported to have played a major role in the conflict and to have committed some of the ‘most brutal treatment of political opponents of the Syrian government’.<sup>258</sup> According to an April 2019 report published by the US based non-profit organisation Syria Justice and Accountability Centre (SJAC) which provide insights and analysis on human rights violations in Syria, the Air Force Intelligence is the second most powerful intelligence branch in Syria.<sup>259</sup>
- **Military Intelligence Department** is the largest of the agencies, having<sup>260</sup> a dozen branches plus regional offices. Among other activities, it oversees officer’s affairs, monitors Palestinian groups, media and journalism in and outside Syria.<sup>261</sup> It was regarded as the most powerful intelligence branch and plays the role of the army’s security apparatus.<sup>262</sup> It formally reports to the Ministry of Defense but sources indicate that in

<sup>252</sup> Khaddour, K., *Strength in Weakness: The Syrian Army’s Accidental Resilience*, Carnegie Middle East Center, 14 March 2016, [url](#)

<sup>253</sup> Lund, A., *Syria’s Civil War: Government Victory or Frozen Conflict?*, Swedish Defence Research Agency, December 2018, [url](#), p. 49; Khatib, L. and Sinjab, L., *Syria’s Transactional State How the Conflict Changed the Syrian State’s Exercise of Power*, Chatham House, October 2018, [url](#), p. 2; Kasapoğlu, C., *Syria’s “Shogun” in the Making: Russia-backed General Suheil Al-Hassan and the Future of the Syrian Arab Armed Forces*, EDAM, November 2018, p. 6, [url](#)

<sup>254</sup> Lund, A., *Syria’s Civil War: Government Victory or Frozen Conflict?*, Swedish Defence Research Agency, December 2018, [url](#), p. 49

<sup>255</sup> Al-Jabassini, A., *From Insurgents to Soldiers: The Fifth Assault Corps in Daraa, Southern Syria*, Middle East Directions. European University Institute, 14 May 2019, [url](#), p. 7

<sup>256</sup> EIP, *Refugee return in Syria: Dangers, security risks and information scarcity*, June 2019, [url](#), p. 8

<sup>257</sup> EIP, *Refugee return in Syria: Dangers, security risks and information scarcity*, June 2019, [url](#), p. 8; Lund, A., *Syria’s Civil War: Government Victory or Frozen Conflict?*, Swedish Defence Research Agency, December 2018, [url](#), p. 43; USDOS, *Country Report on Human Rights Practices 2018 - Syria*, 13 March 2019, [url](#), p. 12

<sup>258</sup> EIP, *Refugee return in Syria: Dangers, security risks and information scarcity*, June 2019, [url](#), p. 8

<sup>259</sup> SJAC, *Walls Have Ears: An Analysis of Classified Syrian Security Sector Documents*, April 2019, [url](#), p. 10

<sup>260</sup> Lund, A., *Syria’s Civil War: Government Victory or Frozen Conflict?*, Swedish Defence Research Agency, December 2018, [url](#), p. 43

<sup>261</sup> EIP, *Refugee return in Syria: Dangers, security risks and information scarcity*, June 2019, [url](#), p. 8

<sup>262</sup> SJAC, *Walls Have Ears: An Analysis of Classified Syrian Security Sector Documents*, April 2019, [url](#), p. 10

practice it exercises significant control over it.<sup>263</sup> The Military Intelligence was viewed as the dominant apparatus in parts of Dar'a governorate, where it cooperated with Russia towards incorporating former opposition groups into its ranks.<sup>264</sup>

- **General Intelligence Directorate**, also known as the State Security, comprises of around a dozen branches and geographical offices. Specific branches are responsible for monitoring opposition and overseeing administration and travel bans.<sup>265</sup>
- **Political Security Directorate** is the smallest of the main agencies<sup>266</sup> being comprised of up to ten branches which are responsible for monitoring state employees, politicians, Syrians abroad and managing all the civilian prisons in the country.<sup>267</sup> It formally reports to the Ministry of Interior.<sup>268</sup> Human Rights Watch noted that in practice 'the intelligence directorate exerts a significant degree of control on the ministry's operations'.<sup>269</sup>

At EASO's COI Specialist Network on Syria meeting on 30 November – 1 December 2017, Christopher Kozak of ISW noted that the intelligence agencies have a central branch in Damascus as well as regional, city and local branches across the country.<sup>270</sup> In addition to the four main intelligence branches, there are two smaller security agencies: the Criminal Security Department, which is tasked with managing the traffic police and police stations and the Customs Department who is responsible for managing customs and regulating imported products and the free trade zone.<sup>271</sup>

Syria's security apparatus 'is factionalized by design, as a coup-proofing measure to prevent lateral networking'.<sup>272</sup> The main intelligence agencies operate autonomously with no defined boundaries between their areas of jurisdiction and have overlapping responsibilities.<sup>273</sup> The overlapping mandates are seen as a way to ensure that the agencies are 'competitive instead of cooperative, each attempting to ingratiate themselves with the president, better ensuring that he maintains control of the system'.<sup>274</sup>

While the National Security Bureau formally coordinates the intelligence agencies, in practice control over the chiefs of the different agencies was reportedly limited.<sup>275</sup> The Head of the National Security Bureau, Ali Mamlouk, is regarded as one of Assad's most trusted associates.<sup>276</sup> In July 2019, Assad appointed new directors to the main intelligence services and named Ali

<sup>263</sup> USDOS, Country Report on Human Rights Practices 2018 - Syria, 13 March 2019, [url](#), p. 12; SJAC, Walls Have Ears: An Analysis of Classified Syrian Security Sector Documents, April 2019, [url](#), p. 10

<sup>264</sup> Washington Post (The), Assad's control over Syria's security apparatus is limited, 30 July 2019, [url](#)

<sup>265</sup> EIP, Refugee return in Syria: Dangers, security risks and information scarcity, June 2019, [url](#), p. 8

<sup>266</sup> Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 43

<sup>267</sup> EIP, Refugee return in Syria: Dangers, security risks and information scarcity, June 2019, [url](#), p. 8

<sup>268</sup> USDOS, Country Report on Human Rights Practices 2018 - Syria, 13 March 2019, [url](#), p. 12

<sup>269</sup> HRW, Rigging the System. Government Policies Co-Opt Aid and Reconstruction Funding in Syria, 28 June 2019, [url](#), p. 38

<sup>270</sup> Kozak, C., EASO COI Meeting Report: Syria; 30 November & 1 December 2017; Valletta, Malta, March 2018, [url](#), p. 27

<sup>271</sup> EIP, Refugee return in Syria: Dangers, security risks and information scarcity, June 2019, [url](#), p. 9

<sup>272</sup> Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), pp. 42-43

<sup>273</sup> USDOS, Country Report on Human Rights Practices 2018 - Syria, 13 March 2019, [url](#), p. 12; Washington Post (The), Assad's control over Syria's security apparatus is limited, 30 July 2019, [url](#)

<sup>274</sup> SJAC, Walls Have Ears: An Analysis of Classified Syrian Security Sector Documents, April 2019, [url](#), p. 13

<sup>275</sup> Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 44

<sup>276</sup> Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 44

Mamlouk as Vice-President for Security Affairs.<sup>277</sup> However, as of October 2019 SANA - the Syrian state news agency - continued to refer to Mamlouk as head of the National Security Bureau.<sup>278</sup> It remains unclear if the changes in the security apparatus actually took place.

## Capacity

The Air Force Intelligence is reported to have expanded its presence in Aleppo and Hama in particular and has good cooperation with Russia and Iran.<sup>279</sup> Sources interviewed by the Danish Immigration Service (DIS) and the Danish Refugee Council (DRC) during a FFM conducted in November 2018 noted that ‘since May 2018 the Air Force Intelligence has consolidated its control over checkpoints in Damascus’.<sup>280</sup> The Tiger Forces are an armed faction founded, financed, trained, and commanded by the Air Force Intelligence Directorate and backed by Russia. Portrayed as a special elite group, the Tiger Forces took part in most of the major offensives conducted by the Syrian government’s forces since 2015. They maintained a close relationship with Russia and received sustained military support since their intervention in the conflict in September 2015.<sup>281</sup> Comprised mainly of Alawites, the Tiger Forces were assessed by Middle East Institute analyst, Gregory Waters to be ‘the largest single fighting force on the Syrian battlefield, with approximately 24 groups comprised of some 4,000 offensive infantry units as well as a dedicated artillery regiment and armor unit of unknown size’.<sup>282</sup> No corroborating information on the fighting force of the Tiger Forces could be found.

## Effectiveness

Prior to 2011, Syria’s intelligence services were primarily tasked with monitoring the country’s population. Since the outbreak of the conflict the regime has relied on the intelligence agencies to maintain control of the country and focus on opponents of the regime.<sup>283</sup> According to a 2017 analysis by the Istanbul-based ‘independent think tank’ focused on Syria, the Omran Center for Strategic Studies, the intelligence agencies’ role evolved during the conflict from ‘crushing’ protests and gathering information about the protesters, towards gathering intelligence on armed opposition groups and ultimately, integration in the military operations and command structure.<sup>284</sup> According to an April 2019 SJAC report, since 2011 the agencies have also cooperated on suppressing political dissidents and armed groups.<sup>285</sup>

Syrian intelligence agencies operate outside the law.<sup>286</sup> Each intelligence agency maintains its own prison and interrogation facility, with some controlling more than one facility.<sup>287</sup> An April 2019 report by SJAC, based on a sample of 5 003 documents drawn from about 483 000 papers retrieved from Syria during the civil war, revealed how the intelligence agencies created a wide network of informants and used phone surveillance to ensure that the government kept a close watch of the most mundane aspects of Syrians’ everyday life and restricted criticism of Assad and his government. Peaceful protesters, media reporters, opposition politicians, Kurdish leaders,

<sup>277</sup> UN Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic [A/HRC/42/51], 15 August 2019, [url](#), p. 6

<sup>278</sup> SANA, President al-Assad to Lavrentiev: Work should focus on stopping offensive, withdrawal of all Turkish, US and other illegal forces from Syrian territory, 18 October 2019, [url](#)

<sup>279</sup> Washington Post (The), Assad’s control over Syria’s security apparatus is limited, 30 July 2019, [url](#)

<sup>280</sup> DIS, DRC, Security Situation in Damascus. Province and Issues Regarding Return to Syria, February 2019, [url](#), p. 14

<sup>281</sup> Waters, G., The Tiger Forces. Pro-Assad Fighters Backed by Russia, Middle East Institute, October 2018, [url](#), p. 3

<sup>282</sup> Waters, G., The Tiger Forces. Pro-Assad Fighters Backed by Russia, Middle East Institute, October 2018, [url](#), Summary; p. 4

<sup>283</sup> EIP, Refugee return in Syria: Dangers, security risks and information scarcity, June 2019, [url](#), pp. 8-9

<sup>284</sup> Omran Centre for Strategic Studies, Changing the Security Sector in Syria, 01 October 2017, [url](#), p. 87

<sup>285</sup> SJAC, Walls Have Ears: An Analysis of Classified Syrian Security Sector Documents, April 2019, [url](#), p. 13

<sup>286</sup> SJAC, Walls Have Ears: An Analysis of Classified Syrian Security Sector Documents, April 2019, [url](#), p. 13

<sup>287</sup> OHCHR, Out of Sight, Out of Mind: Deaths in Detention in the Syrian Arab Republic, 3 February 2016, [url](#), pp. 7; 9-

defected soldiers, armed rebels, or extremist fighters were seen as the same and faced detention and punishment for their actions. A few of the documents also made reference to torture and death in detention.<sup>288</sup>

## Integrity

To strengthen his control over the security services, Assad created hostility and competition between them. In order to ensure loyalty, officials were given control over all areas of the state, which in turn generated an enormous source of money for them. The intelligence agencies were reported to use public services for personal gain such as requesting material benefits for ‘turning a blind eye to administrative, and even criminal, offences’. Intelligence agencies engaged in extortion of traders, industrialists and investors for receiving permission to trade, construct or conduct business with the government, as well as of civilians for issuing licenses and granting permission for specific activities, including renting or selling a home and regulating employment.<sup>289</sup> According to sources interviewed by DIS and DRC during a FFM conducted in November 2018, the Air Force Intelligence had the reputation of being ‘more stringent vis-à-vis corruption and more reluctant to accept bribes’.<sup>290</sup>

According to an EIP report from June 2019, ‘the security services also exercise absolute power over the humanitarian sector in Syria’.<sup>291</sup> The intelligence branches vet and approve access of UN agencies and international humanitarian organisations that want to operate in Syria, conditioning them on partnering with pre-approved local actors, and granting access to beneficiary lists and programming.<sup>292</sup> In practice, they have denied humanitarian access to populations perceived to be anti-government or politically problematic.<sup>293</sup>

While the intelligence agencies were involved in the creation of the pro-government militias, the subsequent competition for local dominance has resulted in occasional arrests of one another’s personnel, open clashes and violence.<sup>294</sup>

According to the USDOS, since the start of the conflict in 2011 the four main intelligence agencies were responsible for most arrests and detentions of persons perceived to oppose the government, including peaceful demonstrators, human rights activists, and political dissidents and their families.<sup>295</sup> In a June 2019 report, Human Rights Watch noted that the intelligence services were ‘responsible for systematic rights abuses, have restricted access to aid, and mistreated those they perceived as political opponents’. Arbitrary arrests, torture and extrajudicial killing of civilians, human rights defenders and humanitarian workers have also been documented.<sup>296</sup>

In May 2019, HRW reported on 11 cases of arbitrary detention, disappearances and harassment of civilians from reconquered areas by the regime by the intelligence branches. Cases of arbitrary

<sup>288</sup> SJAC, Walls Have Ears: An Analysis of Classified Syrian Security Sector Documents, April 2019, [url](#), p. 28

<sup>289</sup> EIP, Refugee return in Syria: Dangers, security risks and information scarcity, June 2019, [url](#), p. 9

<sup>290</sup> DIS, DRC, Security Situation in Damascus. Province and Issues Regarding Return to Syria, February 2019, [url](#), p. 53

<sup>291</sup> EIP, Refugee return in Syria: Dangers, security risks and information scarcity, June 2019, [url](#), p. 9

<sup>292</sup> HRW, Rigging the System. Government Policies Co-Opt Aid and Reconstruction Funding in Syria , 28 June 2019, [url](#), p. 5

<sup>293</sup> EIP, Refugee return in Syria: Dangers, security risks and information scarcity, June 2019, [url](#), p. 9; HRW, Rigging the System. Government Policies Co-Opt Aid and Reconstruction Funding in Syria, 28 June 2019, [url](#), p. 5

<sup>294</sup> Syrian Observer (The), Fifth Corps Attacks Assad Intelligence in Daraa, 2 April 2019, [url](#); New Arab (The), Arrests and assassinations: Consolidating power in Assad's Syria, 30 November 2018, [url](#); Washington Post (The), Assad's control over Syria's security apparatus is limited, 30 July 2019, [url](#)

<sup>295</sup> USDOS, Country Report on Human Rights Practices 2018 - Syria, 13 March 2019, [url](#), p. 18

<sup>296</sup> HRW, Rigging the System. Government Policies Co-Opt Aid and Reconstruction Funding in Syria , 28 June 2019, [url](#), pp. 5; 33-34

detention and disappearances of persons that have signed reconciliation agreements with the government were documented in Dar'a, Eastern Ghouta and southern Damascus.<sup>297</sup>

The abuses committed by the Syrian intelligence branches led countries such as France and Germany to issue arrest warrants for the heads of these agencies on charges of war crimes and crimes against humanity.<sup>298</sup>

### 2.3.3 Police

The police force is formally under the control of the Ministry of the Interior and it consists of four separate divisions: emergency police, traffic police, neighborhood police and the riot police.<sup>299</sup> According to an April 2019 report by SJAC, police commands were present in each governorate and while they report to the Ministry of Interior, they can also receive orders from branches of the intelligence agencies.<sup>300</sup> According to an Omran report from 2016, the Political Security Directorate 'has a supervisory authority over the Minister of Interior, his officers and staff including all police units'.<sup>301</sup>

The Emergency police is responsible for answering to emergency calls while the administrative [neighborhood] police deals with non-emergency situations. The riot police was deployed to put down protest demonstrations and since the onset of the conflict was conducting arrests and it closely cooperated with the intelligence agencies.<sup>302</sup>

Regarding the police's relationship with the intelligence services, an April 2019 report by SJAC noted that the police 'receive and execute commands, as opposed to issuing them' and there have been frequent instances where police would act as informers on anti-government activity and political dissidence in support of intelligence services.<sup>303</sup> According to reports cited by USDOS, 'the security branches secretly ordered many arrests and detentions'.<sup>304</sup>

USDOS reported that the police frequently conducted arrests citing emergency or security reasons instead of using a warrant as required by law. Warrants were rarely issued or presented by the police when operating arrests. Individuals arrested were kept in detention without charges for longer periods than the 60 days limit set by law, or indefinitely. The police were also reported to take part in arbitrary home raids following anti-government protests, attacks by the opposition or reconquering of territories by the government forces. Corruption was reportedly a widespread problem in the police forces, according to USDOS.<sup>305</sup>

### 2.3.4 Associated armed groups

There are various pro-government militias, both local and foreign operating in Syria alongside the regular armed forces.<sup>306</sup> Experts made a distinction between local militias such as the National Defense Forces (NDF) and non-Syrian militias made up of foreign fighters mainly backed by Iran.<sup>307</sup>

<sup>297</sup> HRW, Syria: Detention, Harassment in Retaken Areas, 21 May 2019, [url](#)

<sup>298</sup> UN Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic [A/HRC/40/70], 31 January 2019, [url](#), p. 6

<sup>299</sup> USDOS, Country Report on Human Rights Practices 2018 - Syria, 13 March 2019, [url](#), p. 12

<sup>300</sup> SJAC, Walls Have Ears: An Analysis of Classified Syrian Security Sector Documents, April 2019, [url](#), p. 11

<sup>301</sup> Omran Center for Strategic Studies, The Syrian Security Services and the Need for Structural and Functional Change, 18 November 2016, [url](#), p. 18

<sup>302</sup> Lifos, OFPRA, The Syrian Police Force – Structure and Roles, June 2018, [url](#), pp. 7-8

<sup>303</sup> SJAC, Walls Have Ears: An Analysis of Classified Syrian Security Sector Documents, April 2019, [url](#), p. 11

<sup>304</sup> USDOS, Country Report on Human Rights Practices 2018 - Syria, 13 March 2019, [url](#), p. 14

<sup>305</sup> USDOS, Country Report on Human Rights Practices 2018 - Syria, 13 March 2019, [url](#), pp. 13, 56

<sup>306</sup> ACLED, Pro-government Militia Autonomy on the Battlefield in Syria, 22 March 2018, [url](#)

<sup>307</sup> Finland, FIS, Syria: Fact-Finding Mission to Beirut and Damascus, April 2018, 14 December 2018, [url](#), p. 5; Al-Masri, A., Analysis: The Fifth Corps and the State of the Syrian Army, Atlantic Council, 13 January 2017, [url](#)



Pro-government militias played a key role in the survival of Assad's government and were involved in many military offensives and local security enforcement throughout the Syrian civil war.<sup>308</sup> According to Aron Lund, the pro-government militias make up possibly the majority of the Syrian government's armed forces.<sup>309</sup>

### National Defense Forces

After the beginning of the civil war in 2011, the Syrian government organized a network of auxiliary pro-government militias to supplement the army's combat capabilities and structural deficiencies.<sup>310</sup> The use of militias in Syria is legally possible under Article 10 of the Military Service law<sup>311</sup>, which permits the use of 'auxiliary forces' and 'other forces that are necessitated by circumstances' to fight alongside the SAA.<sup>312</sup>

The pro-government militias were at first organised as 'popular committees' from local communities controlled or loyal to the regime to defend their towns and neighborhoods against opposition forces, and comprised mainly of Shia and Alawite individuals.<sup>313</sup> Additionally, the regime also relied on a network of criminal gangs of Alawites linked with the Assad family, described by the opposition as *shabiha*, who were mobilised and armed to suppress the early protests.<sup>314</sup> Other sources describe the popular committees as a 'form of proto-militia movements created in 2011 and 2012, which the opposition referred to as "Shabiha"'.<sup>315</sup>

By 2012, the government took steps to consolidate these militias under its control and incorporated them under an umbrella network set up with Iran's assistance called the National Defense Forces (NDF).<sup>316</sup> Sources interviewed by the Finnish Immigration Service (FIS) during its April 2018 FFM to Beirut and Damascus noted that the NDF are not part of the Syrian army, but are officially recognised as 'allies', as legitimate institutions that are allowed to carry weapons and receive operational and logistical support from the Syrian army.<sup>317</sup> The NDF were reported to be 'quite inclusive of all the groups that are willing to fight on the side of Syrian government', for instance incorporating in their ranks Sunnis from Damascus and Aleppo.<sup>318</sup> According to an Omran report from 2016, the NDF is made up of 'mercenaries, crime lords, and unemployed citizens' and have become auxiliary security institutions which operate their own prisons and investigation

<sup>308</sup> Batrawi, S. and Grinstead, N., Six scenarios for pro-regime militias in 'post-war' Syria, Clingendael - Netherlands Institute for International Relations, March 2019, [url](#), p. 1; Waters, G., The Lion and The Eagle: The Syrian Arab Army's Destruction and Rebirth, Middle East Institute, 18 July 2019, [url](#)

<sup>309</sup> Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 48

<sup>310</sup> Kozak, C., EASO, EASO COI Meeting Report: Syria; 30 November & 1 December 2017; Valletta, Malta, March 2018, [url](#), p. 29-30; Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 47

<sup>311</sup> Khatib, L. and Sinjab, L., Syria's Transactional State How the Conflict Changed the Syrian State's Exercise of Power, Chatham House, October 2018, [url](#), pp. 14-15

<sup>312</sup> Khaddour, K., Strength in Weakness: The Syrian Army's Accidental Resilience, Carnegie Middle East Center, 14 March 2016, [url](#)

<sup>313</sup> UN Human Rights Council, "I lost my dignity": Sexual and gender-based violence in the Syrian Arab Republic; Conference room paper of the Independent International Commission of Inquiry on the Syrian Arab Republic [A/HRC/37/CRP.3], 8 March 2018, [url](#), p. 6; Kozak, C., EASO, EASO COI Meeting Report: Syria; 30 November & 1 December 2017; Valletta, Malta, March 2018, [url](#), p. 30; Al-Masri, A., Analysis: The Fifth Corps and the State of the Syrian Army, Atlantic Council, 13 January 2017, [url](#)

<sup>314</sup> Kozak, C., EASO, EASO COI Meeting Report: Syria; 30 November & 1 December 2017; Valletta, Malta, March 2018, [url](#), pp. 30-31

<sup>315</sup> Cambanis, T. et. al, Hybrid Actors. Armed Groups and State Fragmentation in the Middle East, The Century Foundation, 15 November 2019, [url](#), p. 58

<sup>316</sup> Omran Centre for Strategic Studies, Changing the Security Sector in Syria, 01 October 2017, [url](#), p. 90; Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 47

<sup>317</sup> Finland, FIS, Syria: Fact-Finding Mission to Beirut and Damascus, April 2018, 14 December 2018, [url](#), p. 14

<sup>318</sup> Finland, FIS, Syria: Fact-Finding Mission to Beirut and Damascus, April 2018, 14 December 2018, [url](#), p. 13

commissions.<sup>319</sup> The NDF fought alongside the regime troops and received higher salaries (between USD 100 and USD 400 per month in 2018) than those of the regular soldiers in the SAA (around USD 50 per month).<sup>320</sup>

Estimations of NDF's fighting strength vary with sources indicating that during their peak in 2014-2015 they had between 80 000 to 100 000 fighters<sup>321</sup>, while figures from 2017 assess their capacity to be more than 100 000 soldiers.<sup>322</sup> At least one battalion of about 1 000 – 1 500 women was reported to serve in the NDF, mainly in non-combat positions.<sup>323</sup>

## Lebanese Hezbollah

The Lebanese Hezbollah is a Shia militia that was established with Iranian assistance in 1982<sup>324</sup> in southern Lebanon, which was occupied by Israel from 1982 to 2000.<sup>325</sup> A US-designated Foreign Terrorist Organization<sup>326</sup>, Hezbollah is a close ally of Iran, which provides the group with the majority of funding, weapons and diplomatic support. Hezbollah follows the religious guidance of Iran's Supreme Leader – Ali Khamenei. Although Hezbollah also acts independently, its objectives are closely related to Iran's broader security goals with whom it carries out common initiatives.<sup>327</sup>

Hezbollah fighters assisted the Syrian government in military operations in many areas of the country since 2012<sup>328</sup>, although they confirmed their presence only in 2013.<sup>329</sup> They were involved in defending or recapturing of Druze, Shia, Alawite, Sunni, and Christian villages around the Syrian city al-Qusayr, as well as several Shia dominated suburbs of Damascus like Sayyida Zeinab.<sup>330</sup>

As of June 2018, the number of Hezbollah fighters in Syria was estimated to be between 7 000 and 10 000, the majority of which were reported to be deployed along the Lebanese-Syrian border in areas inhabited by Shia's and near their headquarters in Lebanon.<sup>331</sup> According to Christopher Kozak of ISW, Lebanese Hezbollah was the primary actor securing the Syrian-Lebanese Border.<sup>332</sup> Presence of Hezbollah fighters in other areas of the country, including around the cities of Homs and Damascus and in Deir Ez-Zor governorate has also been reported.<sup>333</sup>

According to a March 2019 analysis by Chatham House, the Lebanese Hezbollah 'practically hold power' in the west and south-west parts of the country where they are present, controlling an important supply route for weapons, including from Iran to Lebanon.<sup>334</sup> According to CSIS,

<sup>319</sup> Omran Center for Strategic Studies, The Syrian Security Services and the Need for Structural and Functional Change, 18 November 2016, [url](#), p. 24

<sup>320</sup> Khatib, L. and Sinjab, L., Syria's Transactional State How the Conflict Changed the Syrian State's Exercise of Power, Chatham House, October 2018, [url](#), pp. 14-15

<sup>321</sup> Kozak, C., EASO, EASO COI Meeting Report: Syria; 30 November & 1 December 2017; Valletta, Malta, March 2018, [url](#), pp. 29-30

<sup>322</sup> Omran Centre for Strategic Studies, Changing the Security Sector in Syria, 01 October 2017, [url](#), p. 90

<sup>323</sup> Finland, FIS, Syria: Fact-Finding Mission to Beirut and Damascus, April 2018, 14 December 2018, [url](#), p. 18

<sup>324</sup> USDOS, Country Report on Terrorism 2018 - Chapter 5 - Hizballah, 1 November 2019, [url](#)

<sup>325</sup> US CRS, Iran and Israel: Tension Over Syria, 5 June 2019, [url](#), p. 1

<sup>326</sup> The EU also designated the armed wing of Hezbollah as a terrorist group in 2013. See Guardian (The), EU resists Hezbollah ban but lists armed wing as terrorist group, 22 July 2013, [url](#)

<sup>327</sup> USDOS, Country Report on Terrorism 2018 - Chapter 5 - Hizballah, 1 November 2019, [url](#)

<sup>328</sup> USDOS, Country Report on Terrorism 2018 - Chapter 5 - Hizballah, 1 November 2019, [url](#)

<sup>329</sup> Syria Study Group, Final Report and Recommendations, USIP, 24 September 2019, [url](#), p. 23; Jones, S. and Markusen, M., The Escalating Conflict with Hezbollah in Syria, CSIS, June 2018, [url](#), p. 3

<sup>330</sup> Jones, S. and Markusen, M., The Escalating Conflict with Hezbollah in Syria, CSIS, June 2018, [url](#), p. 4

<sup>331</sup> Jones, S. and Markusen, M., The Escalating Conflict with Hezbollah in Syria, CSIS, June 2018, [url](#), pp. 3-5

<sup>332</sup> Kozak, C., EASO, EASO COI Meeting Report: Syria; 30 November & 1 December 2017; Valletta, Malta, March 2018, [url](#), p. 35

<sup>333</sup> Jones, S. and Markusen, M., The Escalating Conflict with Hezbollah in Syria, CSIS, June 2018, [url](#), pp. 4-5

<sup>334</sup> Carnegie Middle East Centre, Power Points Defining the Syria-Hezbollah Relationship, 29 March 2019, [url](#)

Hezbollah has some of the most advanced armed drone capabilities of any terrorist group in the world and ‘may have stockpiled chemical weapons in Syria’.<sup>335</sup>

### Other pro-government militias

A prominent pro-government militia is the Tiger Forces, which was set up and led by Brigadier-General Soheil al-Hassan and serving as the army of the Air Force Intelligence<sup>336</sup> For more information on the Tiger Forces see [section 2.3.2](#)

Additionally, wealthy and powerful Alawite businessmen with close links with the Assad government created their own militias of which the most notable include<sup>337</sup>:

- The al-Bustan militias: local self-defence forces set up by Assad’s cousin Rami Makhlouf who is regarded as the wealthiest man in Syria.<sup>338</sup>
- Suqour al-Sahara (Desert Hawks): a former heavily armed militia set up and funded by businessmen brothers Ayman and Mohammed Jaber in Latakia Governorate initially to protect their interest in oil trade. It has reportedly disbanded at Assad’s order due to issues of lawlessness.<sup>339</sup>

Apart from the Syrian pro-government militias, Shia foreign fighters were mobilised by Iran and sent to fight in Syria on the side of the Assad government. The most prominent groups included the Lebanese Hezbollah (discussed in the section above), the Afghan Fatemiyoun Brigade, the Pakistani Zeinabiyoun Brigade, as well as various Iraqi Shia militias that are members of the Popular Mobilization Forces<sup>340</sup>, and fighters from Yemen.<sup>341</sup> Estimation regarding the strength of these militias vary considerably with some sources stating that the Afghan Fatemiyoun Brigade and the Pakistani Zeinabiyoun Brigade together account for 15 000 fighters, while others put the total number of Shia foreign fighters in Syria from Afghanistan, Yemen and Iraq to be between 8 000 and 12 000.<sup>342</sup>

During the first half of 2019, Iraqi Shia militias were reported to be present primarily in the eastern parts of Syria and take part in cross-border operations against ISIL on the western bank of the Euphrates River. Iraqi Shia militias were also located in around the Al Tanf Garrison, near the Jordanian border area occupied by US forces.<sup>343</sup>

Sources published in 2018 reported that Iran has also established the Local Defense Forces (LDF) which include local militias that operated outside of official military structures and were

<sup>335</sup> Jones, S. and Markusen, M., The Escalating Conflict with Hezbollah in Syria, CSIS, June 2018, [url](#), p. 3

<sup>336</sup> Lund, A., Syria’s Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 48

<sup>337</sup> Lund, A., Syria’s Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), pp. 47-48

<sup>338</sup> Lund, A., Syria’s Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 48; Kozak, C., EASO, EASO COI Meeting Report: Syria; 30 November & 1 December 2017; Valletta, Malta, March 2018, [url](#), p. 32

<sup>339</sup> Lund, A., Syria’s Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 48; Kozak, C., EASO, EASO COI Meeting Report: Syria; 30 November & 1 December 2017; Valletta, Malta, March 2018, [url](#), p. 32

<sup>340</sup> Kasapoğlu, C., Syria’s “Shogun” in the Making: Russina-backed General Suheil Al-Hassan and the Future of the Syrian Arab Armed Forces, EDAM, November 2018, [url](#), p. 7; Kozak, C., EASO, EASO COI Meeting Report: Syria; 30 November & 1 December 2017; Valletta, Malta, March 2018, [url](#), p. 34

<sup>341</sup> Jones, S. and Markusen, M., The Escalating Conflict with Hezbollah in Syria, CSIS, June 2018, [url](#), p. 4

<sup>342</sup> Kasapoğlu, C., Syria’s “Shogun” in the Making: Russina-backed General Suheil Al-Hassan and the Future of the Syrian Arab Armed Forces, EDAM, November 2018, [url](#), p. 7; Jones, S. and Markusen, M., The Escalating Conflict with Hezbollah in Syria, CSIS, June 2018, [url](#), p. 4

<sup>343</sup> USDOD, Operation Inherent Resolve. Lead Inspector General Report to the US Congress, April 1, 2019–June 30, 2019, 6 August 2019, [url](#), pp. 27-28

responsible for recruiting about 90 000 local Syrian fighters since 2017.<sup>344</sup> In April 2017, the LDF were formally integrated in the Syrian Armed Forces, although sources noted that they still reported to Iran, which continued to support them.<sup>345</sup>

Palestinian militias also supported the government military in the conflict. The most prominent of these militias are Popular Front for the Liberation of Palestine - General Command (PFLP-GC) which existed since before the uprising, the SAA-affiliated Palestinian Liberation Army (PLA) and the Liwa al-Quds (the Quds Brigade).<sup>346</sup> Liwa al-Quds is regarded as the largest Palestinian pro-government militia with an estimated 3 500 to 5 000 fighters.<sup>347</sup>

## Integrity issues

According to USDOS, the Syrian government ‘did not maintain effective control over foreign and domestic military or paramilitary organizations’, which included Russian forces, the Lebanese Hezbollah, the IRGC and pro-government militias such as NDF.<sup>348</sup> Freedom House stated that pro-government militias are ‘largely autonomous and free to exploit the population in areas they control’.<sup>349</sup> In a December 2018 report, Omran Centre for Strategic Studies noted that pro-government militias ‘do not necessarily operate under the regime’s direct control’ being highly influenced by powerful businessmen loyal to the regime who provide their funding and Iran.<sup>350</sup>

Violent clashes between pro-government militias for access to and control of territories, control of smuggling and extortion networks have occurred throughout the conflict.<sup>351</sup> Criminality is reported to be a main driver behind the activities of pro-government militias that make up the NDF<sup>352</sup>, as many have built a reputation as a mafia known for ‘stealing, looting, corruption, gun smuggling, drug smuggling, and committing violations against civilians’.<sup>353</sup> Militias also extorted companies and confiscated private property to varying degrees.<sup>354</sup> At times, pro-government militias have engaged in direct confrontations with state authorities.<sup>355</sup> This has led to ‘arrests of lower-ranking figures, attacks and clashes, and alleged assassinations of one another’s reconciled opposition fighters’.<sup>356</sup>

Experts from the Carnegie Middle East Center interviewed by the FIS during its April 2018 FFM to Beirut and Damascus assessed that the Syrian government regards the pro-government militias as a competing force.<sup>357</sup> Russia, who favours stability and strong state institutions to non-state actors,

<sup>344</sup> Omran Centre for Strategic Studies, Transformations of the Syrian Military: The Challenge of Change and Restructuring, 31 December 2018, [url](#), pp. 96-97; USCIRF, United States Commission on International Religious Freedom 2018 Annual Report; Country Reports: Tier 1 Countries (Recommended for CPC Designation): Syria, April 2018, [url](#), pp. 1-2

<sup>345</sup> Omran Centre for Strategic Studies, Transformations of the Syrian Military: The Challenge of Change and Restructuring, 31 December 2018, [url](#), p. 96; USCIRF, United States Commission on International Religious Freedom 2018 Annual Report; Country Reports: Tier 1 Countries (Recommended for CPC Designation): Syria, April 2018, [url](#), pp. 2-3

<sup>346</sup> Omran Centre for Strategic Studies, Transformations of the Syrian Military: The Challenge of Change and Restructuring, 31 December 2018, [url](#), pp. 90-91; Kozak, C., EASO, EASO COI Meeting Report: Syria; 30 November & 1 December 2017; Valletta, Malta, March 2018, [url](#), pp. 30-31

<sup>347</sup> Finland, FIS, Syria: Fact-Finding Mission to Beirut and Damascus, April 2018, 14 December 2018, [url](#), p. 24

<sup>348</sup> USDOS, Country Report on Human Rights Practices 2018 - Syria, 13 March 2019, [url](#), p. 1

<sup>349</sup> Freedom House, Freedom in the World 2019 - Syria, 4 February 2019, [url](#)

<sup>350</sup> Omran Centre for Strategic Studies, Transformations of the Syrian Military: The Challenge of Change and Restructuring, 31 December 2018, [url](#), p. 34

<sup>351</sup> Washington Post (The), Assad’s control over Syria’s security apparatus is limited, 30 July 2019, [url](#)

<sup>352</sup> Finland, FIS, Syria: Fact-Finding Mission to Beirut and Damascus, April 2018, 14 December 2018, [url](#), pp. 32-33

<sup>353</sup> Omran Centre for Strategic Studies, Transformations of the Syrian Military: The Challenge of Change and Restructuring, 31 December 2018, [url](#), p. 111

<sup>354</sup> Freedom House, Freedom in the World 2019 - Syria, 4 February 2019, [url](#)

<sup>355</sup> ECFR, Can Assad Win the Peace?, May 2019, [url](#), pp. 16-17

<sup>356</sup> Washington Post (The), Assad’s control over Syria’s security apparatus is limited, 30 July 2019, [url](#)

<sup>357</sup> Finland, FIS, Syria: Fact-Finding Mission to Beirut and Damascus, April 2018, 14 December 2018, [url](#), p. 15

has supported the incorporation of pro-government militias and former opposition groups into the formal branches of the SAA.<sup>358</sup> Since 2016, the Syrian government with Russian support, has started to integrate loyalist militias and former armed opposition groups into its official forces.<sup>359</sup> Government attempts to incorporate certain NDF groups and the NDF reservist forces into the official military structure have also been recorded in 2018.<sup>360</sup> Different factions have been integrated within the Russian backed 4<sup>th</sup> and 5<sup>th</sup> Assault Corps of the SAA, as well as in the Republican Guard.<sup>361</sup> According to Syria expert Haid Haid<sup>362</sup>, the integration of pro-government militias into the Syrian official forces has been limited and focused selectively on certain groups while others have remained outside the state's control. Militia fighters have been primarily incorporated as auxiliary forces of the SAA, rather than into regular forces, lacking clear structures and chains of command.<sup>363</sup>

According to an October 2019 report by the Center for Operational Analysis and Research (COAR)<sup>364</sup>, 'the Government of Syria has engaged in a crackdown on increasingly unaccountable pro-Government militias throughout Syria for at least the past six months'. In October 2019, there were reports of clashes between government forces and militias from a predominantly Alawite community in western Hama governorate that led to several casualties on the side of the government forces. A list containing the names of 400 wanted individuals suspected of 'theft, kidnapping, and impersonation of military personnel' was released by the Syrian government.<sup>365</sup>

## 2.4 Overview of abuses committed by government security forces and associated armed groups

More than 100 000 people have been detained, abducted or gone missing during Syria's eight-year civil war, largely at the hands of the Syrian government, according to Rosemary DiCarlo, UN Under-Secretary-General for Political and Peacebuilding Affairs.<sup>366</sup> AI noted that tens of thousands of people remain disappeared, most of them since 2011, including 'peaceful activists, humanitarian workers, lawyers, journalists, peaceful critics and government opponents as well as individuals detained in place of relatives wanted by the authorities'.<sup>367</sup> The UN and human rights organisations continue to report arbitrary detention and enforced disappearances at the hand of government forces and pro-government militias in 2019 reporting.<sup>368</sup>

<sup>358</sup> ECFR, Can Assad Win the Peace?, May 2019, [url](#), p. 9; Al-Jabassini, A., From Insurgents to Soldiers: The Fifth Assault Corps in Daraa, Southern Syria, Middle East Directions. European University Institute, 14 May 2019, [url](#), p. 7

<sup>359</sup> Haid, H., Reintegrating Syrian Militias: Mechanisms, Actors, and Shortfalls, Carnegie Middle East Center, 12 December 2018, [url](#)

<sup>360</sup> Finland, FIS, Syria: Fact-Finding Mission to Beirut and Damascus, April 2018, 14 December 2018, [url](#), p. 15

<sup>361</sup> AI Monitor, Syria Seeks to Integrate Myriad Paramilitaries, 3 December 2018, [url](#)

<sup>362</sup> Haid Haid is a Syrian columnist and a Chatham House consulting research fellow with the Middle East and North Africa Programme. For more information see: [url](#)

<sup>363</sup> Haid, H., Reintegrating Syrian Militias: Mechanisms, Actors, and Shortfalls, Carnegie Middle East Center, 12 December 2018, [url](#)

<sup>364</sup> COAR is a social enterprise that provides research and analysis related to the conflict in Syria as part of an EU-funded project. For more information see [url](#)

<sup>365</sup> COAR, Syria Update: 16-22 October 2019, 23 October 2019, [url](#), p. 10

<sup>366</sup> UN News, Security Council Failing Thousands of People Detained, Abducted in Syria, Civil Society Speakers Say, Demanding Information about Missing Persons' Whereabouts, 7 August 2019, [url](#)

<sup>367</sup> AI, Human rights in the Middle East and North Africa: Review of 2018 - Syria [MDE 24/9903/2019], 26 February 2019, [url](#), p. 4

<sup>368</sup> UN Security Council, Implementation of Security Council resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018) and 2449 (2018); Report of the Secretary-General [S/2019/674], 21 August 2019, [url](#), p. 6; UN Human Rights Council, Report of the Independent International Commission of Inquiry on

The CoI has reported on the use of torture by government forces, especially the intelligence branches, noting in 2016 that ‘it is extremely rare to find an individual who has been detained by the Government who has not suffered severe torture’. Most of the victims were men between the ages of 18 and 60 but torture of women and children was also reported.<sup>369</sup> USDOS noted that government forces tortured perceived opponents; including during interrogations and the CTC and courts-martial ‘relied on forced confessions and information acquired through torture to obtain convictions’.<sup>370</sup>

Since the summer of 2018, death registers have been issued by government authorities, officially confirming for the first time the deaths of thousands of people in government custody, who had died but without the state notifying their families or providing death certificates.<sup>371</sup> In most cases natural causes of death such as ‘heart attack’ or ‘stroke’ were indicated.<sup>372</sup> Former inmates interviewed by human rights organisations stated that they were subjected to multiple forms of torture, and suffered illness as a result of inadequate nutrition and hygiene while in detention.<sup>373</sup>

In March 2018, the CoI published a report on sexual and gender-based violence (covering the period from March 2011 to December 2017) finding that the rape of and sexual violence of women, girls and occasionally men, committed by government forces and associated militias during ground operations, raids and in detention amounted to war crimes and crimes against humanity.<sup>374</sup>

Throughout the conflict, government forces and associated armed groups have used a wide range of tactics to force opposition held areas into surrendering including sieges, blocking of humanitarian aid, denial of access to food and other basic services, targeted attacks on health facilities and other civilian targets.<sup>375</sup> AI noted in its annual report on human rights in Syria covering 2018 that ‘government and allied forces continued to commit war crimes and other serious violations of international humanitarian law, including indiscriminate attacks and direct attacks on civilians and civilian objects’.<sup>376</sup>

According to various reports the government has targeted civilians not only with conventional but also with chemical weapons. Reports range from 32<sup>377</sup> to about 330 chemical attacks<sup>378</sup> attributed to the Syrian government.<sup>379</sup> A 2018 report by the Organisation for the Prohibition of Chemical

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the Syrian Arab Republic [A/HRC/42/51], 15 August 2019, [url](#), p. 13; HRW, Syria: Detention, Harassment in Retaken Areas, 21 May 2019, [url](#)

<sup>369</sup> UN Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic [A/HRC/33/55], 11 August 2016, [url](#), p. 15

<sup>370</sup> USDOS, Country Report on Human Rights Practices 2018 - Syria, 13 March 2019, [url](#), p. 5

<sup>371</sup> USDOS, Country Report on Human Rights Practices 2018 - Syria, 13 March 2019, [url](#), p. 4

<sup>372</sup> Independent International Commission of Inquiry on the Syrian Arab Republic, Death Notifications in the Syrian Arab Republic, 27 November 2018, [url](#), p. 3; AI, Syria: Families left alone to find answers about disappeared relatives, 30 August 2019, [url](#)

<sup>373</sup> SHRC, The 17<sup>th</sup> Annual Report on Human Rights in Syria. January – December 2018, 24 January 2019, [url](#), pp. 71-73

<sup>374</sup> UN Human Rights Council, "I lost my dignity": Sexual and gender-based violence in the Syrian Arab Republic; Conference room paper of the Independent International Commission of Inquiry on the Syrian Arab Republic [A/HRC/37/CRP.3], 8 March 2018, [url](#), pp. 1; 4

<sup>375</sup> Siege Watch and PAX, Final Report. Out of Sight, Out of Mind: The Aftermath of Syria’s Sieges, May 2018, [url](#), p. 8; Damaan Humanitarian Organization, Global Rights Compliance, World Peace Foundation, published by ReliefWeb, Accountability for Starvation Crimes: Syria, August 2019, [url](#), p. 1

<sup>376</sup> AI, Human rights in the Middle East and North Africa: Review of 2018 - Syria [MDE 24/9903/2019], 26 February 2019, [url](#)

<sup>377</sup> UN Human Rights Council, Independent International Commission of Inquiry on the Syrian Arab Republic, Chemical Weapons Attacks, 12 March 2019, [url](#)

<sup>378</sup> GPPI, Nowhere to Hide. The Logic of Chemical Weapons Use in Syria, February 2019, [url](#), pp. 3, 5

<sup>379</sup> New York Times (The), U.S. Says Syria Has Used Chemical Weapons at Least 50 Times During War, 13 April 2018, [url](#); UN Human Rights Council, Independent International Commission of Inquiry on the Syrian Arab Republic, Chemical Weapons Attacks, 12 March 2019, [url](#); GPPI, Nowhere to Hide. The Logic of Chemical Weapons Use in Syria, February 2019, [url](#), pp. 3, 5

Weapons (OPCW) noted 143 alleged chemical attacks in open sources, between 1 December 2015 and 8 October 2018.<sup>380</sup> In one such chemical weapon attack carried out in August 2013 by the Syrian government on rebel held areas on the outskirts of Damascus, around 1 400 civilians were killed according to Syrian opposition estimates.<sup>381</sup>

Detailed information on human rights violations by government security forces and associated armed groups and individual profiles targeted will be covered in the upcoming EASO COI report on Syria: Targeting of individuals.

## 3. Kurdish-controlled areas of North and East Syria

### 3.1 Structures and institutions

#### 3.1.1 Kurdish Self Administration status

At the beginning of the conflict in 2011 Kurds were mostly concentrated in three non-contiguous areas along the Turkish border: Afrin and Kobane in Aleppo governorate and Jazira (Hasaka governorate).<sup>382</sup> Following defeats at the hands of rebel groups in other areas, the Syrian government forces retreated from northeast Syria leaving predominantly Kurdish inhabited area abandoned.<sup>383</sup> This allowed the Kurds to gain greater autonomy and in early 2014 to establish a governing confederation in the three now called ‘cantons’ of Afrin, Kobane and Jazira.<sup>384</sup> In January 2014, the Kurdish Democratic Union Party (PYD) adopted the so-called Social Contract which can be perceived ‘as a provisional constitution’ for the Autonomous Administration in *Rojava*.<sup>385</sup> The Social Contract foresaw a federal, decentralised system by which the Autonomous Region would remain a part of Syria, but with a regulated relationship with the central government in Damascus.<sup>386</sup>

Following the capture of predominantly Arab and Turkmen areas from ISIL, the PYD and associated groups announced in March 2016 the establishment of a ‘federal system’ in the areas it controlled.<sup>387</sup> It consisted of ‘seven nominally self-governing sub-regions in the areas of Jazira, Afrin, Kobane, Raqqa, Tabqa, Manbij and Deir al-Zour’.<sup>388</sup> In early 2018, following a military offensive Turkey and affiliated armed groups occupied Afrin.<sup>389</sup> According to International Crisis Group, Turkish-backed armed groups have administered Afrin since its capture.<sup>390</sup>

<sup>380</sup> OPCW, Summary of the Activities Carried Out by the OPCW Fact-Finding Mission to Syria, 10 October 2018, [url](#), p. 4

<sup>381</sup> BBC, Syria chemical attack: What we know, 24 September 2013, [url](#); Washington Post (The), More than 1,400 killed in chemical weapons attack, U.S. says, 30 August 2013, [url](#); Guardian (The), Syria conflict: chemical weapons blamed as hundreds reported killed, 22 August 2013, [url](#)

<sup>382</sup> US CRS, The Kurds in Iraq, Turkey, Syria, and Iran, 23 January 2019, [url](#), p. 2

<sup>383</sup> Wimmen, H. and Seluck, M., The Rise of Syria’s Kurds, Carnegie Endowment for International Peace, 5 February 2013, [url](#); US CRS, Syria Conflict Overview: 2011-2018, 23 January 2019, [url](#), p. 1

<sup>384</sup> US CRS, The Kurds in Iraq, Turkey, Syria, and Iran, 23 January 2019, p. 2

<sup>385</sup> HRW, Under Kurdish Rule: Abuses in PYD-run Enclaves of Syria, 19 June 2014, [url](#), p. 14

<sup>386</sup> YPG International, Charter of the Social Contract in Rojava, 1 July 2016, [url](#)

<sup>387</sup> BBC, Who Are the Kurds?, 15 October 2019, [url](#)

<sup>388</sup> International Crisis Group, Squaring the Circles in Syria’s North East, 31 July 2019, [url](#), p. 6

<sup>389</sup> US CRS, The Kurds in Iraq, Turkey, Syria, and Iran, 23 January 2019, [url](#), p. 2; International Crisis Group, Squaring the Circles in Syria’s North East, 31 July 2019, [url](#), p. 6

<sup>390</sup> International Crisis Group, Squaring the Circles in Syria’s North East, 31 July 2019, [url](#), p. 6

The proclamation of a federal system in the Kurdish-controlled areas was rejected by the Syrian government, other Syrian opposition groups, the US and Turkey.<sup>391</sup> The PYD claims it does not seek independence for the territories it administers but rather is focused on achieving a decentralised system that will recognise Kurdish autonomy and provide legal guarantees for Kurdish rights.<sup>392</sup> Since September 2018, the governance system in northeastern Syria has been known as the Northern and Eastern Syria Autonomous Administration.<sup>393</sup>

According to sources interviewed by the International Crisis Group, Kurdish leadership had presented a plan to the Syrian government via Russian mediation in January 2019 asking for 'constitutionally guaranteed local autonomy within the framework of the Syrian state that would leave security and governance in local hands and enable regional governance bodies such as the "autonomous administration" to resist interference from the capital'.<sup>394</sup> The Syrian government however refused Kurdish proposals and 'has not budged from its desire to regain every inch of the country and reinstate regime institutions (including security and military agencies)'.<sup>395</sup>

The relationship between YPG and the Syrian government is described by sources as 'defined by limited security and governance cooperation, economic transactions and stumbling political talks'.<sup>396</sup> Bertelsmann Stiftung noted that apart from minor skirmishes in the Kurdish areas the two sides appeared to be allies at the end of 2016.<sup>397</sup> As of July 2019, the Syrian government maintained a security presence in the cities of Qamishli and Hasaka, paid the salaries of government employees and funded some institutions in the Kurdish-controlled areas.<sup>398</sup>

Following the start of the Turkish-led offensive against the Kurdish-controlled northeast Syria in the beginning of October 2019, the Syrian government and the Kurdish-controlled SDF announced an agreement that will allow the Syrian government's troops to be deployed along the border with Turkey to assist Kurdish forces in repelling the Turkish offensive.<sup>399</sup> The agreement also envisaged that areas such as Afrin are to be reconquered.<sup>400</sup> Experts assessed that this new positioning of the Kurds on the side of the Syrian government will deter their aspirations for autonomy<sup>401</sup> and will allow the Syrian government to retake control of the territories in the north east.<sup>402</sup>

No further information on developments regarding the governance of the Kurdish-controlled areas as of 31 October 2019 could not be found within the time constraints of this report.

### 3.1.2 Presence and territorial control

According to sources interviewed by the Ministry of Foreign Affairs of the Netherlands in its August 2019 report, in north-eastern Syria, the SDF controlled 'about a quarter of all Syrian territory. The area includes the province of Hasaka, the part of the province of Aleppo around Manbij and Kobani, the area around Tel Rifaat and, following the conquest of the area from ISIS in 2017, most

<sup>391</sup> BBC, Who Are the Kurds?, 15 October 2019, [url](#)

<sup>392</sup> US CRS, The Kurds in Iraq, Turkey, Syria, and Iran, 23 January 2019, p. 2; Bertelsmann Stiftung, BTI 2018 Country Report: Syria, 2018, [url](#), p. 7; BBC, Who Are the Kurds?, 15 October 2019, [url](#)

<sup>393</sup> ANF News, Northern and Eastern Syria Autonomous Administration formed, 6 September 2018, [url](#)

<sup>394</sup> International Crisis Group interviews with YPG officials, March 2019. International Crisis Group, Squaring the Circles in Syria's North East, 31 July 2019, [url](#), p. 11

<sup>395</sup> International Crisis Group, Squaring the Circles in Syria's North East, 31 July 2019, [url](#), p. 15

<sup>396</sup> International Crisis Group, Squaring the Circles in Syria's North East, 31 July 2019, [url](#), p. 13

<sup>397</sup> Bertelsmann Stiftung, BTI 2018 Country Report: Syria, 2018, [url](#), p. 7

<sup>398</sup> International Crisis Group, Squaring the Circles in Syria's North East, 31 July 2019, [url](#), pp. 13-14

<sup>399</sup> Al Jazeera, Syria's army to deploy along Turkey border as Kurds strike deal, 14 October 2019, [url](#); New York Times (The), Abandoned by U.S. in Syria, Kurds Find New Ally in American Foe, 14 October 2019, [url](#)

<sup>400</sup> Al Jazeera, Syria's army to deploy along Turkey border as Kurds strike deal, 14 October 2019, [url](#)

<sup>401</sup> USIP, In Syria, Russian-Turkish Deal is a Game Changer on the Ground, 23 October 2019, [url](#); Al Jazeera, Syria's Kurds forge 'costly deal' with al-Assad as US pulls out, 15 October 2019, [url](#)

<sup>402</sup> Al Jazeera, Syria's Kurds forge 'costly deal' with al-Assad as US pulls out, 15 October 2019, [url](#); WSJ, Kurdish-Syrian Pact Scrambles Mideast Alliances, 14 October 2019, [url](#)



of the province of Raqqa and the part of Deir al-Zor province north-east of the Euphrates'.<sup>403</sup> The areas controlled by the Kurds in northeast Syria have 80 % of Syria's natural resources being rich in oil, gas and other natural resources, including water and wheat.<sup>404</sup>

During the first week of the October 2019 offensive into north east Syria, Turkish and affiliated forces managed to capture the towns of Tall Abyad in Raqqa and Ras al-Ain in Hasaka governorates, as well as part of the M4 international highway linking the Kurdish troops between the two governorates.<sup>405</sup> A US-facilitated ceasefire was agreed on 17 October to allow Kurdish forces to pull 30km back from the Turkey-Syria border where Turkey aims to establish the 'safe zone'.<sup>406</sup> Hours before its expiry the ceasefire was superseded by a Turkey-Russia agreement reached on 22 October that imposed a new ceasefire.<sup>407</sup> It established that Turkey would preserve its control of the areas captured between Tall Abyad and Ras al-Ain to a depth of 32 km<sup>408</sup> and entrusted Russian and Syrian forces with the task of removing YPG elements 'from a zone extending 30km south from the Turkish-Syrian border (excluding the area of Turkey's operation)'.<sup>409</sup> Russia asserted on 29 October that YPG forces had withdrawn from the so-called 'safe zone'.<sup>410</sup>

In mid-October 2019 Kurdish-led SDF forces who were in control of northeast Syria announced an agreement with the Syrian government forces who entered the region to deter Turkey from attacking.<sup>411</sup> As of 21 October 2019 Syrian government troops were deployed in previously Kurdish controlled areas, including the cities of Manbij and Kobane in Aleppo governorate as well as at locations in Raqqa and Hasaka governorates.<sup>412</sup> After 29 October, skirmishes between Turkish-led fighters and YPG or Syrian government forces took place in places outside the areas under nominal Turkish control.<sup>413</sup>

As of November 2019, International Crisis Group assessed that SDF/YPG forces continued to retain significant security roles in northeast Syria, outside the Tall Abyad – Ras al-Ain border zone. The Asayish was reported to still be in place in the border area even after the withdrawal of YPG forces.<sup>414</sup>

<sup>403</sup> Netherlands, Ministry of Foreign Affairs: Country of Origin Information Report Syria: The security situation, July 2019, [url](#), p. 57

<sup>404</sup> International Crisis Group, Squaring the Circles in Syria's North East, 31 July 2019, [url](#), pp. 3-6

<sup>405</sup> ACLED, Regional Overview – Middle East (6-12 October 2019), 15 October 2019, [url](#), p. 2

<sup>406</sup> Al Jazeera, US, Turkey agree on Turkish ceasefire with Syrian Kurds, 17 October 2019, [url](#); Guardian (The), Erdogan says Turkey to resume Syria offensive if truce deal falters, 19 October 2019, [url](#)

<sup>407</sup> International Crisis Group, Steadying the New Status Quo in Syria's North East, 27 November 2019, [url](#), pp. 1, 4

<sup>408</sup> COAR, Syria Update: 16-22 October 2019, 23 October 2019, [url](#), p. 10

<sup>409</sup> International Crisis Group, Steadying the New Status Quo in Syria's North East, 27 November 2019, [url](#), p. 4

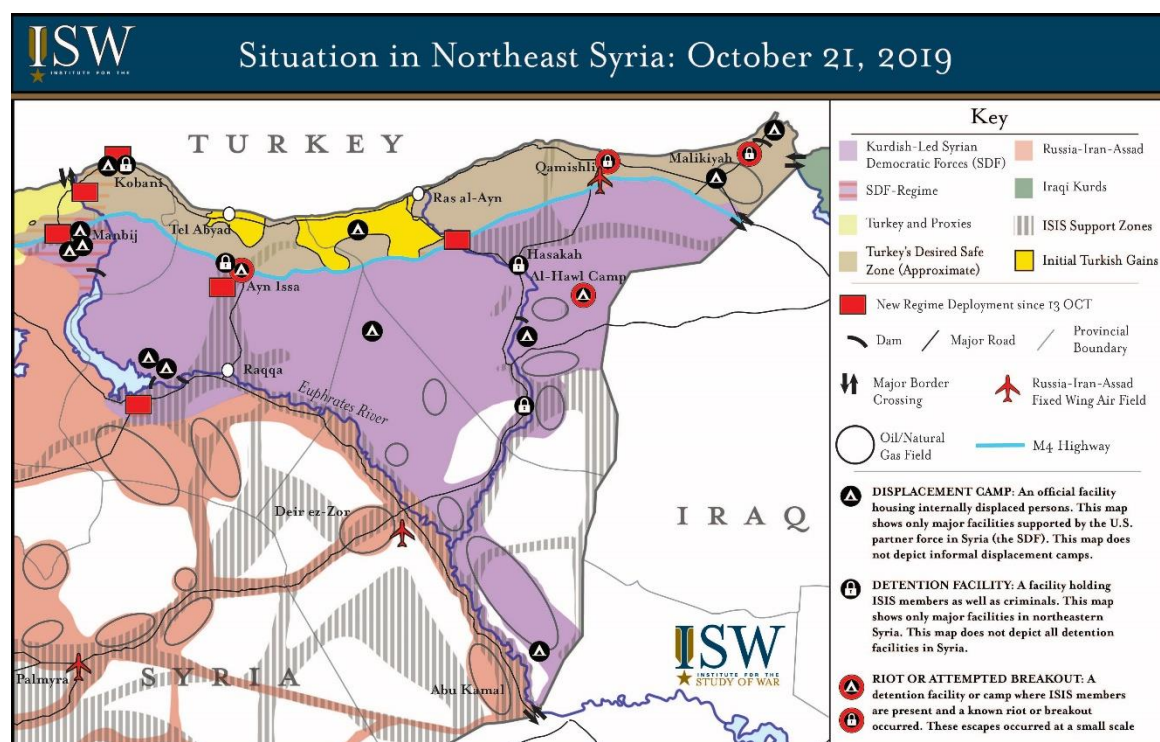
<sup>410</sup> Al Jazeera, Kurd fighters complete pullout from Turkey-Syria border: Russia, 29 October 2019, [url](#)

<sup>411</sup> Al Jazeera, Syria's army to deploy along Turkey border as Kurds strike deal, 14 October 2019, [url](#); New York Times (The), Abandoned by U.S. in Syria, Kurds Find New Ally in American Foe, 14 October 2019, [url](#)

<sup>412</sup> According to reading of Map 3: ISW, Situation in Northeast Syria, 21 October 2019

<sup>413</sup> NBC News, Fighting persists near Turkish border in Syria safe zone, Kurdish officials say, 31 October 2019, [url](#); Al Jazeera, Fierce clashes erupt between Syrian army, Turkish-led forces, 31 October 2019, [url](#)

<sup>414</sup> International Crisis Group, Steadying the New Status Quo in Syria's North East, 27 November 2019, [url](#), p. 8



Map 3: Situation in Northeast Syria: 21 October 2019, ©ISW

### 3.1.3 Political leadership

The following information should be considered in view of the context mentioned in sections [3.1.1](#) and [3.1.2](#) and is subject to rapid changes.

The Northern and Eastern Syria Autonomous Administration 'is led by the Syrian Democratic Council (the political wing of the SDF), with the Movement for a Democratic Society (TEV-DEM) as the ruling coalition. On paper, TEV-DEM is a coalition, but it is dominated by the PYD'.<sup>415</sup>

The Democratic Union Party, known as the PYD, is a Kurdish political party established by the Syrian branch of the PKK in 2003.<sup>416</sup> In mid-2012, the PYD took control of parts of northeast Syria and later established the Autonomous Administration which exercised de facto control over the region.<sup>417</sup> PYD is viewed as the dominant political actor in the Kurdish-controlled areas where it exercises ultimate control and making decisions for the entire region.<sup>418</sup> According to USDOS, 'PYD generally controlled the political and governance landscape in northeast Syria while allowing for Arab representation in local governance councils. The PYD, however, maintained overall control of critical decisions made by local councils'.<sup>419</sup> Arab participation in Kurdish governance is reportedly 'disproportionately low, partly due to a lack of inclusion, but also due to disinterest among many Arabs'.<sup>420</sup>

Formally, the PYD and its military wing YPG promote 'a socialist, secularist, and feminist vision based on the thought of PKK founder Abdullah Öcalan and his concept of "democratic

<sup>415</sup> Wilkofsky, D., The future of northeast Syria, Atlantic Council, 13 August 2019, [url](#)

<sup>416</sup> Syria Study Group, Final Report and Recommendations, USIP, 24 September 2019, [url](#), p. 33; Wimmen, H. and Seluck, M., The Rise of Syria's Kurds, Carnegie Endowment for International Peace, 5 February 2013, [url](#)

<sup>417</sup> HRW, Syria: Kurdish-led Administration Jails Rivals, 10 September 2018, [url](#)

<sup>418</sup> Freedom House, Freedom in the World 2019 - Syria, 4 February 2019, [url](#), Political Rights and Civil Liberties; Wilkofsky, D., The future of northeast Syria, Atlantic Council, 13 August 2019, [url](#)

<sup>419</sup> USDOS, Country Report on Human Rights Practices 2018 - Syria, 13 March 2019, [url](#), p. 55

<sup>420</sup> Wilkofsky, D., The future of northeast Syria, Atlantic Council, 13 August 2019, [url](#)

federalism”<sup>421</sup>. In practice, PYD’s system of governance is described by sources as authoritarian<sup>422</sup>, and other political parties have been marginalised.<sup>423</sup>

Most of the Kurdish opposition parties to the PYD are united in the Kurdish National Council (KNC), an umbrella group for various Syrian Kurdish parties that was created in 2011.<sup>424</sup> As of mid-2019, it was comprised of 14 parties.<sup>425</sup> Several sources have documented the arrest, detention and enforced disappearances of members of the political opposition, including KNC, perpetrated by local security forces.<sup>426</sup>

Local elections were held in Kurdish-controlled areas in September 2017. The Syrian government did not recognise the elections and the opposition KNC called for a boycott accusing PYD of being illegitimate and calling the elections a ‘flagrant violation of the will of the Kurdish people’.<sup>427</sup> According to Atlantic Council, two rounds of elections were held in late 2017 to formalize PYD’s ‘experiment in self-styled democracy’ but the third and final round of elections was postponed indefinitely for unclear reasons.<sup>428</sup>

According to Kurdish officials interviewed by the International Crisis Group, the PYD-run administration of north east Syria pays the salaries to 60 000 SDF fighters, 30 000 police officers and 140 000 civil servants ‘who provide rudimentary government services’.<sup>429</sup>

### 3.1.4. Judiciary and penal system

The judicial system in the Kurdish-controlled areas consists of courts, legal committees and investigative authorities. Kurdish authorities apply in areas under their control a legal code based on the ‘Social Contract’. The Social Contract is described as ‘a mix of Syrian criminal and civil law with laws concerning divorce, marriage, weapons ownership, and tax evasion drawn from EU law’. However, certain standards for fair trials, such as the prohibition of arbitrary arrests, the right to judicial review and the right to a lawyer, are lacking.<sup>430</sup>

The Kurdish justice system is not recognized internationally or by the Syrian government.<sup>431</sup> In 2015 the YPG established the terrorism court – known as the ‘People’s Court’ – to prosecute ISIL fighters and affiliates. The court reportedly has two branches in Qamishli and Kobane and is run by five judges.<sup>432</sup> The selection of judges does not have as a prerequisite the completion of judicial training. The People’s Court has judges and prosecutors lacking judicial training who often come from different professional backgrounds such as ‘architects, construction workers, bakers or auto

<sup>421</sup> Lund, A., Syria’s Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 60

<sup>422</sup> Lund, A., Syria’s Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 60

<sup>423</sup> Freedom House: Freedom in the World 2019 - Syria, 4 February 2019, [url](#), Political Pluralism and Participation

<sup>424</sup> Syria Study Group, Final Report and Recommendations, USIP, 24 September 2019, [url](#), p. 33; Chatham House, Governing Rojava: Layers of legitimacy in Syria, December 2016, [url](#), p. 3

<sup>425</sup> Syria Study Group, Final Report and Recommendations, USIP, 24 September 2019, [url](#), p. 33; Koontz, K., Borders Beyond borders. The Many (Many) Kurdish Political Parties of Syria, Middle East Institute, October 2019, [url](#), p. 8

<sup>426</sup> AI, Human rights in the Middle East and North Africa: Review of 2018 - Syria [MDE 24/9903/2019], 26 February 2019, [url](#), p. 3; HRW, World Report 2019 - Syria, 17 January 2019, [url](#)

<sup>427</sup> Syria Direct, First-ever local elections to begin in Kurdish-held territories, 21 September 2017, [url](#); USDOS, Country Report on Human Rights Practices 2018 - Syria, 13 March 2019, [url](#), p. 55

<sup>428</sup> Atlantic Council, The Commune System: A Look at Local PYD Governance in Northeastern Syria, 12 March 2018, [url](#)

<sup>429</sup> International Crisis Group interviews with SDC officials in November 2018-March 2019. International Crisis Group, Squaring the Circles in Syria’s North East, 31 July 2019, [url](#), pp. 5-6

<sup>430</sup> USDOS, Country Report on Human Rights Practices 2018 - Syria, 13 March 2019, [url](#), p. 17

<sup>431</sup> VOA, Syrian Kurds Seek Other Means of Trying IS Militants, 26 February 2019, [url](#); Haaretz, Syria’s Kurds Put ISIS on Trial With Focus on Reconciliation, 8 May 2018, [url](#)

<sup>432</sup> International Crisis Group interview with a judge in Qamishli, May 2019. International Crisis Group, Squaring the Circles in Syria’s North East, 31 July 2019, [url](#), p. 19

mechanics'.<sup>433</sup> A judge interviewed by the International Crisis Group in May 2019 stated that only one judge of the People's Court is a career jurist while the others are 'officials who have not completed full judicial training'.<sup>434</sup> In some cases defendants did not have access to a lawyer or the possibility to appeal verdicts.<sup>435</sup> Defense lawyers for cases of ISIL fighters were reportedly not available due to fears of retaliation from ISIL cells.<sup>436</sup>

A judge interviewed by International Crisis Group in May 2019 stated that the number of cases handled by the People's Court was 800 in 2017 and 1 200 in 2018 while 7 000 cases were still pending.<sup>437</sup> Another source noted that the court tried and sentenced 7 000 ISIL suspects and other 6 000 were awaiting trial.<sup>438</sup> Human Rights Watch noted in October 2019 that Kurdish authorities have 'tried thousands of Syrian ISIS suspects in flawed proceedings'.<sup>439</sup> Kurdish authorities have not tried ISIL fighters and affiliates from foreign countries and have requested that an international war crimes tribunal be set up together with the countries where the international ISIL fighters came from.<sup>440</sup>

The death penalty has been abolished by the Kurds as set out in article 26 of the Social Contract.<sup>441</sup> The maximum sentence imposed by the terrorism court is a 'life sentence', which is actually a twenty-year prison sentence.<sup>442</sup> The Kurdish authorities approach to prosecution of ISIL fighters was described as uneven with 'some fighters being freed or given light sentences, while others wait years for a trial'.<sup>443</sup> Kurdish authorities handed out reduced sentences to ISIL members who have surrendered to them or released them as part of reconciliation deals brokered with tribal leaders.<sup>444</sup> Kurdish authorities reportedly released hundreds of ISIL prisoners in March 2019.<sup>445</sup>

According to sources interviewed by the Ministry of Foreign Affairs of the Netherlands in its August 2019 report, Kurdish courts are also responsible for civil cases. In the city of Qamishli there are two courts: one run by the Kurdish authorities and one run by the Syrian government. Members of the political opposition that don't recognize the authority of the PYD cannot use the courts for political issues while Arabs living in the Kurdish controlled areas resort mainly to tribal networks and leaders that enjoy good relationships with the Kurds.<sup>446</sup>

ILAC noted in a 2017 report that the Kurdish judicial system 'neither meets basic standards for fair trial nor protects the right of detainees from arbitrary detention and mistreatment'. Sources interviewed by ILAC reported on lack of due process in detentions, issuing of arrest warrants by security forces affiliated with the PYD rather than prosecutors and arbitrary arrests.<sup>447</sup>

Due to the internal armed conflict involving government forces and non-state armed groups, AI could not confirm whether any judicial executions were carried out or any death sentences

<sup>433</sup> ILAC, ILAC Rule of Law Assessment Report: Syria 2017, April 2017, [url](#), pp. 116-117

<sup>434</sup> International Crisis Group, Squaring the Circles in Syria's North East, 31 July 2019, [url](#), p. 19

<sup>435</sup> Washington Post (The), Captured ISIS fighters get short sentences and art therapy in Syria, 14 August 2019, [url](#)

<sup>436</sup> Haaretz, Syria's Kurds Put ISIS on Trial With Focus on Reconciliation, 8 May 2018, [url](#)

<sup>437</sup> International Crisis Group, Squaring the Circles in Syria's North East, 31 July 2019, [url](#), p. 19

<sup>438</sup> NPR, 'Revenge Is For The Weak': Kurdish Courts In Northeastern Syria Take On ISIS Cases, 29 May 2019, [url](#)

<sup>439</sup> HRW, Northeast Syria: Boys, Men Held in Inhumane Conditions, 8 October 2019, [url](#)

<sup>440</sup> Washington Post (The), Captured ISIS fighters get short sentences and art therapy in Syria, 14 August 2019, [url](#);

NPR, 'Revenge Is For The Weak': Kurdish Courts In Northeastern Syria Take On ISIS Cases, 29 May 2019, [url](#)

<sup>441</sup> ILAC, ILAC Rule of Law Assessment Report: Syria 2017, April 2017, [url](#), p. 123

<sup>442</sup> Haaretz, Syria's Kurds Put ISIS on Trial With Focus on Reconciliation, 8 May 2018, [url](#)

<sup>443</sup> Washington Post (The), Captured ISIS fighters get short sentences and art therapy in Syria, 14 August 2019, [url](#)

<sup>444</sup> Haaretz, Syria's Kurds Put ISIS on Trial With Focus on Reconciliation, 8 May 2018, [url](#)

<sup>445</sup> Independent (The), Hundreds of Isis prisoners with 'no blood on their hands' released in Syria, 4 March 2019, [url](#)

<sup>446</sup> Netherlands, Ministry of Foreign Affairs, Country of Origin Information Report Syria: The security situation, July 2019, [url](#), pp. 60-61

<sup>447</sup> ILAC, ILAC Rule of Law Assessment Report: Syria 2017, April 2017, [url](#), p. 124

imposed in Syria in 2018. This does not include reports of extrajudicial executions and other unlawful killings.<sup>448</sup>

## 3.2 Security forces

### 3.2.1 Syrian Democratic Forces (SDF) and People’s Protection Units (YPG)

The Syrian Democratic Forces (SDF) are a Kurdish-led multi-ethnic force comprising of Kurds, Arabs and other ethnic groups created in 2015 to support the US-led coalition in the war against ISIL.<sup>449</sup> The SDF is dominated by the Kurdish People’s Protection Units (YPG) who helped establish the SDF in October 2015, provides its core fighting forces and largely ensures its leadership.<sup>450</sup> According to International Crisis Group, the SDF ‘generally accepts that the YPG is its core fighting force, which maintains command and control’.<sup>451</sup>

The Kurdish People’s Protection Units were established in 2012 as the military wing of the Kurdish Democratic Union Party (PYD) – a Syrian branch of the PKK.<sup>452</sup> They are divided into two groups: the People’s Protection Units – Yekîneyên Parastina Gel (YPG) – and the Women’s Protection Units – Yekîneyên Parastina Jinê (YPJ). The YPG and YPJ have a military mandate that is outlined in the Social Contract of the Northern and Eastern Syria Autonomous Administration: ‘The People’s Protection Units is the only national organization responsible for protecting the safety of the cantons and their regional sovereignty’. The stated goal of the YPG and YPJ is to ‘protect the Kurdish people and their cultural, political, and social existence’.<sup>453</sup>

The YPG and YPJ are reportedly ‘responsible for defense and security, including protecting the ‘external borders’ with Iraq, Turkey and the rest of Syria’.<sup>454</sup> They are also involved in clearing out ISIL remnants and other counter-insurgency operations.<sup>455</sup>

The SDF is led by a General Commander who is allegedly elected by the Military Council, which plays the role of the highest military authority of the SDF and is made up of representatives from each military group in the SDF.<sup>456</sup> In June 2019, SDF announced the formation of six new military councils in the major cities of northeastern Syria: Tall Abyad, Kobane, Tabqa, Raqqa, Qamishli and al-Hol. According to the SDF, the goal is to unify the military and security forces in the region, to more closely involve local leaders in decision-making and ‘to empower and activate the military institutions within the SDF’.<sup>457</sup> According to information provided by the Combined Joint Task Force - Operation Inherent Resolve, the SDF is a ‘broad spectrum security apparatus that conducts counterinsurgency operations, [local] patrols, checkpoint operations, detention operations, and clearance patrols’.<sup>458</sup>

<sup>448</sup> AI, Death Sentences and Executions 2018, 10 April 2019, [url](#), p. 31

<sup>449</sup> Syria Study Group, Final Report and Recommendations, USIP, 24 September 2019, [url](#), p. 33

<sup>450</sup> International Crisis Group, Squaring the Circles in Syria’s North East, 31 July 2019, [url](#), p. 1; Syria Study Group, Final Report and Recommendations, USIP, 24 September 2019, [url](#), pp. 8, 33

<sup>451</sup> International Crisis Group, Squaring the Circles in Syria’s North East, 31 July 2019, [url](#), p. 1

<sup>452</sup> Syria Study Group, Final Report and Recommendations, USIP, 24 September 2019, [url](#), p. 33

<sup>453</sup> Omran Center for Strategic Studies, Military and Security Structures of the Autonomous Administration in Syria, 24 January 2018, [url](#), pp. 14-15

<sup>454</sup> Danish Institute for International Studies, Mosaics of Power. Fragmentation of the Syrian state since 2011, 2018, [url](#), p. 19

<sup>455</sup> International Crisis Group, Squaring the Circles in Syria’s North East, 31 July 2019, [url](#), pp. 5-6

<sup>456</sup> Omran Center for Strategic Studies, Military and Security Structures of the Autonomous Administration in Syria, 24 January 2018, [url](#), p. 48; Omran Centre for Strategic Studies, Transformations of the Syrian Military: The Challenge of Change and Restructuring, 31 December 2018, [url](#), p. 80

<sup>457</sup> Defense Post (The), New Syrian military councils are the SDF’s latest push for decentralization, 23 June 2019, [url](#)

<sup>458</sup> USDOD, Operation Inherent Resolve. Lead Inspector General Report to the US Congress, April 1, 2019–June 30, 2019, 6 August 2019, [url](#), p. 29

The US views the SDF as a partner in northeast Syria and has supplied it with training and military equipment. The US presence in northeast Syria also provided SDF/YPG protection from the Syrian government and Turkish forces.<sup>459</sup> Since 2014, the SDF has been US's main 'ground force partner' in the fight against ISIL.<sup>460</sup> ISIL controlled much of north east Syria from 2014 until 2017 when the SDF backed by the US led coalition pushed it out and took control of its territories.<sup>461</sup> A SDF spokesperson interviewed by the International Crisis Group in March 2019 estimated the SDF casualties in the war against ISIL at around 11 000 fighters.<sup>462</sup>

Various sources estimate SDF's strength to be around 60 000 fighters.<sup>463</sup> Despite YPG's media claims that its forces comprise of around 50 000 fighters, Omran Center for Strategic Studies estimated it to be more between 20 000 and 30 000 fighters.<sup>464</sup>

Apart from the Kurdish dominated areas under its control, SDF/YPG also control predominantly Arab inhabited areas in Aleppo, Deir Ez-Zor and Raqqa governorates. The Syrian government, with Russian support, had requested to gradually reacquire full control of the SDF/YPG controlled areas starting with the Arab areas. However, YPG refused to accept such an arrangement claiming that it does not trust the upholding of the reconciliation agreements negotiated by the Syrian government and Russia and that it would accept a final settlement where the "autonomous administration" would be recognised and SDF/YPG would be allowed to preserve their military capabilities'.<sup>465</sup>

### 3.2.2 Asayish

The Asayish are the Kurdish internal security forces<sup>466</sup> and fulfill various security roles that range from police to counterterrorism. Formally established in 2013, the Asayish have been operating in predominantly Kurdish areas since the Syrian government pulled its forces from the cities of Kobane, Rumeilan and Maikiyah. The Asayish were setting up checkpoints at the entrances of cities and in important urban centres.<sup>467</sup>

According to Omran Center for Strategic Studies, the Asayish is comprised of six branches: traffic police, counter terror forces, women's Asayish, checkpoint security, general security and anti-organized crime. The counter terrorism forces deal with security situation that involve kidnappings, terrorism, suicide attacks, capturing fugitives and intelligence. They also provided support to SDF/YPG operations. Asayish reportedly has command centres in each canton of the Kurdish controlled region, some of whom operate independently from each other. Omran Center for Strategic Studies noted that Asayish is 'aligned with the Syrian Democratic Council and the Legislative Committee of the DAA [Democratic Autonomous Administration]'.<sup>468</sup>

<sup>459</sup> International Crisis Group, Squaring the Circles in Syria's North East, 31 July 2019, [url](#), pp. 1, 3

<sup>460</sup> US CRS, Turkey: Background and U.S. Relations In Brief, 14 August 2019, [url](#), p. 10

<sup>461</sup> Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 59

<sup>462</sup> International Crisis Group, Squaring the Circles in Syria's North East, 31 July 2019, [url](#), p. 3

<sup>463</sup> International Crisis Group, Squaring the Circles in Syria's North East, 31 July 2019, [url](#), p. 1; Washington Post (The), U.S. launches last-ditch effort to stop Turkish invasion of northeast Syria, 4 August 2019, [url](#); Syria Study Group, Final Report and Recommendations, USIP, 24 September 2019, [url](#), p. 32

<sup>464</sup> Omran Center for Strategic Studies, Military and Security Structures of the Autonomous Administration in Syria, 24 January 2018, [url](#), p. 16

<sup>465</sup> International Crisis Group interview with SDF commander Mazloum Kobani, March 2019. International Crisis Group, Squaring the Circles in Syria's North East, 31 July 2019, [url](#), pp. 11-12

<sup>466</sup> USDOS, Country Report on Human Rights Practices 2018 - Syria, 13 March 2019, [url](#), p. 25

<sup>467</sup> Omran Center for Strategic Studies, Military and Security Structures of the Autonomous Administration in Syria, 24 January 2018, [url](#), pp. 37-38

<sup>468</sup> Omran Center for Strategic Studies, Military and Security Structures of the Autonomous Administration in Syria, 24 January 2018, [url](#), pp. 38-41

Mid-2017 Asayish estimates put their strength between 10 000 to 12 000 members.<sup>469</sup> According to SDC officials interviewed by the International Crisis Group, there were 30 000 police officers operating in Kurdish controlled areas in northeast Syria.<sup>470</sup>

### 3.2.3 Integrity issues

The Syria Study Group noted in a September 2019 report that ‘YPG’s heavy-handed approach to governing and resource allocation, has led to unrest in Arab tribal areas’.<sup>471</sup> In Deir Ez-Zor governorate Arab residents launched protests against the Kurdish forces complaining of lack of services, discrimination, forcible conscription, and a failure to release prisoners.<sup>472</sup> Corruption, extortion and abuses of power at the hands of SDF personnel was also reported.<sup>473</sup> Local sources interviewed by the International Crisis Group in 2019 have noted that SDF/YPG has arbitrarily detained and indiscriminately killed civilians during anti-ISIL raids.<sup>474</sup>

The threat of Turkish military operations on Kurdish held areas in northern Syria and uncertainty regarding the future of US presence in Syria has been interpreted as an undermining factor to SDF/YPG’s willingness and ability to continue its efforts against ISIL and stabilize the area.<sup>475</sup> Based on previous SDF/YPG responses to Turkish actions in northern Syria the USDOD assessed that a new offensive by Turkey against the Kurdish positions ‘would likely cause the YPG elements of the SDF to cease efforts against ISIS insurgents, at least temporarily’.<sup>476</sup> According to International Crisis Group interviews, some Arab tribes and locals from Deir Ez-Zor have claimed that YPG has deliberately allowed ISIL remnants to be active in the area in order to pressure the US-led coalition to maintain its presence and to continue supporting the Kurdish forces.<sup>477</sup>

October 2019 reporting stated that the Kurdish-led SDF forces were thought to hold around 11 000 ISIL fighters in detention camps<sup>478</sup> and thousands of family members in IDPs camps across north east Syria.<sup>479</sup> Information on SDF’s capacity and management of ISIL fighters and family members is available in [section 6.4](#)

<sup>469</sup> Omran Center for Strategic Studies, Military and Security Structures of the Autonomous Administration in Syria, 24 January 2018, [url](#), p. 38

<sup>470</sup> International Crisis Group interview with SDC officials, November 2018-March 2019. International Crisis Group, Squaring the Circles in Syria’s North East, 31 July 2019, [url](#), p. 6

<sup>471</sup> Syria Study Group, Final Report and Recommendations, USIP, 24 September 2019, [url](#), p. 8

<sup>472</sup> Reuters, Anti-Kurdish protests grow in Syria’s Deir al-Zor: residents, locals, 8 May 2019, [url](#); AP News, Anti-Kurdish protests in east Syria could endanger US plans, 9 May 2019, [url](#)

<sup>473</sup> UN Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic [A/HRC/42/51], 15 August 2019, [url](#), p. 7

<sup>474</sup> International Crisis Group interview with tribal notables in March 2019 and with a YPG official in May 2019. International Crisis Group, Squaring the Circles in Syria’s North East, 31 July 2019, [url](#), p. 19

<sup>475</sup> International Crisis Group, Squaring the Circles in Syria’s North East, 31 July 2019, [url](#), pp. 20-22

<sup>476</sup> USDOD, Operation Inherent Resolve. Lead Inspector General Report to the US Congress, January 1, 2019–March 31, 2019, 7 May 2019, [url](#), p. 5

<sup>477</sup> International Crisis Group interviews with tribal leaders, eastern Syria, November 2018-March 2019. International Crisis Group, Squaring the Circles in Syria’s North East, 31 July 2019, [url](#), p. 16

<sup>478</sup> New York Times (The), The Kurds’ Prisons and Detention Camps for ISIS Members, Explained, 13 October 2019, [url](#)

<sup>479</sup> UN Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic [A/HRC/42/51], 15 August 2019, [url](#), p. 15; HRW, Northeast Syria: Boys, Men Held in Inhumane Conditions, 8 October 2019, [url](#)

### 3.3 Overview of abuses committed by Kurdish political actors (PYD) and security forces (SDF, YPG, Asayish)

Several sources noted that the PYD and the affiliated Asayish engaged in arbitrary detentions, enforced disappearances and torture of political opponents such as the KNC, arrests of journalists, members of human rights organisations and individuals who refused to cooperate with Kurdish groups.<sup>480</sup>

Military raids carried out by SDF against ISIL elements have led to civilian casualties.<sup>481</sup> Some raids have been perceived by local communities as direct SDF attacks on tribal members.<sup>482</sup> Arbitrary arrests and enforced disappearances of persons perceived to be affiliated with ISIL or armed opposition groups have been reported.<sup>483</sup>

The CoI noted that ‘in areas under the control of SDF, thousands of women, men and children continued to be unlawfully interned or detained, some of them held in deplorable conditions in makeshift camps unfit to meet their basic needs’.<sup>484</sup> With many countries of origin of foreign ISIL family members refusing to repatriate them, they are held in ‘limbo’ by the SDF.<sup>485</sup>

There have also been accounts of mistreatment of non-Kurdish residents, particularly those suspected to be associated with ISIL<sup>486</sup>, marginalisation of Arabs in governance matters<sup>487</sup> and temporary closures of schools that refused to adopt the Kurdish curriculum.<sup>488</sup>

The UN verified the recruitment and use of 313 children by YPG/YPJ operating under the SDF umbrella in the period from January to December 2018.<sup>489</sup>

Detailed information on human rights violations by the SDF/YPG and individual profiles targeted will be covered in the upcoming EASO COI report on Syria: Targeting of individuals.

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<sup>480</sup> USDOS, Country Report on Human Rights Practices 2018 - Syria, 13 March 2019, [url](#), p. 55; HRW, Syria: Kurdish-led Administration Jails Rivals, 10 September 2018, [url](#); Freedom House, Freedom in the World 2019 - Syria, 4 February 2019, [url](#)

<sup>481</sup> UN Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic [A/HRC/40/70], 31 January 2019, [url](#), p. 10; UN Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic [A/HRC/42/51], 15 August 2019, [url](#), p. 8

<sup>482</sup> UN Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic [A/HRC/42/51], 15 August 2019, [url](#), p. 8

<sup>483</sup> SNHR, An Increasing Frequency of in Arrests and Enforced Disappearances by Kurdish Self-Management Forces, 18 February 2019, [url](#), p. 2

<sup>484</sup> UN Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic [A/HRC/40/70], 31 January 2019, [url](#), p. 4

<sup>485</sup> UN Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic [A/HRC/42/51], 15 August 2019, [url](#), pp. 15-16

<sup>486</sup> Freedom House, Freedom in the World 2019 - Syria, 4 February 2019, [url](#)

<sup>487</sup> Tsurkov. E. and Al-Hassan, E., Kurdish-Arab Power Struggle in Northeastern Syria, Carnegie Endowment for International Peace, 24 July 2019, [url](#)

<sup>488</sup> USCIRF, United States Commission on International Religious Freedom 2019 Annual Report; Country Reports: Tier 1 Countries (Recommended for CPC Designation): Syria, April 2019, [url](#), p. 5; USDOS, Country Report on Human Rights Practices 2018 - Syria, 13 March 2019, [url](#), p. 55

<sup>489</sup> UN General Assembly Security Council, Children and armed conflict; Report of the Secretary-General [A/73/907-S/2019/509], 20 June 2019, [url](#), p. 27



## 4. Anti-government armed groups in the Idlib area

The Idlib area in northwestern Syria is reported as the armed opposition's main stronghold and is currently home to an estimated 3 million people<sup>490</sup>, including original residents and IDPs from other areas.<sup>491</sup> The opposition-controlled area is generally referred to as Idlib, but it also includes neighbouring areas in north-western Aleppo, northern Hama and Latakia governorates.<sup>492</sup> According to Aron Lund, the rebel held areas, including Idlib, are 'governed by a patchwork of sharia courts, local councils, exile government institutions, and direct rule by armed groups'.<sup>493</sup> The area is controlled by a number of rival armed actors rather than a single group<sup>494</sup>, making the assessment of factional control a complex issue.<sup>495</sup> The most important armed groups are presented in the sections below.

### 4.1 Hayat Tahrir al-Sham (HTS)

#### 4.1.1 Structure and objectives

Hayat Tahrir al-Sham or Organization for the Liberation of the Levant (HTS) is described as the most important and powerful actor in the Idlib area.<sup>496</sup>

HTS formed in 2017 as a coalition of Islamist Sunni anti-government armed groups, through the merger of Jabhat al-Nusra with other smaller factions<sup>497</sup>, including Jabhat Ansar al-Din, Harakat Nour al-Din al-Zinki, Liwa al-Haqq and Jaysh al-Sunna.<sup>498</sup> While some groups that were part of the original coalition, such as Harakat Nour al-Din al-Zengi<sup>499</sup>, split away from HTS, Jabhat al-Nusra elements were always dominant and seem to have absorbed other smaller groups and enjoy complete control.<sup>500</sup>

HTS's precursor organisation - Jabhat al-Nusra, was formed in Syria in 2011 as an Al Qaeda affiliate within the armed opposition to the Syrian government. The group publicly distanced itself from Al Qaeda since its rebranding as HTS and it maintains that it is 'an independent entity that follows no

<sup>490</sup> Based on estimations by aid groups. See Mercy Corps, 44 Syrian and International NGOs Call for Immediate End to Attacks on Civilians and Hospitals in Idlib, Syria, 24 May 2019, [url](#); RI, Losing Their Last Refuge; Inside Idlib's humanitarian nightmare, September 2019, [url](#), p. 4

<sup>491</sup> International Crisis Group, The Best of Bad Options for Syria's Idlib, 14 March 2019, [url](#), pp. 1, 6; Syria Study Group, Final Report and Recommendations, USIP, 24 September 2019, [url](#), p. 27

<sup>492</sup> ISW, Syria Situation Report: September 11-24 2019, 27 September 2019, [url](#); International Crisis Group, The Best of Bad Options for Syria's Idlib, 14 March 2019, [url](#), p. 1

<sup>493</sup> Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 53

<sup>494</sup> BBC, Syria: Who's in control of Idlib?, 22 June 2019, [url](#)

<sup>495</sup> International Crisis Group, The Best of Bad Options for Syria's Idlib, 14 March 2019, [url](#), p. 6

<sup>496</sup> International Crisis Group, The Best of Bad Options for Syria's Idlib, 14 March 2019, [url](#), p. 6; BBC, Syria: Who's in control of Idlib?, 22 June 2019, [url](#); al-Tamimi, A., From Jabhat al-Nusra to Hay'at Tahrir al-Sham: Evolution, Approach and Future, Konrad-Adenauer-Stiftung, 29 June 2018, [url](#), p. 5; HRW, Syria: Arrests, Torture by Armed Group, 28 January 2019, [url](#)

<sup>497</sup> USDOS, Country Report on Terrorism 2018 - Chapter 5 - Al-Nusra Front, 1 November 2019, [url](#)

<sup>498</sup> al-Tamimi, A., From Jabhat al-Nusra to Hay'at Tahrir al-Sham: Evolution, Approach and Future, Konrad-Adenauer-Stiftung, 29 June 2018, [url](#), p. 12

<sup>499</sup> Lund, A., A Jihadist Breakup in Syria, Foreign Affairs 15 September 2017, [url](#)

<sup>500</sup> Lund, A., Comment made during the review of this report, 21 November 2019.

organization or party, al Qaeda or others', in some instances even arresting Al Qaeda linked individuals to prove its lack of allegiance.<sup>501</sup>

The US still views HTS as an Al Qaeda affiliate noting that the 2017 merger was meant as a 'vehicle to advance its position in the Syrian insurgency and further its own goals as al-Qa'ida's affiliate in Syria'.<sup>502</sup> The Chair of the UN Security Council Committee concerning ISIL, Al-Qa'eda and associated and associated individuals, groups, undertakings and entities, however noted in a July 2019 report that 'the leader of Al-Qa'ida, Aiman al-Zawahiri, was the defining authority for HAD [Hurras al-Din], but not for HTS'.<sup>503</sup> The US<sup>504</sup>, UN, EU<sup>505</sup> and Turkey has designated HTS as a terrorist organisation affiliated with Al Qaeda.<sup>506</sup>

HTS is a predominantly Syrian organisation and is led by Abu Mohammed al-Joulani<sup>507</sup>, a Syrian who played the main role in the establishment and leadership of HTS's precursor Jabhat al-Nusra.<sup>508</sup> CSIS noted in an October 2018 report that HTS's primary objective is aimed at establishing Islamic rule in Syria through overthrowing the Assad government and ousting Iranian militias.<sup>509</sup> According to the Chair of the UN Security Council Committee concerning ISIL, Al-Qa'eda and associated and associated individuals, groups, undertakings and entities, 'HTS centered its agenda on the Syrian Arab Republic, with no interest in conducting attacks abroad'.<sup>510</sup>

#### 4.1.2 Presence and territorial control

The CoI stated in an August 2019 report that HTS control over 90 % of Idlib governorate, alongside adjacent parts of northern Hama and western Aleppo governorates.<sup>511</sup> These territories include Idlib city, the Bab al-Hawa border crossing with Turkey<sup>512</sup>, the north-west border with Turkey and trade crossings between the rebel held areas and the Syrian government territory.<sup>513</sup> Sources interviewed by International Crisis Group stated that HTS also 'retained some presence, if not outright control, in many areas outside its core territory', noting that since January 2019 it has extended limited authority to the edges of the Idlib area.<sup>514</sup>

<sup>501</sup> CSIS, Hay'at Tahrir al-Sham, 4 October 2018, [url](#), pp. 1-2

<sup>502</sup> USDOS, Country Report on Terrorism 2018 - Chapter 5 - Al-Nusra Front, 1 November 2019, [url](#)

<sup>503</sup> UN Security Council, Twenty-fourth report of the Analytical Support and Sanctions Monitoring Team submitted pursuant to resolution 2368 (2017) concerning ISIL (Da'esh), Al-Qa'ida and associated individuals and entities [S/2019/570], 15 July 2019, [url](#), p. 7

<sup>504</sup> USDOS, Country Report on Terrorism 2018 - Chapter 5 - Al-Nusra Front, 1 November 2019, [url](#)

<sup>505</sup> EU, Official Journal of the European Union, Commission Implementing Regulation (EU) 2018/855 of 8 June 2018 amending for the 286th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL (Da'esh) and Al-Qa'ida organisations, 11 June 2018, [url](#)

<sup>506</sup> HRW, Syria: Arrests, Torture by Armed Group, 28 January 2019, [url](#)

<sup>507</sup> International Crisis Group, The Best of Bad Options for Syria's Idlib, 14 March 2019, [url](#), pp. 13-14

<sup>508</sup> HRW, Syria: Arrests, Torture by Armed Group, 28 January 2019, [url](#)

<sup>509</sup> CSIS, Hay'at Tahrir al-Sham, 4 October 2018, [url](#), p. 2

<sup>510</sup> UN Security Council, Twenty-fourth report of the Analytical Support and Sanctions Monitoring Team submitted pursuant to resolution 2368 (2017) concerning ISIL (Da'esh), Al-Qa'ida and associated individuals and entities [S/2019/570], 15 July 2019, [url](#), p. 7

<sup>511</sup> UN Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic [A/HRC/42/51], 15 August 2019, [url](#), p. 9

<sup>512</sup> Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), pp. 55-56

<sup>513</sup> International Crisis Group, The Best of Bad Options for Syria's Idlib, 14 March 2019, [url](#), p. 8

<sup>514</sup> International Crisis Group interviews with Syrian activists, researchers and humanitarians in August 2018 and with former local governance official and rebel commander in January 2019. International Crisis Group, The Best of Bad Options for Syria's Idlib, 14 March 2019, [url](#), p. 8

HTS has maintained a dialogue with Turkey and has cooperated towards stabilising the Idlib area. The group has allowed Turkish observer forces to be deployed around the de-escalation zones and in the area HTS controls.<sup>515</sup>

During 2019, the Syrian government forces increased its military offensive against the armed opposition groups in Idlib area.<sup>516</sup> In August 2019, Syrian government forces recaptured the town of Khan Sheikhun in southern Idlib area, forcing HTS to retreat. Khan Sheikhun's position on the main road linking Idlib city to Hama made it particularly important to the area.<sup>517</sup> At the end of August 2019 Syrian government forces recaptured areas north of Khan Sheikhun in the southern part of HTS dominated Idlib area.<sup>518</sup>

### 4.1.3 Strength

Depending on the source, HTS's strength is evaluated to be between 12 000 and 20 000 fighters.<sup>519</sup>

HTS' income reportedly comes primarily from taxes and tolls they impose on the citizens under their control, such as providing utilities (electricity, water or public services), renting out properties seized from the Syrian government, movement of goods and applying tariffs on weapons provided to other armed groups into the Idlib area.<sup>520</sup> The main source of revenue for HTS is considered to come via the taxes it imposes on commercial traffic through the Bab al-Hawa border crossing and internal trade crossings between rebel and Syrian government-held territories.<sup>521</sup> According to the Counter Extremism Project<sup>522</sup>, the group also received private donations from wealthy individuals in Saudi Arabia, Qatar and Kuwait during 2013-2016.<sup>523</sup> HTS has also been suspected of being involved in kidnapping for ransom.<sup>524</sup>

HTS weapons come from depots captured from the Syrian government and seizure from rival groups following clashes. Light weapons, ammunition and vehicles are reportedly easy to purchase in the Idlib area.<sup>525</sup>

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<sup>515</sup> International Crisis Group, The Best of Bad Options for Syria's Idlib, 14 March 2019, [url](#), p. 15; HRW, Syria: Arrests, Torture by Armed Group, 28 January 2019, [url](#)

<sup>516</sup> UN Security Council, Implementation of Security Council resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018) and 2449 (2018); Report of the Secretary-General [S/2019/674], 21 August 2019, [url](#), pp. 4-5

<sup>517</sup> Guardian (The), Rebels withdraw from key Syrian town as pro-Assad troops advance, 20 August 2019, [url](#)

<sup>518</sup> Carter Center, Weekly Conflict Summary, 26 August – 1 September 2019, [url](#), p. 2

<sup>519</sup> UN Security Council, Twenty-fourth report of the Analytical Support and Sanctions Monitoring Team submitted pursuant to resolution 2368 (2017) concerning ISIL (Da'esh), Al-Qaida and associated individuals and entities [S/2019/570], 15 July 2019, [url](#), p. 7; BBC, Syria: Who's in control of Idlib?, 22 June 2019, [url](#); CSIS, Hay'at Tahrir al-Sham, 4 October 2018, [url](#), p. 3

<sup>520</sup> UN Security Council, Twenty-fourth report of the Analytical Support and Sanctions Monitoring Team submitted pursuant to resolution 2368 (2017) concerning ISIL (Da'esh), Al-Qaida and associated individuals and entities [S/2019/570], 15 July 2019, [url](#), p. 8; Counter Extremism Project, Nusra Front (Jabhat Fateh al-Sham), 10 September 2019, [url](#), p. 6; International Crisis Group, The Best of Bad Options for Syria's Idlib, 14 March 2019, [url](#), p. 11

<sup>521</sup> International Crisis Group, The Best of Bad Options for Syria's Idlib, 14 March 2019, [url](#), p. 11

<sup>522</sup> Counter Extremism project is a not-for-profit international policy organization formed to combat extremist ideologies. It provides research and analysis on extremist groups. For more information see: [url](#)

<sup>523</sup> Counter Extremism Project, Nusra Front (Jabhat Fateh al-Sham), 10 September 2019, [url](#), p. 6

<sup>524</sup> International Crisis Group interviews with a Syrian activist and Syrian politician, August and November 2018. International Crisis Group, The Best of Bad Options for Syria's Idlib, 14 March 2019, [url](#), p. 11; UN Security Council, Twenty-second report of the Analytical Support and Sanctions Monitoring Team submitted pursuant to resolution 2368 (2017) concerning ISIL (Da'esh), Al Qaida and associated individuals and entities, 27 July 2018, [url](#), p. 9

<sup>525</sup> UN Security Council, Twenty-fourth report of the Analytical Support and Sanctions Monitoring Team submitted pursuant to resolution 2368 (2017) concerning ISIL (Da'esh), Al-Qaida and associated individuals and entities [S/2019/570], 15 July 2019, [url](#), p. 8

#### 4.1.4 Modus operandi and profiles targeted

Regarding HTS's recruitment practices, the Counter Extremism Project noted that the group has recruited fighters through its online media channels and in-person efforts towards attracting locals.<sup>526</sup> HTS has also attracted the largest contingency of foreign fighters after ISIL in its ranks<sup>527</sup>, which in September 2018 was estimated at 3 000 to 4 000 foreigners.<sup>528</sup>

According to a Western diplomat and a Syrian activist interviewed by International Crisis Group, regular HTS members are non-ideological and mainly motivated to join by financial incentives or status. A Syrian activist and a Syrian researcher in Idlib noted that new HTS recruits reportedly go through ideological instruction.<sup>529</sup> The UN reported the recruitment and use of 187 children by HTS in the period from January to December 2018.<sup>530</sup>

HTS has created several civilian bodies in the territory under its control, including a governance body responsible for civilian functions – the Syrian Salvation Government<sup>531</sup>, a court system that applies Sharia law and an extensive prison system.<sup>532</sup> According to International Crisis Group interviews, the Syrian Salvation Government's ministries are reportedly run by a 'mix of nonpartisan technocrats and HTS-linked figures'.<sup>533</sup>

HTS has conducted campaigns in Idlib against rival armed groups that included amongst others ISIL and Turkey-backed armed opposition groups. In January 2019 HTS defeated the formerly HTS-affiliated armed group Harakat Nour al-Din al-Zinki and expelled other groups to the Turkish controlled areas in northern Aleppo governorate.<sup>534</sup>

The Counter Extremism Project noted that since the founding in 2011 of Jabhat al-Nusra – HTS' precursor group – the group has 'conducted formal military campaigns, assassinations, hostage takings, and 'lone wolf' operations, including suicide bombings', claiming 57 of 70 suicide attacks conducted in Syria by June 2013.<sup>535</sup> In a September 2019 report, Refugees International (RI)<sup>536</sup> noted that 'reportedly, HTS frequently commit serious human rights abuses, including harassment, assassinations, kidnapping, and torture'.<sup>537</sup> The Col and HRW reported that in areas where HTS is operating civilians are unlawfully detained, kidnapped and tortured for expressing political dissent.<sup>538</sup> The report of the UN Security Council Secretary-General noted in August 2019 that civilians, including humanitarian workers and media activists were targeted and received death threats for being critical of HTS, as well as extorted and used for ransom.<sup>539</sup> Between

<sup>526</sup> Counter Extremism Project, Nusra Front (Jabhat Fateh al-Sham), 10 September 2019, [url](#), p. 7

<sup>527</sup> CNN, Report: Syria's al-Nusra 'more dangerous' than ISIS, 26 January 2016, [url](#)

<sup>528</sup> Al Jazeera, After the Sochi agreement, HTS is facing internal divisions, 27 September 2018, [url](#)

<sup>529</sup> International Crisis Group, The Best of Bad Options for Syria's Idlib, 14 March 2019, [url](#), p. 14

<sup>530</sup> UN General Assembly Security Council, Children and armed conflict; Report of the Secretary-General [A/73/907–S/2019/509], 20 June 2019, [url](#), p. 27

<sup>531</sup> al-Tamimi, A., From Jabhat al-Nusra to Hay'at Tahrir al-Sham: Evolution, Approach and Future, Konrad-Adenauer-Stiftung, 29 June 2018, [url](#), p. 16

<sup>532</sup> HRW, Syria: Arrests, Torture by Armed Group, 28 January 2019, [url](#)

<sup>533</sup> International Crisis Group interviews with local governance officials, Syrian humanitarians, August-October 2018. International Crisis Group, The Best of Bad Options for Syria's Idlib, 14 March 2019, [url](#), p. 10

<sup>534</sup> International Crisis Group, The Best of Bad Options for Syria's Idlib, 14 March 2019, [url](#), p. 5, 8; ISW, ISIS's Second Comeback. Assessing the Next ISIS Insurgency, 20 June 2019, [url](#), p. 30

<sup>535</sup> Counter Extremism Project, Nusra Front (Jabhat Fateh al-Sham), 10 September 2019, [url](#), p. 3

<sup>536</sup> Refugees International is a global, independent advocacy organization that supports protection for displaced people and promotes solutions to displacement crises. For more information see [url](#)

<sup>537</sup> RI, Losing Their Last Refuge; Inside Idlib's humanitarian nightmare, September 2019, [url](#), p. 23

<sup>538</sup> UN Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic [A/HRC/42/51], 15 August 2019, [url](#), p. 4; HRW, Syria: Arrests, Torture by Armed Group, 28 January 2019, [url](#)

<sup>539</sup> UN Security Council, Implementation of Security Council resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015), 2332 (2016), 2393 (2017), 2401 (2018) and 2449 (2018); Report of the Secretary-General [S/2019/674], 21 August 2019, [url](#), p. 6

September and mid-October 2018, SNHR has documented at least 184 cases of detention of individuals, including local activists, humanitarian workers and mosque preachers in Aleppo and Idlib governorates which it attributed to HTS.<sup>540</sup>

In areas under its control, HTS has reportedly imposed a conservative dress code for both men and women, banned alcohol, smoking and listening to music, and enforced segregation in schools, hospitals and other public institutions.<sup>541</sup> According to USDOS (reporting on 2018) 'HTS and its constituent armed groups forced members of religious minorities to convert to Islam and adopt Sunni customs, contributing to minority flight from HTS territories'.<sup>542</sup>

## 4.2 Other Islamist anti-government armed groups

Apart from HTS, other armed groups operate in the Idlib area. They are predominantly Islamist groups, relate differently to Turkey,<sup>543</sup> and 'have an ambiguous or symbiotic relationship' with HTS.<sup>544</sup> These Islamist groups include:

**Hurras al-Din** (HAD) is an Al Qaeda-linked group that split from HTS in 2018.<sup>545</sup> It is largely made up of HTS defectors but also foreign fighters.<sup>546</sup> Although HAD is viewed as a rival of HTS<sup>547</sup> there have been reports of cooperation and support between the two groups.<sup>548</sup> HAD rejects any connections with Turkey in the Idlib area.<sup>549</sup>

According to the Chair of the UN Security Council Committee concerning ISIL, Al-Qaeda and associated individuals, groups, undertakings and entities, HAD was estimated to have between 1 500 and 2 000 fighters as of July 2019 reporting.<sup>550</sup> Sources interviewed by International Crisis Group suggest that the real number of fighters is around 700.<sup>551</sup>

The same source noted that Al Qaeda leader Aiman al-Zawahiri was 'the defining authority' for HAD.<sup>552</sup> Regarding the group's activities, International Crisis Group stated that HAD has 'publicised attacks on regime positions, which involve rocket fire, sniping and surreptitious raids that are sometimes deadly but limited in scope'. The same source further noted that HAD 'appears to

<sup>540</sup> SNHR, Hay'at Tahrir al Sham Exploits the De-Escalation Agreement and Escalates Their Violations, 21 October 2018, [url](#), p. 1

<sup>541</sup> RI, Losing Their Last Refuge; Inside Idlib's humanitarian nightmare, September 2019, [url](#), pp. 22-23; International Crisis Group, The Best of Bad Options for Syria's Idlib, 14 March 2019, [url](#), p. 10

<sup>542</sup> USDOS, Country Report on Human Rights Practices 2018 - Syria, 13 March 2019, [url](#), p. 31

<sup>543</sup> Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 55

<sup>544</sup> International Crisis Group, The Best of Bad Options for Syria's Idlib, 14 March 2019, [url](#), p. 17

<sup>545</sup> Syria Study Group, Final Report and Recommendations, USIP, 24 September 2019, [url](#), p. 22

<sup>546</sup> BBC, Syria: Who's in control of Idlib?, 22 June 2019, [url](#)

<sup>547</sup> International Crisis Group, The Best of Bad Options for Syria's Idlib, 14 March 2019, [url](#), pp. 18-19

<sup>548</sup> BBC, Syria: Who's in control of Idlib?, 22 June 2019, [url](#); International Crisis Group, The Best of Bad Options for Syria's Idlib, 14 March 2019, [url](#), pp. 18-19

<sup>549</sup> Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 55

<sup>550</sup> UN Security Council, Twenty-fourth report of the Analytical Support and Sanctions Monitoring Team submitted pursuant to resolution 2368 (2017) concerning ISIL (Da'esh), Al-Qaida and associated individuals and entities [S/2019/570], 15 July 2019, [url](#), p. 7

<sup>551</sup> According to International Crisis Group interviews with a former jihadist, a Syrian politician, a diplomat and a humanitarian, August and September 2018. International Crisis Group, The Best of Bad Options for Syria's Idlib, 14 March 2019, [url](#), p. 18

<sup>552</sup> UN Security Council, Twenty-fourth report of the Analytical Support and Sanctions Monitoring Team submitted pursuant to resolution 2368 (2017) concerning ISIL (Da'esh), Al-Qaida and associated individuals and entities [S/2019/570], 15 July 2019, [url](#), p. 7

possess only light weaponry and does not hold territory outright'.<sup>553</sup> Sources noted that HAD has a more international outlook than HTS, focusing on external attacks rather than on operations inside Syria.<sup>554</sup>

On June 30, 2019, US forces carried out an airstrike against Al Qaeda operatives 'responsible for plotting external attacks' near Aleppo governorate.<sup>555</sup> The strike reportedly resulted in the killing of eight persons, including six commanders from HAD.<sup>556</sup> On 31 August 2019, another US air strike targeting Al Qaeda leadership was conducted north of Idlib.<sup>557</sup> The targets of the strike were reportedly members of Ansar al-Tawhid (a splinter group of Jabhat al-Nusra) and possibly HAD.<sup>558</sup>

**The Turkistan Islamic Party (TIP)** in Syria is a Uighur-Chinese-dominated jihadist militant faction formed in 2013 that is present around the city of Jisr al-Shughour in western Idlib.<sup>559</sup> TIP is the Syrian-based wing of the Turkistan Islamic Party that aims to establish an Islamist state in Xianjiang province of China.<sup>560</sup> Its strength is estimated to be of 'a few thousand fighters'.<sup>561</sup> The group is viewed as an ally of HTS.<sup>562</sup> TIP is said to carry out suicide attacks, and while it opposes the Assad government, its focus and rhetoric is mostly directed on fighting China.<sup>563</sup>

There are other smaller Islamist groups present in the Idlib area, including Ansar al-Tawhid, a splinter of Jabhat al-Nusra, that is active in around the towns of Saraqeb and Sarmin.<sup>564</sup> The group is described as an ally of HAD.<sup>565</sup>

### 4.3 Syrian National Army (the former National Liberation Front)

The National Liberation Front (NLF) is a Turkish-backed alliance of opposition-armed groups that is present and active in the Idlib area.<sup>566</sup> The NLF was formed in 2018 by rebel armed groups in the Idlib area.<sup>567</sup> The group uses the brand of the Free Syrian Army (FSA) – the umbrella armed group

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<sup>553</sup> According to International Crisis Group interviews with a former jihadist, a Syrian politician, a diplomat and a humanitarian, August and September 2018. International Crisis Group, *The Best of Bad Options for Syria's Idlib*, 14 March 2019, [url](#), p. 18

<sup>554</sup> UN Security Council, Twenty-fourth report of the Analytical Support and Sanctions Monitoring Team submitted pursuant to resolution 2368 (2017) concerning ISIL (Da'esh), Al-Qaida and associated individuals and entities [S/2019/570], 15 July 2019, [url](#), p. 7; Syria Study Group, *Final Report and Recommendations*, USIP, 24 September 2019, [url](#), p. 22

<sup>555</sup> US Central Command, *Statement from U.S. Central Command on Strike against al-Qaida in Syria*, 30 June 2019, [url](#)

<sup>556</sup> France24, *US strike targeted al Qaeda in northwest Syria*, 2 July 2019, [url](#)

<sup>557</sup> US Central Command, *Statement from U.S. Central Command on U.S. Forces strike against al-Qaida in Syria leadership in Idlib Syria*, 31 August 2019, [url](#)

<sup>558</sup> ISW, *Al Qaeda Attempts to Unify Forces in Syria*, 5 September 2019, [url](#)

<sup>559</sup> Lund, A., *Syria's Civil War: Government Victory or Frozen Conflict?*, Swedish Defence Research Agency, December 2018, [url](#), p. 56; International Crisis Group, *The Best of Bad Options for Syria's Idlib*, 14 March 2019, [url](#), p. 19

<sup>560</sup> International Crisis Group, *The Best of Bad Options for Syria's Idlib*, 14 March 2019, [url](#), p. 19

<sup>561</sup> BBC, *Syria war: Why does the battle for Idlib matter?*, 4 June 2019, [url](#)

<sup>562</sup> BBC, *Syria: Who's in control of Idlib?*, 22 June 2019, [url](#); International Crisis Group, *The Best of Bad Options for Syria's Idlib*, 14 March 2019, [url](#), p. 19

<sup>563</sup> International Crisis Group, *The Best of Bad Options for Syria's Idlib*, 14 March 2019, [url](#), pp. 19-20

<sup>564</sup> According to an activist, a rebel commander and a humanitarian analyst interviewed by International Crisis Group in October-November 2018. International Crisis Group, *The Best of Bad Options for Syria's Idlib*, 14 March 2019, [url](#), p. 20

<sup>565</sup> Lund, A., *Syria's Civil War: Government Victory or Frozen Conflict?*, Swedish Defence Research Agency, December 2018, [url](#), p. 56

<sup>566</sup> International Crisis Group, *The Best of Bad Options for Syria's Idlib*, 14 March 2019, [url](#), p. 21; Lund, A., *Syria's Civil War: Government Victory or Frozen Conflict?*, Swedish Defence Research Agency, December 2018, [url](#), p. 57

<sup>567</sup> Lund, A., *Syrian war: Understanding Idlib's rebel factions*, *The New Humanitarian*, 3 September 2018, [url](#)

formed by the anti-government opposition in 2011<sup>568</sup> - and compared to HTS, is made up of moderate and but also Islamist factions.<sup>569</sup> These factions include:

- **Feilaq al-Sham**, considered the main actor in the NLF and Turkey's closest rebel partner. According to a Syrian Muslim Brotherhood official interviewed by the International Crisis Group, Feilaq al-Sham was founded by members of the Muslim Brotherhood but it takes its own decisions. It is present in the Idlib area and especially in Turkey-controlled areas of Aleppo governorate. The group maintains working relations with HTS.<sup>570</sup> Its leader, Fadlallah al-Hajji, is also the commander of the NLF.<sup>571</sup>
- **Ahrar al-Sham**: is a Salafi armed group that controls local communities in southern Idlib and northern Hama countryside. An HTS rival, the group lost ground to HTS following clashes in the beginning of 2019. The group was reportedly concentrated in Jabal al-Zawiyah; the Jabal al-Arbaeen area, including Ariha; and around Maaret al-Nouman.<sup>572</sup>
- **The Free Idlib Army**: an alliance of formerly Western-supported factions that has a long history of using the FSA brand.<sup>573</sup>
- **Jaish al-Ahrar**: an Ahrar al-Sham splinter group.<sup>574</sup>
- **Harakat Nour al-Din al-Zinki**: an Islamist faction that is based near Aleppo and has repeatedly changed sides between rival insurgent groups.<sup>575</sup> Clashes with HTS in January 2019 significantly impacted its capacity and territorial control.<sup>576</sup> In March 2019, the group dissolved and remaining fighters joining factions of the SNA.<sup>577</sup>

Several sources indicate that Turkey provides weapons and salaries to NLF<sup>578</sup>, although the support received is not considered to be substantial by its fighters.<sup>579</sup> Following clashes with HTS that took place in the beginning of 2019, NLF lost control over territory in Idlib and subsequently ceded the civil administration and surrounding areas in Idlib to HTS following an agreement between the groups.<sup>580</sup>

<sup>568</sup> ISW, The Free Syrian Army, March 2013, [url](#), p. 9

<sup>569</sup> Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 57

<sup>570</sup> International Crisis Group, The Best of Bad Options for Syria's Idlib, 14 March 2019, [url](#), pp. 21-22

<sup>571</sup> Syrian Observer (The), Three Leaders Take Reins of National Army in Northern Syria: Who Are They?, 7 October 2019, [url](#)

<sup>572</sup> According to International Crisis Group interviews conducted in August, November and December 2018 with a former rebel commander, a Syrian opposition politician, a former Syrian local governance official, a Syrian activist. International Crisis Group, The Best of Bad Options for Syria's Idlib, 14 March 2019, [url](#), pp. 22-23

<sup>573</sup> Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 57

<sup>574</sup> Lund, A., A Jihadist Breakup in Syria, Foreign Affairs, 15 September 2017, [url](#)

<sup>575</sup> Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 57

<sup>576</sup> Syria Direct, HTS seizes key Aleppo province town as group continues to assert itself over rebel-held northwest, 6 January 2019, [url](#)

<sup>577</sup> Nedaa.Sy, The "Nur ad-Din al-Zanki" movement dissolves itself and joins a new entity, 25 March 2019, [url](#)

<sup>578</sup> According to International Crisis Group interviews with a Syrian opposition politician and rebel commanders, September, November and December 2018. International Crisis Group, The Best of Bad Options for Syria's Idlib, 14 March 2019, [url](#), p. 21; BBC, Syria: Who's in control of Idlib?, 22 June 2019, [url](#)

<sup>579</sup> According to International Crisis Group interviews with a Syrian opposition politician and rebel commanders, September, November and December 2018. International Crisis Group, The Best of Bad Options for Syria's Idlib, 14 March 2019, [url](#), p. 21

<sup>580</sup> Defense Post (The), Last battlefield: The future of Syria's Idlib after HTS militant takeover, 19 January 2019, [url](#); UN Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic [A/HRC/42/51], 15 August 2019, [url](#), p. 4

Following the clashes, some NLF fighters evacuated the Idlib area towards the Turkish-backed rebel-controlled Afrin in Aleppo governorate.<sup>581</sup> Since the agreement, the two groups have fought together against the Syrian government offensive into the Idlib area.<sup>582</sup>

On 4 October 2019, the merger between the NLF and the Syrian National Army (SNA), another Turkish-backed armed group based in northern Aleppo governorate (for more information on the group see [Chapter 5](#)), was announced by the so called Syrian Interim Government<sup>583</sup>. The union brings together more than 40 armed opposition groups under the command of the Syrian National Army which reported by Syria expert Charles Lister to be under the 'near-total control of Turkey's Ministry of Defense and National Intelligence Organization (MIT)'.<sup>584</sup> The total strength of the combined forces was estimated by Lister to be around 35 000 fighters.<sup>585</sup> Representatives of the Syrian opposition however announced that the new SNA would be comprised of seven corps including 80 000 fighters. The military leadership of the new formed armed group will be ensured by Major General Salim Idriss - Minister of Defense for the so called Syrian Interim Government - and chief of staff of the SNA, Brigadier General Adnan al-Ahmad - deputy chief of staff from opposition controlled areas in Aleppo countryside and colonel Fadlallah al-Hajji – the leader of NLF and deputy chief of staff for the Idlib region.<sup>586</sup>

The October 2019 merger took place as Turkey was preparing to launch an offensive against Kurdish-controlled areas in north-eastern Syria. The SNA announced that they would fight together with Turkey against the Kurdish forces stating that 'we stand in full force in support of our Turkish brothers in fighting all forms of terrorism represented by the PKK gangs'.<sup>587</sup> The SNA also announced that they were ready to deploy 14 000 soldiers in support of Turkey's offensive.<sup>588</sup>

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<sup>581</sup> Syria Direct, With evacuations of Turkish-backed rebels ongoing, hardline coalition HTS cements control over majority of Syria's northwest, 17 January 2019, [url](#)

<sup>582</sup> Al Jazeera, Turkey-backed fighters join forces with HTS rebels in Idlib, 22 May 2019, [url](#); BBC, Syria: Who's in control of Idlib?, 22 June 2019, [url](#)

<sup>583</sup> The Syrian Interim Government is the government established by the armed opposition to Assad in 2013. See USAID, Syria Complex Emergency - Fact Sheet #1, Fiscal Year (FY) 2020, 8 November 2019, [url](#), p. 4

<sup>584</sup> Charles Lister is a senior fellow and Director of the Countering Terrorism and Extremism Program at the Middle East Institute where he focuses his work primarily on the Syrian conflict. For more information see [url](#)

<sup>585</sup> Lister, C., Turkish-backed Syrian armed opposition groups to unite under one banner, Middle East Institute, 4 October 2019, [url](#)

<sup>586</sup> Syrian Observer (The), Three Leaders Take Reins of National Army in Northern Syria: Who Are They?, 7 October 2019, [url](#)

<sup>587</sup> Reuters, Syrian rebels vow to back any Turkish operation into northeast, 4 October 2019, [url](#)

<sup>588</sup> According to the SNA's own estimates. New York Times (The), Syrian Rebels See Chance for New Life With Turkish Troops, 8 October 2019, [url](#)



## 5. Anti-government armed groups in other areas outside the control of the Syrian government

### 5.1 Syrian National Army

As of October 2019<sup>589</sup>, in northern Aleppo governorate, Turkey-backed armed groups controlled an area between the cities of Afrin, Azaz, Al-Bab and Jarabulus.<sup>590</sup> In 2016, Turkey had launched operation Euphrates Shield in northern Aleppo governorate to fight ISIL and contain YPG gains in the area capturing the al-Bab area, including Jarabulus and other towns.<sup>591</sup> In January 2018, Turkish and affiliated local armed groups then launched an offensive dubbed Operation Olive Branch on the Kurdish held Afrin district, in Aleppo governorate.<sup>592</sup> In March 2018, the operation concluded as Turkish forces declared Afrin city officially captured.<sup>593</sup> Complete control of the Afrin region was announced by Turkish authorities on 23 March 2018.<sup>594</sup>

By the end of 2017, Turkey had incorporated the armed groups that fought alongside them in the Euphrates Shield operation into the Syrian National Army under the formal supervision of the so called Syrian Interim Government's Ministry of Defence.<sup>595</sup> According to the Turkish state news agency Anadolu, 30 armed groups present in northern Aleppo united under the SNA at the end of 2017.<sup>596</sup> The factions that comprise the SNA are hostile towards the Syrian government present in south Aleppo governorate and SDF forces controlling Manbij, but follow Turkey's order in conducting military operations against either.<sup>597</sup>

Aron Lund stated that the most prominent factions of the SNA included: 'The Sultan Murad Brigade: an Arab-Turkmen group from Aleppo; The Moutassem Brigade: formerly US-backed rebels; Ahrar al-Sharqiya: an Islamist faction from eastern Syria; al-Jabha al-Shamiya (the Levant Front): Islamists from Aleppo and Azaz, linked to border smuggling'.<sup>598</sup> The factions with the closest relationship with Turkey are named after Ottoman sultans such as the Sultan Suleyman Shah Brigade and the Sultan Murad Division, and were responsible for the protection of areas of

<sup>589</sup> Liveuamap, Syria, 31 October 2019, [url](#)

<sup>590</sup> OHCHR, Between a Rock and a Hard Place – Civilians in North-western Syria, June 2018, [url](#), p. 1; Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 53

<sup>591</sup> International Crisis Group, Squaring the Circles in Syria's North East, 31 July 2019, [url](#), p. 7

<sup>592</sup> UN Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic [A/HRC/39/65], 9 August 2018, [url](#), p. 5; al-Hilu, K., Afrin Under Turkish Control: Political, Economic and Social Transformations, European University Institute, 25 July 2019, [url](#), p. 3

<sup>593</sup> UN Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic [A/HRC/39/65], 9 August 2018, [url](#), p. 5

<sup>594</sup> al-Hilu, K., Afrin Under Turkish Control: Political, Economic and Social Transformations, European University Institute, 25 July 2019, [url](#), p. 3

<sup>595</sup> al-Hilu, K., Afrin Under Turkish Control: Political, Economic and Social Transformations, European University Institute, 25 July 2019, [url](#), p. 5

<sup>596</sup> AA, Free Syrian Army transforms into Syrian National Army, 09 October 2019, [url](#)

<sup>597</sup> Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), pp. 53-54

<sup>598</sup> Lund, A., Syria's Civil War: Government Victory or Frozen Conflict?, Swedish Defence Research Agency, December 2018, [url](#), p. 54

Afrin that border Turkey. As of July 2019, a European University Institute study estimated the strength of the SNA at 30 000 fighters, who received wages and weapons supplies from Turkey.<sup>599</sup>

According to a January 2019 report of the Col, in the period from mid-July 2018 to mid-January 2019, more than 50 armed groups were present in northern Aleppo governorate, mostly in Afrin and Azaz districts. These groups included ‘Ahrar al-Sham, Amshad brigade, Faylaq al-Sham, Jaish al-Nukhba, Jaish alSharqiya, Jabhat al-Shamiya, Nour al-Din al-Zinki and Sumina Shah brigade, among others’.<sup>600</sup>

In an August 2019 report, the Col noted with regard to the situation in Afrin that ‘the so-called Syrian National Army consolidated its armed presence in the region, and established a formal security framework, with operation and coordination centres’. Despite this reported consolidation of control over the region, the UN also reported clashes between armed groups that operate under the SNA and splitting of the region into areas of influence between its factions.<sup>601</sup>

According to a European University Institute 2019 report, Turkey was described as the ‘ultimate authority in Afrin’, having established military command posts, intelligence services, started constructing new military bases and unified the armed factions under the SNA umbrella.<sup>602</sup> Aron Lund assessed that Turkey is also the main authority in the rest of northern Aleppo governorate and other regions where the SNA operates, Idlib being the exception due to overall dominance by HTS.<sup>603</sup>

## 5.2 Overview of abuses committed by the Syrian National Army

The Col and human rights organisations documented kidnappings, abductions, torture, extortion and assassinations of civilians by armed groups operating under the SNA.<sup>604</sup> Looting, theft and expropriation of Kurdish properties by SNA factions in the aftermath of the capture of Afrin was also reported.<sup>605</sup> In its August 2019 report, the Col wrote that it ‘finds that there are reasonable grounds to believe that members of the armed groups in Afrin continued to commit the war crimes of hostage-taking, cruel treatment, torture and pillage’.<sup>606</sup>

As mentioned in section 4.3 at the beginning of October 2019, the SNA incorporated the NLF into its ranks. On 9 October 2019, Turkey supported by SNA launched the military operation Peace Spring into the Kurdish-controlled areas in north east Syria.<sup>607</sup>

ISW wrote in October 2019 that the SNA was involved in ground operations together with Turkish forces aimed at capturing the border towns of Ras al-Ain and Tall Abyad and was also deployed

<sup>599</sup> al-Hilu, K., Afrin Under Turkish Control: Political, Economic and Social Transformations, European University Institute, 25 July 2019, [url](#), pp. 5-6

<sup>600</sup> UN Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic [A/HRC/40/70], 31 January 2019, [url](#), p. 8

<sup>601</sup> UN Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic [A/HRC/42/51], 15 August 2019, [url](#), pp. 5, 11

<sup>602</sup> al-Hilu, K., Afrin Under Turkish Control: Political, Economic and Social Transformations, European University Institute, 25 July 2019, [url](#), pp. 4-5

<sup>603</sup> Lund, A., Comment made during the review of this report, 28 November 2019.

<sup>604</sup> UN Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic [A/HRC/42/51], 15 August 2019, [url](#), pp. 11-12; AI, Syria: Tell Families of Missing the Fate of Loved Ones, 13 May 2019, [url](#); HRW, World Report 2019 - Syria, 17 January 2019, [url](#)

<sup>605</sup> al-Hilu, K., Afrin Under Turkish Control: Political, Economic and Social Transformations, European University Institute, 25 July 2019, [url](#), pp. 1; 5-6; HRW, Syria: Turkey-Backed Groups Seizing Property, 14 June 2018, [url](#)

<sup>606</sup> UN Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic [A/HRC/42/51], 15 August 2019, [url](#), p. 12

<sup>607</sup> Al Jazeera, Turkey launches military operation in northeast Syria, 9 October 2019, [url](#); DW, Turkey unleashes offensive against Kurds in northern Syria, 9 October 2019, [url](#)

near Manbij in Aleppo governorate.<sup>608</sup> On 18 October 2019, AI claimed it had gathered ‘damning evidence of war crimes and other violations by Turkish forces and their allies’ during the offensive in north east Syria. AI claimed that Turkish forces and the affiliated SNA were responsible for indiscriminate attacks on residential areas, summary killings and unlawful attacks that killed and injured civilians, among others.<sup>609</sup> The SNA-branded group Ahrar al-Sharqiya has been most frequently named as the perpetrator of summary killings and human rights abuses during the October 2019 offensive.<sup>610</sup>

## 6. Islamic State of Iraq and the Levant (ISIL)

### 6.1 Structure and objectives

ISIL (the Islamic State in Iraq and the Levant, also known as ISIS, IS and Daesh) was originally created by the wing of Al Qaeda in Iraq and smaller Iraqi Sunni insurgent groups.<sup>611</sup> A UN and EU<sup>612</sup> designated terrorist organisation<sup>613</sup>, ISIL took advantage of the civil war in Syria and all the ‘power vacuum created when rebels wrested large parts of the country’s north and east from the government of President Bashar al-Assad’ to seize strategic territory in Syria and Iraq, and by the end of 2014 was controlling large parts of territory in both countries.<sup>614</sup> By the end of 2018, ISIL’s territorial control in Syria was reduced to a small area located the eastern part of the country.<sup>615</sup> On 23 March 2019, SDF forces captured ISIL’s last stronghold in Baghouz village, Deir Ez-Zor governorate putting an end to ISIL’s territorial control.<sup>616</sup>

ISIL’s aspirations were not limited to one region, stating in its proclamation of the so-called caliphate in 2014 that it looks to establish governance over all Muslims in the world. According to Counter Extremism Project, ISIL’s ‘overarching goals centre on the reestablishment of a global, Islamic caliphate and fostering violent conflict between Muslims and non-Muslims’.<sup>617</sup> ISIL’s main core area of activities is Iraq, Syria and neighbouring areas.<sup>618</sup>

### 6.2 Presence and territorial control

With the capturing of Baghouz in March 2019, ISIL’s territorial control and governance in Syria ceased to exist completely. Sources maintained that ISIL remains a serious threat in Syria. The Chair of the UN Security Council Committee concerning ISIL, Al-Qaeda and associated and

<sup>608</sup> ISW, Syria Situation Report: September 25 – October 10 2019, 11 October 2019, [url](#)

<sup>609</sup> AI, Syria: Damning evidence of war crimes and other violations by Turkish forces and their allies, 18 October 2019, [url](#)

<sup>610</sup> UN News, Syria war: executions condemned as violence continues ‘on both sides’ of border with Turkey, 15 October 2019, [url](#); France24, Images document extrajudicial killings by Turkish-backed militia in Syria, 21 October 2019, [url](#); Al Monitor, Eastern Syria fighters accused of brutality after videos emerge, 13 November 2019, [url](#)

<sup>611</sup> Cambanis, T. et. al, Hybrid Actors. Armed Groups and State Fragmentation in the Middle East, The Century Foundation, 15 November 2019, [url](#), p. 106

<sup>612</sup> European Council. Council of the European Union, EU terrorist list, n.d, [url](#)

<sup>613</sup> UN Security Council, Security Council ISIL (Da’esh) and Al-Qaida Sanctions Committee Amends One Entry on Its Sanctions List, 11 October 2019, [url](#)

<sup>614</sup> New York Times (The), The Evolution of ISIS: from Rogue State to Stateless Ideology, 20 March 2019, [url](#)

<sup>615</sup> USDOS, 2018 Report on International Religious Freedom: Syria, 21 June 2019, [url](#), p. 13

<sup>616</sup> Wilson Center, Timeline: the Rise, Spread, and Fall of the Islamic State, 30 April 2019, [url](#)

<sup>617</sup> Counter Terrorism Project, ISIS, 17 September 2019, [url](#), pp. 2, 4

<sup>618</sup> UN Security Council, Twenty-fourth report of the Analytical Support and Sanctions Monitoring Team submitted pursuant to resolution 2368 (2017) concerning ISIL (Da’esh), Al-Qaida and associated individuals and entities [S/2019/570], 15 July 2019, [url](#), p. 3

associated individuals, groups, undertakings and entities, noted in July 2019 stated that although the group ‘suffered heavy casualties during the final months of its defence of the Hajin-Baghuz pocket’, it is forming cells across Syria, and that an increase in the number of ISIL attacks in areas controlled by the Syrian government has been reported.<sup>619</sup> This observation was echoed in a statement issued by Vladimir Voronkov, Under-Secretary-General of the UN Office of Counter-Terrorism, who stated in August 2019 that ‘the fall of Baghuz was not a fatal blow. ISIL continues to evolve into a covert network, with attacks increasing in areas controlled by the Government of Syrian Arab Republic’.<sup>620</sup>

In an August 2019 report (covering the period from 1 April to 30 June 2019), USDOD identified Deir Ez-Zor governorate, parts of Raqqa governorate and Homs governorate near Palmyra as the areas where ISIL displayed the strongest insurgent capabilities.<sup>621</sup> The Kurdish-controlled areas in northeast Syria comprise of most of the territory that was previously under ISIL control in Syria and are viewed as ‘the main theatre for ISIS’s insurgency’. In Raqqa and Hasaka governorates ISIL is thought to operate sophisticated clandestine networks capable of carrying out more complex attacks.<sup>622</sup>

According to sources interviewed by International Crisis Group in October 2019, ISIL maintained a presence in Badia desert in central Syria from where it launched periodic attacks on Syrian security forces positions outside the crossroads of Palmyra, in Homs governorate. From Badia desert ISIL can reportedly carry out attacks with a larger number of forces than in the SDF-controlled areas in north east Syria.<sup>623</sup>

In 2019, ISIL was reported to be active in Al-Hol camp in Hasaka governorate where many suspected family members of ISIL fighters reside. ISIL is suspected to carry out recruitment campaigns of new members from within the IDPs in the camp.<sup>624</sup>

### 6.3 Strength

As of July 2019, the Chair of the UN Security Council Committee concerning ISIL, Al-Qaeda and associated individuals, groups, undertakings and entities assessed that 150 ISIL fighters have remained in the areas south of Damascus and 800 in the governorates of Raqqa and Hasaka.<sup>625</sup> USDOD noted in an August 2019 report that US-led coalition estimations regarding ISIL’s strength vary considerably putting the number of ISIL members in Iraq and Syria between 14 000 and 18 000, of whom up to 3 000 are foreigners.<sup>626</sup>

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<sup>619</sup> UN Security Council, Twenty-fourth report of the Analytical Support and Sanctions Monitoring Team submitted pursuant to resolution 2368 (2017) concerning ISIL (Da’esh), Al-Qaida and associated individuals and entities [S/2019/570], 15 July 2019, [url](#), pp. 3, 5

<sup>620</sup> UN Office of Counter-Terrorism, Ninth “Report of the Secretary-General on the threat posed by ISIL (Da’esh) to international peace and security and the range of United Nations efforts in support of Member States in countering the threat”, 27 August 2019, [url](#), p. 3

<sup>621</sup> USDOD, Operation Inherent Resolve. Lead Inspector General Report to the US Congress, April 1, 2019–June 30, 2019, 6 August 2019, [url](#), p. 20

<sup>622</sup> According to International Crisis Group interview with an US official, 18 May 2019. International Crisis Group, Averting an ISIS Resurgence in Iraq and Syria, 11 October 2019, [url](#), pp. 23-24

<sup>623</sup> According to International Crisis Group interviews with Badiya residents and humanitarian workers, April-June 2019. International Crisis Group, Averting an ISIS Resurgence in Iraq and Syria, 11 October 2019, [url](#), p. 23

<sup>624</sup> USDOD, Operation Inherent Resolve. Lead Inspector General Report to the US Congress, April 1, 2019–June 30, 2019, 6 August 2019, [url](#), p. 20

<sup>625</sup> UN Security Council, UN Security Council, Twenty-fourth report of the Analytical Support and Sanctions Monitoring Team submitted pursuant to resolution 2368 (2017) concerning ISIL (Da’esh), Al-Qaida and associated individuals and entities [S/2019/570], 15 July 2019, [url](#), p. 7

<sup>626</sup> USDOD, Operation Inherent Resolve. Lead Inspector General Report to the US Congress, April 1, 2019–June 30, 2019, 6 August 2019, [url](#), p. 2

The wealth of the group was estimated between 50 million and 300 million USD, and some antiquities and cultural artefacts may be stockpiled for future sale. The group tends to rely on smuggling, extortion and kidnapping for ransom activities to generate funds, while regional cells and affiliates are provided with 'seed money' and are advised to be financially independent. 'Cash couriers, unregistered money service business and *hawaladars*' (money transfer houses) as well as mobile payment applications are the main means used by the group to transfer money to its members due to the difficulty in detecting such means.<sup>627</sup>

## 6.4 Modus operandi and profiles targeted

ISIL has held and lost territories across Syria against several enemies such as SDF and the US-led coalition, the Syrian government assisted by Russia and Iran, and Turkey-backed opposition armed groups, all of whom continued to clear ISIL remnants in their respective areas of control. ISIL employed different tactics depending on the area.<sup>628</sup>

As ISIL lost its territorial control it began to shift its strategy 'from open, semi-conventional combat to guerrilla warfare' conducting asymmetric campaigns against security forces.<sup>629</sup> ISIL insurgency activity also looked to prevent normalisation and reconstruction efforts in areas where it lost control.<sup>630</sup> Reuters reported in April 2019, that ISIL leader Abu Bakr Al Baghdadi outlined the group's strategy calling for followers to adopt guerrilla tactics and wage a war of attrition against ISIL's enemies.<sup>631</sup>

According to the USDOD report published in August 2019, ISIL activated cells in areas controlled by the SDF where it concentrated its attacks during April-June 2019. ISIL attacks were also reported elsewhere targeting Syrian government forces and affiliated armed groups.<sup>632</sup> In areas controlled by the Syrian government, ISIL claimed attacks in Dar'a and launched larger scale attacks against Syrian security forces from the Badia desert in central Syria.<sup>633</sup>

In Deir Ez-Zor governorate, ISIL has maintained a low-level insurgency since losing Baghouz in early 2019. The attacks include roadside bombs, drive-by shooting and assassinations of local SDF collaborators. Arab elements of the SDF have been particularly targeted in the area to deter the predominantly Arab local population from cooperating with the SDF/YPG forces. According to sources interviewed by the International Crisis Group<sup>634</sup>, ISIL attacks in Deir Ez-Zor governorate 'have been concentrated in a strip along the Euphrates River between the towns of al-Buseira and al-Tayyana'. In Deir Ez-Zor city ISIL has posted lists of SDF recruits and civilian employees on mosques demanding that they 'repent'.<sup>635</sup>

Attempting to win the trust of the local Arab tribes in northeast Syria and alleviate its overstretched capacity to hold ISIL detainees<sup>636</sup> SDF forces have released hundreds of ISIL

<sup>627</sup> UN Security Council, UN Security Council, Twenty-fourth report of the Analytical Support and Sanctions Monitoring Team submitted pursuant to resolution 2368 (2017) concerning ISIL (Da'esh), Al-Qaida and associated individuals and entities [S/2019/570], 15 July 2019, [url](#), pp. 17-18

<sup>628</sup> International Crisis Group, Averting an ISIS Resurgence in Iraq and Syria, 11 October 2019, [url](#), p. 23

<sup>629</sup> International Crisis Group, Averting an ISIS Resurgence in Iraq and Syria, 11 October 2019, [url](#), p. 1

<sup>630</sup> UN Office of Counter-Terrorism, Ninth "Report of the Secretary-General on the threat posed by ISIL (Da'esh) to international peace and security and the range of United Nations efforts in support of Member States in countering the threat", 27 August 2019, [url](#), p. 3

<sup>631</sup> Reuters, Instructions from Headquarters: Islamic State's New Guerrilla Manual, 24 May 2019, [url](#)

<sup>632</sup> USDOD, Operation Inherent Resolve. Lead Inspector General Report to the US Congress, April 1, 2019–June 30, 2019, 6 August 2019, [url](#), p. 20

<sup>633</sup> International Crisis Group, Averting an ISIS Resurgence in Iraq and Syria, 11 October 2019, [url](#), p. 23

<sup>634</sup> International Crisis Group interviews with Western officials and Deir al-Zour journalist, May-July 2019.

<sup>635</sup> International Crisis Group, Averting an ISIS Resurgence in Iraq and Syria, 11 October 2019, [url](#), pp. 24-25

<sup>636</sup> International Crisis Group interviews with SDF commander and Coalition member country diplomats, March, May and July 2019. International Crisis Group, Averting an ISIS Resurgence in Iraq and Syria, 11 October 2019, [url](#), p. 25

detainees as part of reconciliation deals brokered with tribal leaders.<sup>637</sup> An April 2019 article by the New Yorker stated that the SDF had released a thousand ISIL affiliates into tribal custody.<sup>638</sup>

From March through mid-October 2019, ISIL claimed to have conducted 321 insurgent attacks in Deir Ez-Zor governorate, 100 in Hasaka governorate, 98 in Raqqqa governorate, 32 in Homs governorate, 9 in Aleppo governorate, 8 in Dara'a governorate, and 3 in Damascus.<sup>639</sup> The Chair of the UN Security Council Committee concerning ISIL, Al-Qaeda and associated individuals, groups, undertakings and entities reported in July 2019 that ISIL has carried out at least 30 attacks against the US-led coalition forces in Syria since the beginning of 2019.<sup>640</sup> ISIL tactics have also included assassinations and burning of field of crops in northern Syria.<sup>641</sup> In the Idlib area in northwestern Syria, ISIL has targeted armed groups with bombings and assassinations.<sup>642</sup>

Since the establishment of its theocracy in Syria and Iraq, ISIL has killed hundreds of civilians, carrying out public executions, beheadings and crucifixions. Religious minorities in Syria such as Shias, Ismailis, Alawites, and Christians, as well as Sunni Muslims who did not adhere to the group's religious laws were specifically targeted.<sup>643</sup> In July 2018, an ISIL attack on the Druze community in Sweida governorate reportedly led to the 'bombing, shooting, and stabbing more than 300 Druze to death' and the abduction of 20 Druze women and 16 children, the majority of whom were released following negotiations, ransom and exchange of prisoners, while two died in captivity.<sup>644</sup>

In addition to Syrian government, rebel and SDF forces affiliates, the SNHR reported that ISIL killed 82 civilians, of which 11 were children and seven women in the first half of 2019.<sup>645</sup>

Since May 2019 SDF has continued to fight ISIL remnants in north east Syria and to hold thousands of ISIL detainees.<sup>646</sup> The Kurdish-led SDF forces are thought to hold around 11 000 ISIL fighters in half a dozen detention camps located in Kobane - Aleppo governorate, Ain Issa - Raqqqa governorate and Hasaka, among others.<sup>647</sup> As of August 2019, Al Hol camp in Hasaka governorate hosted an estimated 70 000 displaced individuals of whom 92 % are women and children. Around 11 000 family members of foreign ISIL fighters are also being held in Al Hol camp.<sup>648</sup> Family members of ISIL fighters are also living in more than a dozen other camps for IDPs under Kurdish control.<sup>649</sup> The SDF does not have the adequate resources to maintain the high number of ISIL fighters in prisons and family members in IDP camps<sup>650</sup>, a situation that is viewed as a potential

<sup>637</sup> International Crisis Group, Squaring the Circles in Syria's North East, 31 July 2019, [url](#), pp. 17-18; Washington Post (The), Captured ISIS fighters get short sentences and art therapy in Syria, 14 August 2019, [url](#)

<sup>638</sup> New Yorker (The), The Dangerous Dregs of ISIS, 16 April 2019, [url](#)

<sup>639</sup> Washington Institute for Near East Policy (The), The Islamic State in Syria After the U.S. Withdrawal, 23 October 2019, [url](#)

<sup>640</sup> UN Security Council, UN Security Council, Twenty-fourth report of the Analytical Support and Sanctions Monitoring Team submitted pursuant to resolution 2368 (2017) concerning ISIL (Da'esh), Al-Qaida and associated individuals and entities [S/2019/570], 15 July 2019, [url](#), p. 7

<sup>641</sup> USDOD, Operation Inherent Resolve. Lead Inspector General Report to the US Congress, April 1, 2019–June 30, 2019, 6 August 2019, [url](#), p. 4

<sup>642</sup> International Crisis Group, Averting an ISIS Resurgence in Iraq and Syria, 11 October 2019, [url](#), p. 23

<sup>643</sup> USDOS, 2018 Report on International Religious Freedom: Syria, 21 June 2019, [url](#), p. 13

<sup>644</sup> USCIRF, United States Commission on International Religious Freedom 2019 Annual Report; Country Reports: Tier 1 Countries (Recommended for CPC Designation): Syria, April 2019, [url](#), p. 4

<sup>645</sup> SNHR, 1,864 Civilians, Including Six Media Workers and 21 Medical and Civil Defence Personnel, Documented Killed in Syria in the First Half of 2019, 01 July 2019, [url](#), p. 8

<sup>646</sup> International Crisis Group, Averting an ISIS Resurgence in Iraq and Syria, 11 October 2019, [url](#), p. 23

<sup>647</sup> New York Times (The), The Kurds' Prisons and Detention Camps for ISIS Members, Explained, 13 October 2019, [url](#)

<sup>648</sup> UN Human Rights Council, Report of the Independent International Commission of Inquiry on the Syrian Arab Republic [A/HRC/42/51], 15 August 2019, [url](#), p. 15

<sup>649</sup> New York Times (The), The Kurds' Prisons and Detention Camps for ISIS Members, Explained, 13 October 2019, [url](#)

<sup>650</sup> ISW, ISIS's Opportunity in Northern Syria's Detention Facilities and Camps, 13 May 2019, [url](#)

security risk that could be exploited by ISIL either through targeting the prisons for jailbreaks or prisoners organising riots that could lead to mass escapes.<sup>651</sup>

In September 2019, ISIL leader Abu Bakr al-Baghdadi called on his followers to start freeing ISIL fighters and their families from detention camps in Iraq and Syria.<sup>652</sup> On 30 September 2019, clashes between ISIL supporters and Kurdish security forces occurred in Al Hol camp and led to the death of at least one female member of ISIL and the arrest of at least 50 others. In the wake of Turkey's offensive in northern Syria, ISIL launched a suicide vest (SVEST) attack on a SDF headquarters in Raqqa city.<sup>653</sup>

Following the start of Turkey's offensive into Kurdish-controlled areas in northeast Syria in October 2019, there have been reports of detainees affiliated with ISIL escaping from displacement camps. An estimated 750 to 850 women and children linked to ISIL were reported to having escaped from the Ain Issa camp, in Raqqa governorate following Turkish bombardments in the area. There were reports of ISIL cells carrying out attacks from within the camp and riots prior to the escape.<sup>654</sup> According to Kurdish forces information, ISIL sleeper cells and suicide bombers are active in the region attempting to liberate its former fighters from the prisons.<sup>655</sup>

On 27 October 2019, US President Donald Trump announced the death of ISIL leader Abu Bakr al-Baghdadi following a raid by US Special Forces in the village of Barisha, Idlib governorate. Three days after Baghdadi's death, Abu Ibrahim al-Hashimi al-Qurashi was announced as the new leader of ISIL.<sup>656</sup>

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<sup>651</sup> According to International Crisis Group interviews in April, May and July with US officials and Coalition officers. International Crisis Group, *Averting an ISIS Resurgence in Iraq and Syria*, 11 October 2019, [url](#), p. 26

<sup>652</sup> ISW, *ISIS Prepares for Breakout in Prisons and Camps*, 23 September 2019, [url](#)

<sup>653</sup> ISW, *Syria Situation Report: September 25 – October 10 2019*, 11 October 2019, [url](#)

<sup>654</sup> Guardian (The), *At least 750 Isis affiliates escape Syria camp after Turkish shelling*, 13 October 2019, [url](#)

<sup>655</sup> Guardian (The), *Kurdish forces in Syria will no longer prioritise guarding Isis prisons*, 12 October 2019, [url](#)

<sup>656</sup> Ingram, H. and Whiteside, C., *Caliph Abu Unknown: Succession and Legitimacy in the Islamic State, War on the Rocks*, 25 November 2019, [url](#)

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# Terms of Reference

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