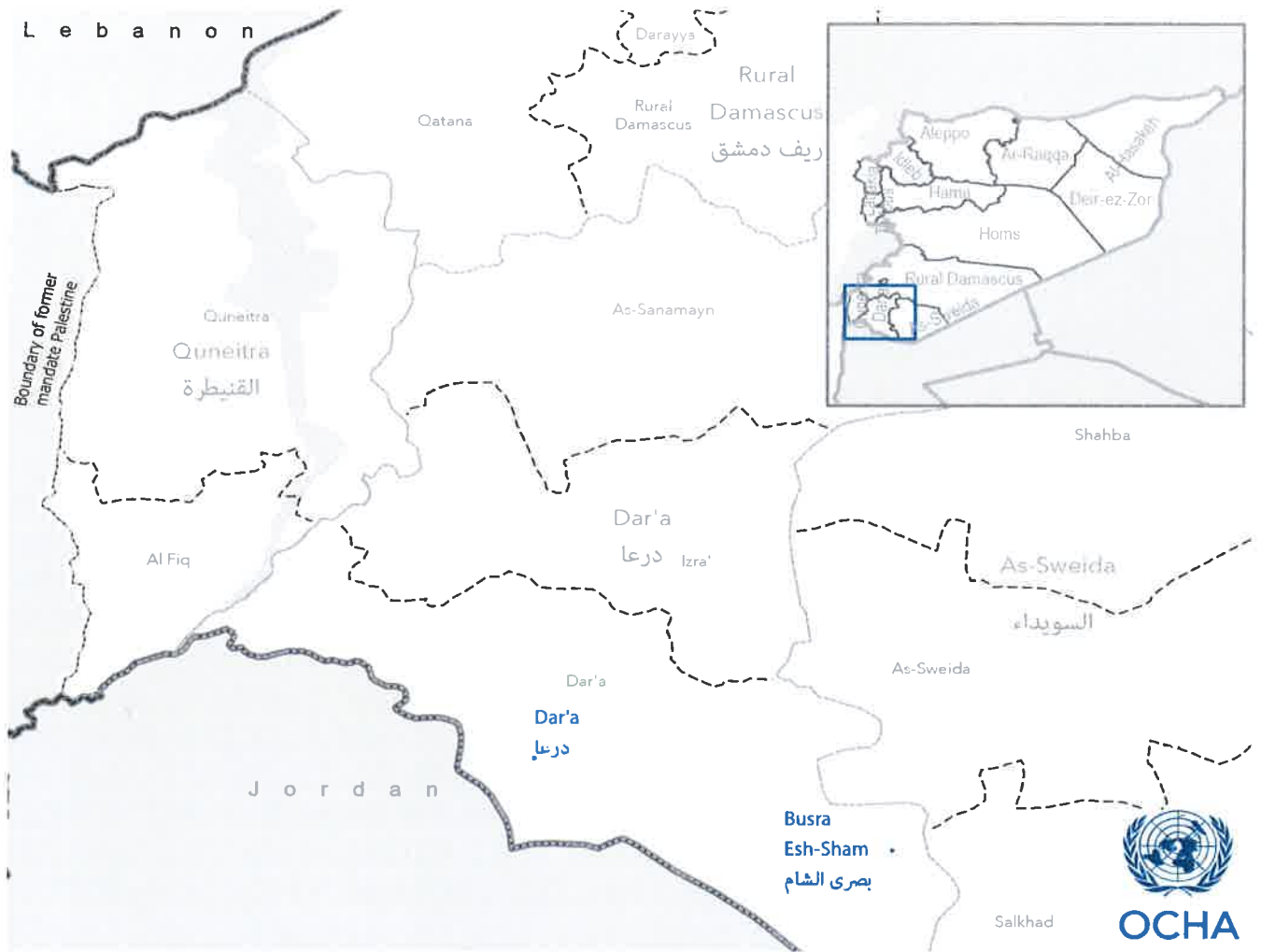


# The “unreconciled” concerns of civilians in Dar’a Governorate

## SYRIA | May 2019

This Digest on Syria is prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR). It is intended to provide an overview of the impact of armed conflict and violence on civilians, with attention to gender-related concerns, as well as a number of current and possible future IHL and human rights concerns that may arise in relation to it. As OHCHR does not have direct access to Syria (and hence cannot access directly the locations where incidents have taken place), it often relies on monitoring via a range of techniques to gain information through reliable networks of sources including primary sources like survivors and eye-witnesses. OHCHR utilizes as wide a range of sources and types of information as possible. OHCHR gives preference to primary sources, such as testimony of victims, victims’ relatives, witnesses, and health personnel. Secondary sources may also be consulted, including but not limited to community elders, religious and civil leaders, local, governorate and central Government departments and officials, UN and other International Organizations operating in Syria, local and international media reports, and civil society organizations (national and international). All sources are analysed for their reliability, credibility and integrity. Attempts are made to crosscheck and verify all information from sources before conclusions are drawn and published. Where OHCHR is not satisfied with the information collected in relation to a particular incident or it fails to meet the standard of proof employed, it will not be reported. The Digest does not seek to highlight all human rights violations and abuses committed in Syria nor list all documented cases of a particular type. Rather, the Digest focuses on a few key human rights issues which are of particular concern and are often under reported or not receiving sufficient scrutiny.



## I. General overview

By 31 July 2018, Government forces supported by allied Russian forces and other paramilitary groups, such as armed Iran-affiliated and proxy militias, took control of the governorates of Dar'a and al-Quneitra from various armed non-State groups including the "Islamic State of Iraq and the Levant" (ISIL).

Given the strategic location of Dar'a and al-Quneitra governorates which share borders with Jordan and Israel in southern and south-western Syria, both governorates became part of a standalone "de-escalation zone agreement" signed in July 2017 by the Governments of Jordan, Russia, and the United States as the three main guarantors with a joint interest to mitigate hostilities and secure a strategic access to the region.

The swift takeover of Dar'a Governorate came following a massive gain of territories by the Government of Syria in Eastern Ghouta, southern Damascus, Hama, and Homs governorates. A large scale military operation was launched by the Government forces and their allies on 19 June 2018, combined with several "reconciliation deals" that were implemented in various parts of Dar'a and were exclusively sponsored by the Russian Federation through its "*Russian Centre for Reconciliation of Opposing Sides in Syria*" based at Hmeimim Airbase in Lattakia Governorate.

During its early stage, the military operation targeted areas under the control of various armed non-State groups in eastern and north-eastern rural Dar'a Governorate. Government forces and their allies escalated airstrikes and ground-based strikes and recaptured approximately eighty percent of the area, using firepower only, as the first phase of "reconciliation" with the armed groups had failed. Similar military operations were also conducted by the Government forces and their allies to recapture areas held by ISIL in the al-Yarmouk Valley in western rural Dar'a Governorate. OHCHR documented at least 95 civilian

casualties and massive displacement of populations as a result of the hostilities.

By mid-July 2018 and following the Government forces' advance on the ground, various armed non-State groups agreed to join the Russian sponsored "reconciliation deals" in Dar'a. Those groups were mainly based in parts of western rural Dar'a, parts of Dar'a City such as Dar'a al-Balad, and in the remaining parts of eastern rural Dar'a such as in Busra al-Sham, Maarba, and Smadd areas which had been under the control of the prominent group *Shabab al-Sunna*, commanded by *Ahmad al-Oudeh*.

An estimated one million people were residing in both al-Quneitra and Dar'a governorates as the military operations were ongoing. Hundreds of thousands of civilians were internally displaced inside Dar'a Governorate as a result of the hostilities. The majority of them established makeshift camps near the Jordanian borders and the occupied Golan territory or they fled towards relatively safer areas within their governorate. OHCHR monitoring confirmed reports that by the end of 2018, all internally displaced persons (IDPs) had returned to their homes.

A total of 10,516 persons (4635 men, 2479 women and 3402 children) from Dar'a and al-Quneitra refused the "reconciliation deal" with the Government and agreed to be transferred to northern Syria including to Idlib Governorate and areas in northern rural Aleppo that remain under the control of various armed non-State groups. The evacuees included fighters and their families as well as some who identified as journalists and humanitarian workers who claimed to fear being targeted and/or detained by the Government of Syria should they decide to remain in Dar'a.

While the Government has secured its control over territories in Dar'a Governorate, former non-State groups continue to retain effective military and security control

over various areas within the Governorate as part of the “reconciliation deal” sponsored by Russia.

## II. Dynamics of power control and governance structures

The symbolic importance of Dar’a Governorate since the outbreak of the crisis in 2011, the strategic location and the involvement of various armed non-State groups supported by various rival international and regional actors, have played a key role in influencing the terms of the “reconciliation deals” and determined the current distribution of power amongst the parties to the conflict in the governorate.

The “reconciliation deals” varied from one area to another; yet all included general terms similar to previous “deals” from other areas in Syria, such as permitting the return of all displaced persons to their homes, restoration of State institutions and basic services, and a “six month grace period” for those who agreed to reconcile with the Government to present themselves to go through a security vetting. However, the exact terms and details of this “deal” as in previous ones were mostly agreed upon orally and the precise remain unclear, particularly in relation to what would happen after the “grace period” expires.

OHCHR has continued to raise concerns that such deals may not have been in full conformity with international law and that civilians did not have access to information on the terms of the deal by the parties to the conflict prior to the decisions being taken.

In line with various “reconciliation deals”, areas of control in Dar’a Governorate have been split between Government forces and former armed non-State groups. Territories currently under the effective control of the Government and its security forces include areas retaken by the Government following military operations (rather

than through “reconciliation deals”). Such territories include approximately 80 percent of eastern and north-eastern rural Dar’a (such as Lajjat, Busr al-Harir, al-Hirak, al-Maliha al-Sharqiya, al-Maliha al-Gharbiya, Malihat al-Atash and Saida), areas in western rural Dar’a (such as the formerly ISIL-held area of al-Yarmouk Valley) and parts of Dar’a city such as Dar’a al-Mahatta which had remained under Government control since 2011. The rest of the territories in Dar’a remain under the effective control of former armed non-State groups, including those that agreed to the “reconciliation deals”, which as noted, differ in their terms and complexity from one area to another.

The armed non-State group of *Shabab al-Sunna*, commanded by *Ahmad al-Oudeh*, has concluded a separate deal with the Russia forces as a result of which al-Oudeh was put in command of the new Russia-linked military formation – known as the the “5<sup>th</sup> Corps” - in eastern Dar’a. The group was allowed to keep their light weapons and to maintain their positions of power and security control in areas of eastern Dar’a, including in Busra al-Sham and Maarba. The deal with al-Oudeh was signed in Busra al-Sham area in the presence of Russian officers and one representative of the Government of Syria – *Kinana Hweijeh* – a female media correspondent who speaks fluent Russian, has strong links to President Assad’s family, and had reportedly represented the Government of Syria in previous key negotiations and deals across the country, including in Homs, southern Damascus, and Moaddamiyat al-Sham area in western Ghouta of rural Damascus Governorate. The Russia-Oudeh deal stipulated that neither military nor security forces of the Government of Syria would be allowed to have access to areas under the control of the “5<sup>th</sup> Corps”; however, it also allowed State civilian institutions including civilian police to be reinstated in those areas. Government officials could visit such areas but only in coordination with al-Oudeh.

Some other non-State armed groups in other parts of western Dar'a and Dar'a City, who agreed to the "reconciliation deals", have been allowed to retain their light weapons and retain security control over their areas. State civilian institutions have been reinstated in these areas, however the presence of Government military and security forces have been limited to checkpoints at the outskirts of cities and towns.

Reportedly, the Russian forces have not established a permanent presence inside Dar'a Governorate. However, Russian military police systematically patrols areas across Dar'a irrespective of which party is in control.

In addition, the Government has re-established its authority across the entirety of Dar'a Governorate through its civilian institutions, including local councils – also known as municipality councils – and the civilian police. Such bodies are now operating in all areas including those under the control of the reconciled former armed non-State groups.

### III. "Post-Reconciliation" concerns

#### Military conscription

Civilians of military age (18 to 36) in Dar'a are required to fulfil their mandatory military service in the army or alternatively join any of the four security bodies (Air Force, Military, State, and Political) or the government affiliated "national defence" forces – a group of former armed pro-Government local militias. In addition, the "4<sup>th</sup> Division" which is an elite formation of the army commanded by Maher al-Assad (President Assad's brother), is reportedly encouraging men of military age to enlist in return for promises to remain inside Dar'a Governorate and not to be sent to fight in other Governorates.

Those refusing these options can either flee areas under the Government security control, risking arrest by the

authorities, or they remain trapped in territories where the Government security forces have no access. Others, including former fighters and civilians, are reported to have joined the al-Oudeh commanded "5<sup>th</sup> Corps" in eastern Dar'a in order to avoid being drafted.

"I have been stuck in Dar'a al-Balad since the fighting was over. I am stuck because I do not want to join any of the armed bodies ... tired of carrying a gun and tired of the sound of bullets. I can't leave my area because I will be immediately arrested by the Government security forces at checkpoints just outside this area. I prefer being imprisoned in my home and neighbourhood and amongst my family than to end up in one of the security branches... if not killed in a battle, I will rot and die in prison"

– A reconciled former fighter man from Dar'a al-Balad

OHCHR received information that a few hundred "reconciled" former fighters and civilians of military age had to join Government affiliated forces, particularly the 4<sup>th</sup> Division, in order to avoid being perceived as opposition affiliates or "terrorists" and putting themselves and their families at risk of arrest and detention or retaliation by the authorities.

Reportedly, many of those who have joined the 4<sup>th</sup> Division and who were given undertakings that they would not be deployed to fight outside Dar'a Governorate, did so in order to remain in proximity with their families and escape reprisals.

Some reports suggest that the Government of Syria, on one hand, made concessions to re-integrate former fighters in order to win the hearts and minds of the civilian population and on the other hand, to get “intelligence” about areas where their security and military forces have no access.

OHCHR also confirmed reports that students who have not been able to continue their higher education and had to suspend their registration since the beginning of the crisis in 2011 and 2012, have been pardoned by the Government and have been permitted to register and return to college. Those that do so have been granted a deferment of their military service. However, many of them when trying to register were surprised to learn through officials that they could not pursue their education due to age limits - the Syrian laws state that students cannot remain at university beyond age 25.

Such students found themselves drafted into the army or other security bodies. OHCHR has confirmed that at least four men had to flee Dar’a after paying large sums of money to smugglers affiliated with the authorities or the “5<sup>th</sup> Corps”.

“Happy I was, thinking I could pursue my education and bring back my normal life, I was happy that I and many other youth would be included in the Government amnesty. It was such a disappointment when my friend went to Damascus to finalize his college registration but ended up carrying a gun somewhere”.

*A young man who is now trapped in an area in Dar’a*

#### “Wanted” civilians

Given the aforementioned division of security control, the outskirts of many areas in Dar’a continue to remain under the control of the army or security forces that maintain several checkpoints in the area. Some civilians, in areas where the Government security forces are not allowed access, are reportedly “wanted” by the authorities, for alleged criminal or security-related offences. Such civilians have lost their ability to move freely outside those areas for fear of being arrested at checkpoints manned by Government affiliated forces.

OHCHR received information that “wanted” civilians were sometimes arrested and handed over to the authorities by “reconciled” former non-State armed groups due to a specific coordination agreement between them and the Government. However, in many cases, the “reconciled” group in control of an area refuse to arrest and hand over “wanted persons” to the authorities. In such cases, such persons remain trapped in their areas in order to avoid being arrested at checkpoints manned by Government forces should they try to leave. OHCHR confirmed reports that at least 17 civilians have been arrested for unknown reasons at Government controlled checkpoints in western Dar’a Governorate since August 2018.

#### **IV. Essential services including access to civil documentation**

##### Access to electricity, water, schools, and healthcare

Basic services such as electricity and clean water in addition to other key infrastructure such as schools and health facilities have been restored by the Government across Dar’a. However, electricity and water supplies remain unreliable and poorly distributed as essential infrastructure has been significantly damaged during the armed conflict.

### Civil documentation

Civilians in Dar'a have not expressed concerns with regard to their access to civil documentation and registry, including issuance of new ID cards or replacement of damaged/lost ones, obtaining certificates of birth, death, marriage, divorce, etc. The Civil Registry Office in the Governorate is usually the place where all applicants initiate process for civil documents. Applicants can also initiate the process via the local councils in their areas.

However, some civilians shared concerns related to financial difficulties in affording the fees required to process civil registry paperwork, particularly for big families and for female headed households with poor or no income. In one incident, one family that could not register three of their newly-born children as the hostilities in Dar'a were ongoing and thus obtaining a birth certificate for each child was delayed, now had to pay a penalty fee of up to 15,000 Syrian pounds (Lira) - approximately 30 USD - for each child in order to obtain the birth certificates. Syrian laws state imposes penalties and fines, including if the child is not registered within one month of the birth – if inside the country- and within 90 days if the birth occurs outside the country. The same applies to marriages, deaths, etc.

### Demining

Explosive remnants of war (ERW) including improvised explosive devices (IEDs) and booby traps have been left behind by various parties to the conflict. Civilians, particularly children, continue to be killed and/or seriously injured by such explosives.

Demining activities have been carried out in Dar'a by different parties, depending on which party is in control. Government technical teams are only able to carry out demining activities in areas under their control while in areas where they are not allowed access, the demining activities are usually carried out by former fighters of non-State groups and often in exchange for money that is

paid by the civilians who locate explosives inside their properties.

OHCHR documented several incidents in which civilians were killed, injured or maimed as a result of ERW. In one incident on 4 March, a boy was killed as a result of what was alleged to be an unexploded ordnance (UXO) that detonated near him in an agricultural land in al-Yaduda area in western Dar'a city.

## **V. Housing, Land, and Property (HLP)**

### Looting and destruction

There has been extensive damage and destruction of infrastructure and residential buildings due to the armed conflict across the Governorate. Civilians mainly from Dar'a al-Balad and Al-Hirak have not been able to return to their homes due to the extent of destruction. Other civilians reported that their houses had been looted or badly damaged, allegedly by Government forces as they raided the areas and controlled them by using firepower.

At the time of writing, little improvement has been achieved by the authorities in order to rehabilitate the infrastructure in the governorate and provide the necessary support and compensation for the civilians who have lost their homes or properties. Some civilians had to remove the rubble of their damaged or destroyed houses at their own expenses, while others have restored only small parts of the houses to provide them. Many others reported that they could not afford the costs, having spent all their life savings during the conflict.



Some limited support has been provided by the Orthodox Church and the Syrian Arab Red Crescent (SARC) to clear streets and upgrade roads.

"I filed a request to the Government to be compensated for my destroyed house. After almost one year, I received 600,000 Syrian pounds (approximately 600 USD) only, which was not sufficient to rebuild a completely destroyed house. I eventually spent 3,000 USD only because I was lucky to be rich ... but what about those poor Syrians who had nothing but their houses. There is no compensation or remedy for the civilians who lost everything in this war."

– a man from Dar'a al-Balad

## VI. Sectarian violence, forced evictions and confiscation of properties

Apart from the destruction of houses, OHCHR confirmed reports of looting, seizure of real-estate and private property of Shi'ite Muslims in Busra al-Sham area that is now controlled by the "5<sup>th</sup> Corps". As of March 2015, the former armed non-State groups of *Shabab al-Sunna* and *al-Muthanna Movement* had evicted all Shi'ite civilians from their homes and forced them out of Busra al-Sham - approximately 2000 civilians who had been living in the area for many years- reusing permission for them to return or to check on their homes.

OHCHR confirmed through multiple primary sources that houses, private property and belongings of the displaced Shi'ite civilians had been looted and confiscated by the armed groups under the pretext that all Shi'ite communities have family members who are affiliated with Iranian and Hezbollah militias. Information received by OHCHR suggests that other civilians including

internally displaced persons have been placed by the armed non-State groups in these houses.

On 10 and 11 March 2019, a high profile delegation of Government officials visited Busra al-Sham area in order to negotiate the return of the Shi'ite civilians with Ahmad al-Oudeh – former leader of *Shabab al-Sunna* group and currently leading the "5<sup>th</sup> Corps", reportedly in return for releasing detainees in the Government detention facilities. The negotiations were unsuccessful as al-Oudeh allegedly refused to allow the return of the Shi'ite civilians. Information received by OHCHR suggested that fear of retaliation against or from the Shi'ite community was the main reason behind the failure of the negotiations.

## VII. Detention and death in Government detention facilities

Following the take-over of Dar'a Governorate, OHCHR continued to receive reports of civilian men and women being arrested, detained, or disappearing. Civilians are being arrested and detained by Government security forces from their homes and at checkpoints. OHCHR monitoring confirmed a total of 380 incidents between 26 July 2018 and 31 March 2019, three of those included persons who had previously fled the armed conflict and had only recently returned to their homes. In approximately 150 other incidents documented by OHCHR, the individuals were released after few days in detention.

Air Force Security, Military Security, and the Criminal Security departments were reportedly the main bodies behind those arrests. In many cases the reasons of such arrests remain unclear, and little or no information is given to the families of the detainees. In some incidents, the arrests were reportedly on suspicion of "terrorism".



Families of detainees often learn about their detention and/or their location through insiders or after paying bribes to Government officials. In one incident during the first week of March 2019, a delegation comprised of the Russian Military Police and members of the Government Air Force Security visited al-Hirak area in eastern Dar'a and officially acknowledged the detention of 30 men, providing the local council with a list of the detainees' names. They had been reportedly arrested by the Government in al-Hirak area in February and March 2019.

As noted, number of alleged journalists, humanitarian workers and human rights activists chose to be evacuated to northern Syria as a result of local agreements. However, many preferred to remain in the Governorate. Such persons, though, have ceased their activities as they fear detention by the Government or retaliation from other groups.

In one incident, OHCHR interviewed a journalist and human rights activist who had remained in Dar'a but had to flee the country in March 2019. He had initially decided to remain in Dar'a because he wanted to stay in his home close to his family instead of being displaced to another area of hostilities. He wanted to continue his work and discreetly document human rights violations committed by all parties, not necessarily by Government forces only. He claimed that he was soon discovered by the Government intelligence services and security forces who raided his house in search of him while he was visiting a friend in the neighbourhood. He stated that he had no choice but to leave Syria and that he could not return to his home or see his family.

OHCHR continues to receive reports of families that have learned of the death of their detained relatives in Government detention facilities, either coincidentally while processing unrelated papers at the personal status

registry or via an official notification through the local police.

In one case on 12 March 2019 in Busra al-Sham, the families of two detained university students received an official notification about their death through the police in the area. Both detainees were students of the University of Damascus and were arrested at one of the Government controlled checkpoints in Damascus city, approximately nine months before the notification. The families had initially learned about their detention through unofficial channels and after paying money, yet could not obtain further information about their whereabouts, status or condition. When they received notification, the cause of death was attributed to heart failure and their bodies have not been returned to their families.

Families of many other detainees continue to be exploited by individuals who claim to be able to provide them information about their detained and missing relatives.

#### **VIII. Security Issues: murder and attacks against "reconciled" and "re-integrated" individuals**

In the current phase of what could be described as "post-reconciliation"- the "six month grace period" having ended on 1 February 2019 – a number of "reconciled" former fighters and civilians who took up positions within the local councils or Government military and security forces have been killed in what appear to have been targeted killings. In areas where Government security forces have no access, civilians have protested against those who have joined Government bodies. Such protests have been reported in December 2018 and January 2019, mainly in Dar'a al-Balad area of Dar'a City.

OHCHR documented at least 11 incidents of murder and attempted murder of such persons. In one incident on 3 April 2019, a 60-year-old man and his eight-year-old grandson were killed and the man's wife was injured as they were targeted in a drive-by shooting while they were driving on the highway of *al-Yaduda – Khrab al-Shaham*. The man was a "reconciled" fighter from Tel Shehab in western rural Dar'a and had recently joined the "4<sup>th</sup> Division".

In another incident on 17 January 2019, the chief of the local council of al-Museifra area in eastern rural Dar'a was killed in a drive-by shooting. The victim was originally from al-Museifra but living in Government-held areas outside Dar'a Governorate and had returned to his home area a few weeks before his assassination.

OHCHR is not in a position to identify perpetrators of such crimes, yet they are most likely reprisals committed by parties to the conflict.

## **IX. Conclusions and Recommendations**

Following the shift of Dar'a Governorate from a "conflict zone" into a "de-escalation zone" and now in a "post-reconciliation" phase, the civilian population (including many who have been repeatedly displaced and who later returned to their homes) has been looking forward to a relatively stable life and to rebuilding their communities.

However, while many displaced Syrians inside and outside Dar'a have returned voluntarily, many continue to face significant hardships and risks. Many continue to face security concerns, and suffer from poor provision of services, lack of access to basic and essential services including adequate housing, sustainable electricity, and water.

Although the armed-conflict has ceased in Dar'a, levels of other forms of violence remain high, with frequent

reports of civilians being killed, injured, and maimed as a result of countless ERW and booby traps that had been left by various parties to the conflict.

Civilians also continue to be subject to arrest and detention, and in some instances are subjected to "enforced disappearance" by Government forces, often with no information available as to the authority detaining them, the charges they are facing, their status, or their whereabouts. Many families in Dar'a continue to have limited or no information about their missing or detained relatives.

There are continuing concerns about the respect and protection of due process and fair trial standards in Syria. It is incumbent on the Government of Syria to respect and protect all due process and fair trial standards. These include ensuring persons are only arrested and detained according to law, informing individuals at the time of their arrest of the reasons for their arrest, and to ensure that they are brought before a duly constituted court without delay. All detainees must be afforded access to basic services and minimum standards of treatment, while in detention, including medical attention, they must be provided the opportunity of communicating with their families, and they must be guaranteed access to legal counsel. The Government should also ensure that the identity, location, status and condition of all those held in its custody are disclosed.

It is also incumbent on the Government to immediately notify the families about the deaths of their detained relatives, the cause and circumstances of their death, to return the bodies of deceased persons to their relatives, and to permit or facilitate independent forensic examination. The Government should also hold transparent investigations into all allegations of torture of persons in custody or deaths that occur in custody, make the findings of such inquiries known, and if

evidence of wrongdoing by its officials is found, to ensure that there is accountability.

While the consequences of the “reconciliation agreements” in Dar’a are hard to predict, what seems clear is that those areas that remain under the effective security control of the “reconciled” fighters are very likely to witness ongoing human rights violations, with the real risk of hostilities between the Government and former armed non-State groups in the future.

Attacks by sleeper cells of armed non-State groups are also likely to continue to be carried out in a sporadic pattern against Government forces manning checkpoints in the area. Additionally, civilians who joined Government security or civilian bodies are likely to continue to be targeted.

Individuals who are considered as “wanted” by the Government and fear being arrested are likely to remain trapped inside those territories where Government security forces have no access.

Compulsory military service in the Government of Syria army including its length, age of recruitment and other terms is regulated by the Syrian Constitution. Civilians of military age expressed concerns with regard to either being enlisted or flee Dar’a and consequently any other Government controlled territory, and be separated from their families, or continue to be trapped in areas that remain inaccessible by the Government security forces.

Many civilians expressed growing concerns as to what might happen if political alliances or interests shift and the Governments of Syria and Russia decide to change the military and security arrangements in several areas including areas under the control of the “5<sup>th</sup> Corps”. In the likelihood that such areas change hands in the future, concerns include, but are not limited to, the possibility

that they may be subject to retaliatory arrest and detention by Government forces.

“Reconciliation deals” aimed at putting an end to the fighting are to be welcomed and encouraged as long as such deals remain in full conformity with international law and address all legitimate protection concerns of civilians.

As a matter of priority, adequate access to housing, essential services, employment, education and health services remains the most pressing immediate needs for the civilians - although it is to be acknowledged that the Government faces serious challenges due to lack of capacity and finance or other reasons.

The Government of the Syrian Arab Republic is called upon to:-

a. Take all necessary steps to enhance and respect the protection of the human rights of all persons in areas under its control and to the fullest extent of the means available to ensure and facilitate non-discriminatory access by civilians to essential life sustaining services including adequate housing, clean water, medical and education services.

b. Ensure that all secure facilitations are provided for all civilians including the displaced persons to return to their homes in dignity and safety, without distinction and in full compliance with humanitarian principals and international standards.

c. Take all measures to restore public order and safety and prevent violent acts or acts of revenge which may endanger the well-being and security of all civilians.

d. Take all measures to protect the property of all displaced and absent civilians and ensure that they are restored to them even in situations where such

individuals remain unable to return to their properties. Restitution of property must be prioritized over any “compensation” unless it is factually impossible to restore such property. Such matters including claims to property should be determined by an independent, impartial tribunal based on facts and the relevant law.

e. Ensure that arrests of individuals in connection with the ongoing armed conflict or criminal charges are carried out according to law and supported by credible and sufficient evidence. Also ensure the full respect of due process and fair trial rights of all persons detained as protected by international law binding on Syria. This includes providing information to families and relatives of the fact that their relative is detained, his or her whereabouts and status and condition.

f. Conduct effective, prompt, transparent, and impartial investigations of violations or abuses of international human rights law, including allegations of torture and mistreatment or deaths in custody, and where appropriate prosecute, according to the law, any person found responsible for such acts.

g. Ensure the rights of all victims or their relatives to an effective remedy including the right to effective access to justice, and prompt reparation for the harm suffered.

*For more information on the topics raised or for any further information concerning the human rights situation in Syria, please contact Mr. Dimiter Chalev, Head of OHCHR Syria Office, at [dchalev@ohchr.org](mailto:dchalev@ohchr.org).*