



On the Day of Remembrance for All Victims of Chemical Warfare, the Syrian Regime Is the Most Prolific User of Chemical Weapons This Century

At least 1,510 Syrian Citizens, Including 205 Children and 260 Women, Have Been Killed and 12,000 Injured, With Victims Still Waiting for the Syrian Regime to be Held Accountable

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The Syrian Network for Human Rights (SNHR), founded in June 2011, is a non-governmental, independent group that is considered a primary source for the OHCHR on all death toll-related analyses in Syria.

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I. Re-normalizing Relations with a Regime Proven by Many Local and International Bodies to Be Involved in Using WMDs Is Support for Its Crimes and for These Weapons' Repeated Use:

November 30 each year marks the [Day of Remembrance for all Victims of Chemical Warfare](#), which was announced by the Conference of the States Parties to the Chemical Weapons Convention during its 20th session in 2015; this day represents recognition by the Organization for the Prohibition of Chemical Weapons (OPCW) of the suffering of chemical attack survivors and their right to effective support and assistance, and to being commemorated. Through this annual event, the member states of the organization are supposed to renew their determination to achieve the goal of achieving a world truly free of chemical weapons.

Prior to 2011, there was a prevailing belief among many human rights defenders that no one would dare to use chemical weapons after the adoption of the 1992 Convention on the Prohibition and Use of Chemical Weapons, and the texts categorically prohibiting their use; but the Syrian regime has been the only one to violate international law and use chemical weapons against the people over whom it rules. We at the Syrian Network for Human Rights (SNHR) have pursued the documentation of the use of chemical weapons in Syria as much as possible within our capabilities and given the limitations imposed on all independent investigators, according to the available work methodology, since the first use of chemical weapons documented by SNHR on December 23, 2012, against the people of Homs city, through the most widespread use of chemical weapons in the modern history, namely [the attack on the two Ghoutas in Damascus Suburbs on August 21, 2013](#), and subsequent attacks. We have also documented the catastrophic failure of the UN Security Council and the international community to deter the Syrian regime for its repeated use of these internationally proscribed weapons, or to hold it accountable in any way, entrenching its impunity with the support of its ally, Russia, at the Security Council.

This year's Day of Remembrance for all Victims of Chemical Warfare takes place as the Syrian regime continues to refuse to admit its deliberate deception of the international community and the OPCW, and as its specialist institutions continue to produce chemical munitions, and to develop the regime's chemical weapons program even after it acceded to the Chemical Weapons Convention (CWC) in 2013. Despite the Syrian regime's [ratification](#) of the CWC in September 2013, the Syrian Network for Human Rights' database confirms that the regime has carried out 184 chemical weapons attacks since that date, with the Independent International Commission of Inquiry (COI) on the Syrian Arab Republic confirming dozens of incidents since 2013 in which chemical weapons were used by the regime, and noting in [its thirty-third report](#), issued on February 18, 2021, that the COI had [documented 38](#) chemical attacks in Syria, and assigned responsibility to the Syrian regime in 32 of these, and to ISIS in one, while five attacks remained uncategorized, with the COI unable to assign definitive responsibility for them. As the report notes, each of these uses of chemical weapons constitutes a war crime.

The mandate of the UN-OPCW Joint Investigative Mechanism (JIM)¹ identified the perpetrator in six attacks, four by the Syrian regime and two by ISIS.

As noted above, the Syrian regime's use of chemical weapons represented a great challenge to the international community, and the Syrian case was a primary motive and inspiration for a large number of countries in the world to expand the mandate of the OPCW, the first step of its kind since the OPCW's establishment; on Wednesday, June 27, 2018, the OPCW adopted a decision, which provided for extending the OPCW's mandate² so that it would include identifying the perpetrators of attacks using chemical weapons. Expanding the OPCW's mandate to include identifying the perpetrators of the use of chemical weapons was an important legal and human rights achievement, with the beneficiaries to a great extent being the victims who were killed or injured by the Syrian regime's use of chemical weapons against them. The expansion of the mandate has resulted in the publication of two highly accurate and important reports by the OPCW Investigation and Identification Team (IIT), which confirmed the Syrian regime's responsibility for four chemical attacks, with three of these cited [in the first report](#)³ issued in April 2020, namely al Latamena on March 24, 25, and 30, 2017, while the fourth was cited in the [second report](#)⁴ issued in April 2021, namely Saraqeb on February 4, 2018; the most prominent feature of this latter report was the identification of the Syrian regime's 'Tiger Forces' as bearing responsibility for leading the chemical attack.

[Following the IIT's second report](#), the OPCW adopted a decision⁵ on Wednesday, April 21, 2021, under which it suspended some of the rights and privileges of Syria as a member state of the OPCW. On April 29, 2021, we issued a special report in which we talked about the decisions of the Organization for the Prohibition of Chemical Weapons regarding Syria; based on all this, the Syrian regime and its backers must be ostracized and held accountable, rather than any effort being made to normalize relations with it after all this barbarous use of weapons of mass destruction.

¹ The JIM was established by UN Security Council Resolution [2235 of August 2015](#), which was mandated to assign responsibility to the perpetrators of chemical weapons attacks; the JIM investigated nine attacks, and identified the perpetrator in six attacks, [before the end of its mandate in November 2017](#). Russia prevented the renewal of the JIM's mandate [by using its veto at the Security Council in November 2017 on two consecutive occasions within 24 hours](#).

² OPCW, Addressing the Threat from Chemical Weapons Use, https://www.opcw.org/sites/default/files/documents/CSP/C-SS-4/en/css4dec3_e_doc.pdf

³ OPCW, the first report of the IIT, <https://www.opcw.org/sites/default/files/documents/2020/04/s-1867-2020%28e%29.pdf>

⁴ OPCW, the second report of the IIT, <https://www.opcw.org/sites/default/files/documents/2021/04/s-1943-2021%28e%29.pdf>

⁵ OPCW, Addressing the Possession and Use of Chemical Weapons by the Syrian Arab Republic, <https://www.opcw.org/sites/default/files/documents/2021/04/c25dec09%28e%29.pdf>

II. UN and International Statements Clearly Condemning the Practices of the Syrian Regime and Calling for Holding It Accountable:

Here we'll summarize the most prominent statements we have published since the report we issued last year on the occasion of the Day of Remembrance for All Victims of Chemical Warfare up to the current date:

On December 11, 2020, Fernando Arias, head of the Organization for the Prohibition of Chemical Weapons (OPCW), [confirmed](#) during a Security Council videoconference meeting that Syria's initial declaration of chemical weapons on its territory cannot be considered accurate and complete.

On December 11, 2020, seven European countries, namely the UK, Germany, Belgium, Estonia, France, Ireland and Norway, [demanded](#) in an open session at the UN Security Council on the Syria chemical program, that arrangements be put in place to identify the perpetrators responsible for using chemical weapons in Syria, stressing that any party involved in using them will not be tolerated.

On January 5, 2021, the UN High Representative for Disarmament Affairs, [Izumi Nakamitsu](#), said during her regular monthly briefing on the implementation of resolution 2118⁶ of 2013, that the outstanding issues related to Syria's initial declaration of its chemical weapons stockpile and program still cannot be considered accurate and complete.

On February 3, 2021, Izumi Nakamitsu, briefing the UN Security Council, [urged](#) Syria to cooperate fully with the OPCW secretariat, and noted that there are 19 outstanding issues related to chemical weapons.

On April 7, 2021, Barbara Woodward, the Permanent Representative of the United Kingdom to the United Nations, [said](#) at the Security Council briefing on the use of chemical weapons in Syria, "We support the investigation of any incidents of chemical weapons use by any party. This is fundamental to upholding the prohibition on their use."

On April 14, 2021, the US Department of State [issued](#) a statement commenting on the report of the OPCW's IIT issued on the 12th of the same month, stating that no amount of disinformation, conspiracy theories or distortion of the facts by the regime or its enablers can argue away Assad's crimes. The statement added: "The United States condemns the use of chemical weapons, by anyone, anywhere at any time. The use of chemical weapons by any state or non-state actor presents an unacceptable security threat to all states and cannot occur with impunity." The statement stressed that: "All responsible nations must stand in solidarity against the deployment of chemical weapons by preserving the global norm against such use; and we must be ready to hold the Assad regime, and anyone who chooses to use these horrific weapons, accountable."

⁶ UN Security Council, Resolution 2118 (2013), [https://undocs.org/en/S/RES/2118\(2013\)](https://undocs.org/en/S/RES/2118(2013))

On April 20, 2021, the UK Foreign Secretary, Dominic Raab, [issued](#) a statement in which he also commented on the same report, stating, “Syria has failed to comply with United Nations Security Council Resolution 2118, which decides that the Syrian Arab Republic shall not use, develop, produce, otherwise acquire, stockpile or retain chemical weapons”. In this statement, the United Kingdom urged all states parties to the Chemical Weapons Convention, members of the UN Security Council, and other bodies to respond decisively and hold those responsible to account, saying that: “There can be no impunity for the use of chemical weapons.” In the same statement, the UK Foreign Secretary also stated: “The Assad regime has repeatedly used chemical weapons against the Syrian people, showing a callous disregard for human life. This latest report demonstrates the importance of holding the Assad regime to account at the OPCW for its abhorrent use of chemical weapons.” Mr. Raab emphasized that the use of chemical weapons is an international crime which can never be justified or allowed to go unchallenged.

On 21 April 2021, the French Ministry for Europe and Foreign Affairs [issued](#) a statement saying, “This is the first step in the fight against impunity, without prejudice to the actions that may have been or could be taken in national or international courts against those responsible for the use of chemical weapons.”

On April 22, 2021, the United States of America, [in a statement issued by the US Department of State](#), urged the Syrian regime to cooperate with the OPCW, to declare and destroy its remaining stockpile, to renounce its chemical weapons program, and to comply with its obligations under the CWC.

On May 6, 2021, Izumi Nakamitsu, the UN High Representative for Disarmament Affairs, [said](#) in her speech before the Security Council: “Those responsible for the use of chemical weapons must be held accountable, no matter who they are. If we cannot do so, we allow the use of chemical weapons to take place with impunity, something that must not be tolerated. It is my sincere hope that members of this Council will unite on this issue.”

On June 3, 2021, Izumi Nakamitsu, the UN High Representative for Disarmament Affairs, [in her speech to the Security Council](#), called on the Council to “Unite behind the re-establishment of a global norm against chemical weapons” in Syria, underscoring “the urgent need to identify and hold accountable all those who have used chemical weapons in violation of international law.”

On June 5, 2021, [the Dutch media agency NPA](#) published a video that included a statement by Jan Sullins, head of the Dutch intelligence service, in which he spoke about investigations conducted by his team indicating that it is very likely that sarin was used in attacks in Syria, adding that they had determined the responsibility of five of senior Syrian regime officers working in the chemical weapons program for the CW attacks in al Latamena in the suburbs of Hama (2016) and Khan Sheikhoun in Idlib (2017).

On Wednesday, August 4, 2021, Mr. Thomas Markram, Deputy to the UN High Representative for Disarmament Affairs, [said](#) in a Security Council session on Syria: “Moreover, as long as the use of chemical weapons continues, or the threat of their use remains, we must retain our focus on preventing these threats.”

[In a report published by the Anadolu Agency](#), Mr. Markram, quoting United Nations Secretary-General António Guterres, emphasized the need to identify all those who used chemical weapons in Syria and hold them accountable, explaining that achieving unity of ranks among the members of the Security Council is a prerequisite for identifying all those who used chemical weapons in Syria and holding them accountable.

On September 2, 2021, Izumi Nakamitsu [said](#) in her briefing to the Security Council on Syria that any use of chemical weapons is totally unacceptable and a serious violation of international law, emphasizing that those responsible for the use of chemical weapons must be held accountable, no matter who they are. Ms. Nakamitsu called on the Syrian regime to announce “all chemical warfare agents that were produced and/or prepared in the form of weapons in a previous production facility that the Syrian Arab Republic had declared as having never been used to produce and/or prepare chemical weapons.” Her call was based on the observations made by the Director-General of the Organization for the Prohibition of Chemical Weapons to the Security Council. Ms. Nakamitsu added that the Technical Secretariat of the Organization for the Prohibition of Chemical Weapons, given the still unresolved gaps, inconsistencies and discrepancies, concluded that “the declaration made by the Syrian Arab Republic still cannot be counted as accurate and complete as required by the Chemical Weapons Convention.”

At the same meeting, the Permanent Representative of the United States of America, Linda Thomas-Greenfield, [said](#) that “the time has come for the Assad regime to fulfill its obligations under the Chemical Weapons Convention and Resolution 2118.” She added that the time has come to support and implement the Security Council resolution and impose measures under Chapter VII of the United Nations Charter, because there is compelling evidence of many cases of non-compliance with Resolution 2118 by the Syrian regime.

Between September 3 and 23, 2021, the government of the Syrian regime more than once refused to grant entry visas to members of the OPCW’s Declaration Assessment Team (DAT). In turn, and in accordance with the applicable legal framework, which does not authorize the Syrian Arab Republic to select experts on behalf of the Secretariat, the latter confirmed that it would not send the DAT to Syria⁷.

In this regard, Izumi Nakamitsu stressed [in her briefing to the Security Council](#) on October 4, 2021, that “It is only through complete cooperation by the Syrian Arab Republic with the OPCW Technical Secretariat that all outstanding issues related to the Syrian Arab Republic’s initial declaration can be close.” She added: “The confidence of the international community in the complete elimination of Syria’s chemical weapons programme depends upon these issues being finalized.”

⁷ UN Security Council, letter dated 30 September 2021 from the Secretary-General addressed to the President of the Security Council, paragraph 16. <https://undocs.org/S/2021/842>

[In a note verbale dated October 25, 2021](#), submitted by the Syrian regime to the Technical Secretariat of the Organization for the Prohibition of Chemical Weapons, it was stated that the Syrian regime had obtained information that: "Terrorist groups, in coordination with experts of some countries, are preparing plays for the use of chemical weapons, with the aim of accusing the government of them." The note claimed to provide information on bringing, transporting and delivering chemicals and missiles loaded with chemicals, naming terrorist groups, Hay'at Tahrir al Sham and Turkish intelligence as parties involved in the operations of bringing, transporting and handing over these items. [Turkey responded to this with a note verbale dated November 8, 2021](#), in which it stated that it categorically rejects the fabricated allegations contained in the note verbale received from the Syrian regime, and considered this to be a new disinformation attempt by the regime to divert attention from its well-documented and persistent violations of the Chemical Weapons Convention.

[In a letter from the Secretary-General to the Security Council](#) dated October 28, 2021, on the progress made, it was stated that the technical secretariat of the organization requested, through a note verbale on July 15, 2021, to provide it with more information and documents regarding the damage to the previously announced location. The Secretariat subsequently reiterated its request in two notes verbales dated August 25 and September 13, 2021, but as of the date of the progress report, it had not received any response to these requests⁸. In [the Secretary-General's letter to the Security Council dated July 29](#) about the progress made in eliminating the Syrian regime's chemical weapons program, it was mentioned earlier that the Syrian regime informed the Technical Secretariat of the Organization for the Prohibition of Chemical Weapons, through a note verbale, of an attack on June 8, 2021, that targeted a military facility, which led to the destruction of two chlorine cylinders in connection with the chemical attack on Douma city in Damascus Suburbs on April 7, 2018⁹. These two cylinders had been moved, stored and searched by the Syrian regime at another declared location approximately 60 km from where they were reported by the regime to have been destroyed on June 8. The Syrian regime did not notify the organization that the two cylinders had been moved from their location before it was informed of their destruction on June 8.

III. 222 Chemical Attacks Documented on the SNHR Database, Which Resulted in the Deaths of Nearly 1,500 Syrian Citizens, Including 205 Children:

On this day, it is necessary to recall the terrible record of the chemical attacks that took place in Syria over the past years, and to commemorate and express solidarity with the deceased victims and survivors of these attacks, who are still waiting for justice and accountability to this day.

According to SNHR's database, we have documented at least 222 chemical attacks in Syria since the first attack using chemical weapons documented by SNHR on December 23, 2012, up to November 30, 2021.

These attacks are distributed according to the perpetrator party as follows:

⁸ UN Security Council, letter dated 28 October 2021 from the Secretary-General addressed to the President of the Security Council, paragraph 13

⁹ UN Security Council, letter dated 29 July 2021 from the Secretary-General addressed to the President of the Security Council, paragraphs 20, 21, 22.

- A.** The Syrian regime carried out 217 chemical attacks in various Syrian governorates.
- B.** ISIS carried out five chemical weapons attacks, all of which were in Aleppo governorate.

The distribution of attacks according to the UN Security Council resolutions on the use of chemical weapons in Syria:

A. The Syrian regime has carried out 217 chemical attacks, distributed according to the Security Council resolutions as follows:

First: Prior to Security Council Resolution 2118 of September 27, 2013: 33 attacks.

Second: After Security Council Resolution 2118 of September 27, 2013, to date: 184 attacks.

Third: After Security Council Resolution 2209 of March 6, 2015: 115 attacks.

Fourth: After the formation of the United Nations Mechanism and Security Council Resolution 2235 of August 7, 2015: 59 attacks.

B. ISIS carried out five chemical weapons attacks all in Aleppo governorate, which constitute a breach of Security Council Resolutions 2118, 2209, and 2235.

These chemical weapons attacks resulted in the deaths of at least 1,510 individuals, distributed between 1,409 civilians, including 205 children and 260 women (adult female), 94 Armed Opposition fighters, and seven prisoners from Syrian regime forces who were being held in an opposition prison, all of whom were killed in chemical weapons attacks carried out by the Syrian regime. These attacks also caused the injury of at least 11,212 individuals, including 11,080 individuals injured in chemical weapons attacks carried out by the Syrian regime, while an additional 132 individuals were injured in chemical weapons attacks carried out by ISIS.

IV. The Direct Responsibility of the Commander of the Army and Armed Forces, Bashar al Assad, for Chemical Weapons Attacks in Syria:

The Syrian regime is very centralized, and any huge undertaking such as moving and using chemical weapons cannot be carried out without the knowledge and approval of the head of the regime, Bashar al Assad, who is at the same time the Commander-in-Chief of the Army and the Armed Forces. Indeed, it is not possible to carry out actions far smaller than this without his knowledge and approval. International Humanitarian Law takes into account the hierarchical nature of the armed forces and the discipline imposed by leaders and holds commanders criminally responsible on the personal level, not only for the actions and breaches they have personally committed but also for the actions committed by their subordinates¹⁰. This relation of the head of the regime with its senior officials and the very strict and centralized chain of command all mean that the head of the Syrian regime Bashar al Assad and his senior leadership officials are all directly involved, through the use of chemical weapons of mass destruction, in committing violations that amount to crimes against humanity and war crimes against the Syrian people.

¹⁰ ICRC, customary international humanitarian law, Rule 152, https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule152
ICRC, customary international humanitarian law, Rule 153, https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule153

With regard to the use of chemical weapons, the Commander-in-Chief of the Army and the Armed Forces, his deputy, the Director of the Air Force, the Air Intelligence Department, the commanders of military air-bases and the squadron directors and brigades of the Republican Guard, in addition to the directors of scientific research units bear the greatest responsibility for the use of this weapon. SNHR's database dedicated to documenting individuals involved in committing violations of international humanitarian law and human rights law in Syria since 2011, includes data on thousands of these Syrian regime personnel, their positions and on the most prominent violations they committed that we have documented, and we work continuously to update this database whenever new details emerge; this exhaustive and detailed data indicates the involvement of at least 387 prominent regime army and security officers, civil and military personnel in research and scientific studies centers which specialize in providing and supplying chemicals used militarily in Syria, who are accused of ordering or carrying out chemical weapons attacks in Syria. We note that the implementation of the attacks in which chemical weapons were used was carried out according to a complex and highly coordinated operation involving some brigades of the regime army, mainly the Republican Guard brigades, the Air Force, and a number of security services, mainly the Command of the General Military Intelligence Division, the Command of the Air Intelligence Division, and the National Security Office, along with the Center for Scientific Studies and Research, mainly Institute 1000 and Branch 450. In our report issued on August 21, 2021, entitled "[The Eighth Anniversary of the Largest Chemical Weapons Attack by the Syrian Regime against Syrian Citizens in the Two Ghoutas of Damascus, Still Without Accountability](#)", we have provided details of some of the most prominent of the Syrian regime individuals involved in the use of chemical weapons, in preparation for exposing them and placing them on international sanctions lists.

V. Recommendations:

Based on all the preceding points, in efforts to support the surviving victims on the Day of Remembrance for All Victims of Chemical Warfare, and to achieve the goals of the Organization for the Prohibition of Chemical Weapons in a world free of this terrible weapon, we at the Syrian Network for Human Rights believe that the evidence and data possessed by the Organization for the Prohibition of Chemical Weapons must be used as the foundation for holding the Syrian regime to account for its use of weapons of mass destruction.

The Organization for the Prohibition of Chemical Weapons is distinguished by consisting of experts and specialists, and its use of the highest standards in data collection and analysis. We believe that the reports issued by the OPCW's IIT, along with the reports by the Joint Investigative Mechanism (JIM), as well as the reports in which the OPCW have repeatedly confirmed beyond doubt that chemical weapons have been used, together with the firm evidence these contain, constitute a solid and reliable basis for holding the Syrian regime to account judicially and, more importantly, holding it to account politically by rejecting any move to secure its return to the fold of the international community, and for classifying it as a rogue regime and an international outlaw and pariah. All the countries of the world must combat and deter the Syrian regime, given its use of weapons of mass destruction; we call on IIT to identify the individuals within the Syrian regime involved, as this is a form of accountability and support for the victims of the Syrian regime's chemical attacks.



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