



The Presidential Elections That the Syrian Regime Unilaterally Plans to Hold Are Illegitimate, Imposed by Regime Security Services and Undermine the Political Process

**Bashar al Assad Is Accused of Committing Many Crimes against Humanity
and War Crimes and Must Be Held Accountable**

Monday 26 April 2021

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. The Syrian Regime Has Killed 47,967 Civilians and Arrested/ Disappeared 58,574 Others Since the Last Sham Presidential Elections:

The Syrian regime violated [Security Council Resolution No. 2118 of September 2013](#) and the Geneva Communiqué, by holding presidential elections unilaterally in June 2014, which consisted of a pre-determined and programmed sham, designed solely to achieve a landslide victory for [the Ba'ath Party's one candidate Bashar al Assad](#); by the end of 2015, the UN Security Council had issued [Resolution 2254](#) in which it set out a clear sequential path for the political transition process. At that time, we did not expect that the failure of the international community, including the UN Security Council, to make any serious progress towards achieving the political transition, would continue to the current date, as we approach the new presidential elections, as always with only one candidate from the Ba'ath Party. The main difference with this year's sham election is that it takes place after Security Council Resolution 2254 which it blatantly violates, as well as coming after the Joint Investigative Mechanism, established by the Security Council [through Resolution 2235 of August 2015](#), which confirmed the Syrian regime's responsibility for the use of chemical weapons of mass destruction three times, in addition to being held in the wake of conclusive reports by the Investigation and Identification Team (IIT) of the Organization for the Prohibition of Chemical Weapons (OPCW), whose [first](#) and [second reports](#), confirmed the Syrian regime's responsibility for four additional chemical attacks.

The Syrian regime has never stopped committing atrocious violations against Syrian citizens; since the previous sham elections (which we believe were illegitimate), the Syrian regime has continued to commit multiple types of violations, some of which, according to the reports of the UN Independent International Commission of Inquiry (COI), amount to crimes against humanity and war crimes, such as extrajudicial killings, enforced disappearances, torture, forced displacement, use of chemical weapons, bombing medical facilities, schools and vital facilities, and many more.

The following is a summary of the most prominent of these violations, according to the Syrian Network for Human Rights' (SNHR) database:

One: Extrajudicial killing:

Since the previous bogus presidential elections in June 2014 until April 2021, we documented the deaths of 47,967 civilians, including 8,762 children and 5,309 women (adult female), at the hands of Syrian regime forces.

Two: Arbitrary arrest and unlawful detention:

We documented at least 58,574 individuals, including 1,986 children and 4,693 women (adult female), who are still arbitrarily arrested or forcibly disappeared in the official and unofficial detention centers of the Syrian regime.

Three: Enforced disappearance:

We documented at least 44,652 individuals, including 1,827 children and 3,516 women (adult female), who are still forcibly disappeared by Syrian regime forces.

Four: Torture inside detention centers:

We documented the deaths of at least 4,901 individuals, including 84 children and 52 women (adult female), who died due to torture in the official and unofficial detention centers of the Syrian regime.

Despite all this, the Syrian regime is working hard to hold presidential elections in May 2021, with the only genuine candidate being Bashar al Assad, since he is the unopposed head, center and core of the Syrian regime, as the most powerful member of the ruling regime's structure, with nobody daring to oppose him or run as a genuine rival to him. Syria has been under the autocratic rule of the Assad family since 1971, with every sham election throughout this half-century resulting in a predetermined landslide victory, announcing that it had received 99% of the votes in some of those transparently false elections.

Fadel Abdul Ghany, Director of the Syrian Network for Human Rights, says:



That a person involved in crimes against humanity can conduct and win presidential elections makes Syrian society lose any confidence in the political process and democratization, enhances the narrative of extremist organizations, and spreads a culture of revenge. States supporting the political process must absolutely reject these sham elections, emphasize their illegitimacy, and respond by taking serious steps within a specific timetable to achieve the political transition towards democracy and human rights.

II. Eight Main Reasons Delegitimize the Presidential Elections Held by the Syrian Regime, Meaning That the Results Are Not Binding on the Syrian People:

Electoral systems are built on the basis of constitutional law, extending to the legislative level, with the design of these electoral systems determining how and to what extent the electoral vote is reflected in political representation; this means that the constitution is the main pillar from which the logical sequence of creating the electoral system originates. In the case of Syria, the Syrian regime has engineered all stages starting from the constitution, up to the absolute concentration of the three powers - executive, legislative and judicial - in the hands of the head of the regime, supported by brutal security services, thus the entire political system in Syria has been engineered to serve the autocratic hereditary rule of one family.

We believe that the presidential elections which the Syrian regime intends to hold unilaterally lack any legitimacy according to the following eight main points organized in order of importance:

One: The regime's elections have taken and are taking place according to an illegitimate constitution which is more akin, in some articles, to a security decree aimed at isolating political opponents:



We believe that the 2012 constitution is wholly illegitimate, along with the presidential or parliamentary elections based on it, for the following main reasons:

1. It was approved unilaterally and exclusively by the ruling authority as a device targeting all the actual opponents of the Syrian regime, with some dissidents killed, others arrested, and disappeared, and the remainder threatened with arrest, enforced disappearance, torture and death.
2. The referendum took place in light of the Syrian regime's perpetrating crimes against humanity and war crimes against the Syrian people according to reports by the Independent International Commission of Inquiry and several international reports, including systematic torture, bombardment with barrel bombs, the use of chemical weapons and the forcible displacement of the population. These crimes generated a state of terror and dread among Syrian citizens, pushing those who remain in regime-controlled areas to vote in favor of the Syrian regime and its constitution in order to avoid the same terrible fate, and thus the referendum was held in the complete absence of any democratic atmosphere or the minimum level of freedom of opinion.

3. Many articles of the Syrian regime's 2012 constitution contravene the most basic standards of constitutional articles, undermine the principle of separation of powers, and derive the concept of the constitution from its content; in reality, despite the regime's defining them as constitutional, they are more like security articles, wholly unrelated to any genuinely democratic constitutional articles. Rather than resembling any constitutional articles in democratic nations, their only resemblance is found in the constitutions of dictatorial countries, more particularly that of North Korea. Like its predecessor, the 2012 constitution gave godlike, absolute powers to the president of the republic, elevating him to the status of a sacrosanct being with total control over all aspects of the three powers - executive, judicial and legislative; amongst other things, he is the head of the Supreme Judicial Council¹, has sole entitlement to dissolve the People's Assembly², assumes the authority of legislation³, and is the Commander-in-Chief of the army and armed forces, as well as wielding absolute power over the appointment of judges at the Supreme Constitutional Court who, by presidential decree⁴, swear an oath before the President⁵.
4. The Syrian regime's 2012 security constitution is designed to serve the President of the Republic, Bashar al Assad, ensuring his exclusive 'victory' in all the upcoming presidential elections, with nobody else allowed or granted the capability to defeat him; this is wholly unsurprising since the Drafting Committee of the 2012 Constitution, established [pursuant to Republican Decree No. 33](#), was headed by Mazhar al Anbari, who was also the head of Hafez al Assad's constitution committee of 1973.
5. Based on all these points, the text issued by the Syrian regime, which it refers to as a constitution, is wholly illegitimate in its entirety, with any elections based on it also lacking any legitimacy.

Two: Lack of actual influence of the Judicial Authority:

A. The Supreme Judicial Council:

According to the constitution imposed by the Syrian regime in 2012, the President of the Republic is the head of the Supreme Judicial Council, meaning that head of the Executive Authority is also the head of the Judicial Authority; this means that the Minister of Justice, who is from the Executive Authority, is acting on behalf of the President of the Republic, who is subordinate to the President of the Republic, i.e. to himself, in addition to which the Minister of Justice is at the same time the head of the Public Prosecution Service⁶. Additionally, most of the members of the Supreme Judicial Council are appointed by, and thus held accountable solely by, the executive authority. The Syrian regime has not only accomplished all these demagogic distortions in its determination to maintain absolute autocratic control in the hands of one family, but in pursuit of wielding even greater control over the entire state it has subordinated the military judiciary to the Minister of Defense⁷, and the administrative judiciary to the State Council⁸, which in turn reports to the executive authority. As all these efforts to cement the ruling family's absolute

¹ Constitution of the Syrian Arab Republic of 2012, Article 133, <<<http://www.parliament.gov.sy/arabic/index.php?node=5518&cat=423&>>>

² Constitution of the Syrian Arab Republic of 2012, Article 111, <http://www.parliament.gov.sy/arabic/index.php?node=5518&cat=423&>

³ Constitution of the Syrian Arab Republic of 2012, Article 112, 113, <http://www.parliament.gov.sy/arabic/index.php?node=5518&cat=423&>

⁴ Constitution of the Syrian Arab Republic of 2012, Article 141, <<<http://www.parliament.gov.sy/arabic/index.php?node=5518&cat=423&>>>

⁵ Constitution of the Syrian Arab Republic of 2012, Article 145, <<<http://www.parliament.gov.sy/arabic/index.php?node=5518&cat=423&>>>

⁶ Constitution of the Syrian Arab Republic of 2012, Article 137, <<<http://www.parliament.gov.sy/arabic/index.php?node=5518&cat=423&>>>

⁷ Military Penal Code, <<[⁸ Constitution of the Syrian Arab Republic of 2012, Article 139, <<<http://www.parliament.gov.sy/arabic/index.php?node=5518&cat=423&>>>](http://www.cdf-sy.org/low/askrye.htm?fbclid=IwAR1l6jr3zKXOYRQy3h5mNxoAz-HAF8rEjzt8NuW4F4zlgpw4U6uiDMLdcj>>>></p>
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power demonstrate, the role of the Supreme Judicial Council is now wholly redundant and its existence is ceremonial, which completely undermines the principle of separation of powers, and demonstrates an attempt to legitimize dictatorship and authoritarianism through the constitution.

B. The Supreme Constitutional Court:

Both the 1973 constitution (serving Hafez al Assad), and the subsequent 2012 constitution (serving Hafez' son, Bashar al Assad) stipulate that "the President of the Republic is the only figure with the authority to appoint all the members of the Supreme Constitutional Court", all of whom swear an oath before the President. In addition, the duration of Supreme Constitutional Court members' membership is four years, far shorter than that of the President of the Republic⁹; all of these revisions and subversions of judicial independence are flagrant violations clearly aimed at the deliberate destruction of any independence in the judicial authority. Above all, it must be remembered that the only individuals with the right to submit an application to the Constitutional Court are the President of the Republic, and five members of the People's Assembly (nearly two-thirds of whose members have been controlled by the regime's Ba'ath Party since 1973, with this party nominating only one person for leadership, exclusively from the Assad family). That is why this court has played no role worthy of mention in Syria's history since the imposition of the 1973 constitution up to the present date, as it has been paralyzed and effectively stripped of any power, having never before dealt with a violation of the constitution (except for one occasion after a meeting of the Constitutional Committee where this issue was raised, which prompted the Syrian regime to engage in an overt, bleakly comedic farce), with the court also incapable of taking any action to prevent the issuance of dozens of laws that blatantly violate the constitution, the most prominent of which are the laws protecting security personnel and perpetrators of torture, and those confiscating citizens' property.

C. Establishing exceptional/irregular courts:

The Syrian regime has established irregular/ security / political courts, whose practices do not comply with even the most basic standards of a fair trial¹⁰, with these establishments being in reality brutal state security facilities in the guise of courts. Since the 1980s, the Syrian regime has established the Military Field Court (al Midan Court), and State Security Court, with the latter replaced by the Counter-Terrorism Court in 2012, which are political security courts whose sole purpose is to provide a rubber stamp for liquidating regime opponents, as we have explained in detail in [our report on the Counter-Terrorism Court](#).

Through the control of the Syrian regime, embodied in the person of Bashar al Assad, over the Supreme Judicial Court, the Supreme Constitutional Court, these bodies have lost any legitimate judicial authority, becoming simply tools to more firmly establish the pillars of dictatorship and autocratic rule.

⁹ Constitution of the Syrian Arab Republic of 2012, Article 88, <<<http://www.parliament.gov.sy/arabic/index.php?node=5518&cat=423&>>>

¹⁰ Amnesty International, Fair Trial Manual, <<<https://www.amnesty.org/download/Documents/8000/pol300022014en.pdf>>>

Three: The control of the executive authority is embodied in the person of the President of the Republic over the legislative authority in favor of one party that nominates one person for the presidential elections, namely Bashar al Assad:



The power of the security services, their total impunity, the control of the Syrian regime over the judicial and legislative authorities, and the lack of freedom of opinion provide no opportunity for the establishment of real opposition parties, with the regime instead establishing sham parties to give the appearance of opposition; thus the Ba'ath Party, which has been the one and only party with power for decades, established the so-called the 'National Progressive Front' consisting of several shell parties to provide a formal, token image of democracy. This bloc's backbone and actual controller is the Ba'ath Party, which itself is a tool serving the exclusive access to power of only one of its members, Bashar al Assad. Despite its claim to have millions of members, the Ba'ath Party has not nominated even one of these other members for the presidency since 1971; instead, rule has remained solely in the hands of the Assad family for fifty years. One of the most glaring demonstrations of this terrible injustice, further insulting the constitutional, judicial and legal history of the Syrian people, was the process of transferring power from Hafez al Assad to his son Bashar following Hafez' death in 2000. Although Bashar al Assad, then aged 34, was unqualified to assume the presidency of the republic at the time according to the terms of the 1973 constitution, the relevant problematic article, Article 83, which required that the president of the republic be at least aged forty on taking office, was simply immediately amended to accommodate Bashar al Assad's age and appoint him as president. This once again underlined for all Syrians that no member of the Ba'ath Party or any citizen outside Hafez al Assad's descendants is deemed to be qualified and suitable to rule Syria, demonstrating the extent of the Assad family's complete control of and domination over the state and its institutions.

The Syrian regime has always dominated the People's Assembly, because anyone nominated by the party leadership will inevitably win, since commitment to the Ba'ath Party is effectively mandatory in Syria for school and university students and government employees, whose votes are automatically given to the party's candidates, and with the majority of 183 seats out of 250 seats automatically reserved for the Ba'ath Party; most of the candidates for the remaining 67 seats are chosen by the security services. SNHR

previously issued a [detailed report](#) on this subject, which showed that 22% of the members of the current People's Assembly are involved in committing egregious violations against the Syrian people, some of which amount to crimes against humanity.

Accordingly, it is impossible for 35 MPs from the People's Assembly to sign any nomination for a person nominally opposing Bashar al Assad except in the context of the bleakly comedic farce in elections designed to suggest that there are genuine competitors for Bashar al Assad; an example of this is [the 2014 presidential election farce](#), in which Hassan al Nouri, an individual known for his longstanding close coordination and relationship with the regime's security services, was nominated; from the very beginning of his 'campaign', he said clearly, "I am Hassan al Assad, not al Nouri." Hassan was a member of the People's Assembly between 1998 and 2003, after which he was rewarded for his loyalty by being appointed as Minister of Administrative Development between 2014 and 2017. Another person named Maher al Hajjar also nominated himself; Al Hajjar was a member of the People's Assembly in its first legislative term in 2012. To nobody's surprise, Bashar al Assad 'won' these elections with 88%.

Four: Bashar al Assad, as the Commander-in-Chief of the army and armed forces, is implicated in crimes against humanity and war crimes and cannot be accepted as the president of the Syrian people

The Syrian regime is very centralized, and undertakings involving huge military operations, bombing with barrel bombs and chemical weapons and killing under torture, cannot be carried out without the knowledge and approval of the regime's head, Bashar al Assad, who is at the same time the Commander-in-Chief of Syria's Army and the Armed Forces. Indeed, it is not even possible to carry out operations 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 subordinates. According to an authoritative study of customary international humanitarian law carried out by the International Committee of the Red Cross, [the responsibility of leaders developed into the following customary rules](#):

- Commanders and other superiors are criminally responsible for war crimes committed pursuant to their orders¹¹.
- Commanders and other superiors are criminally responsible for war crimes committed by their subordinates if they knew, or had reason to know, that the subordinates were about to commit or were committing such crimes and did not take all necessary and reasonable measures in their power to prevent their commission, or if such crimes had been committed, to punish the persons responsible¹².

¹¹ ICRC, customary international humanitarian law, Rule 152, https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule152

¹² ICRC, customary international humanitarian law, Rule 153, https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule153

- Commanders must ensure that members of the armed forces under their command are aware of their obligations under international humanitarian law¹³.

The Rome Statute of the International Criminal Court strengthens these elements of responsibility and extends them to include crimes against humanity committed in peacetime or war, and war crimes, whether committed in an international or internal armed conflict¹⁴. The law holds military commanders as well as other superiors, including civilians, responsible for this¹⁵.

The International Court of Justice has affirmed that "According to a well-established rule of international law, which is of customary character, 'the conduct of any organ of a State must be regarded as an act of that State'". In the case of the Democratic Republic of the Congo v. Uganda, the International Court of Justice upheld that "The conduct of individual soldiers and officers of the UPDF is to be considered as the conduct of a State organ. The contention that the persons concerned did not act in the capacity of persons exercising governmental authority in the particular circumstances, is therefore without merit"¹⁶.

We believe that all these requirements are fulfilled in the case of the Syrian regime and the relationship of the head of the regime and its leaders and the strict, hierarchical and centralized chain of command, meaning that the head of the Syrian regime is directly involved in committing violations that amount to crimes against humanity and war crimes against the Syrian people, and we categorically reject his candidacy for any elections or for him to have any role in Syria's future, insisting that, on the contrary, he must be held accountable for his crimes.

Five: Holding presidential elections violates Security Council Resolutions 2118 and 2254:

These elections are taking place for the first time since the Security Council adopted its Resolution 2254 in January 2015, by which it charted a path for the political process in Syria towards ending the current conflict in the country, with the decision of one of the primary parties to this conflict to unilaterally stage elections clearly demonstrating that this party is wholly indifferent to the participation in the political process, ending the armed conflict, and building a new social contract. It is impossible to build a social contract and end a conflict at the hands of its primary cause which is involved in and responsible for numerous crimes against humanity.

These 'elections' blatantly violate the rulings on Syria by the international community - represented by the UN Security Council - constituting a terrible violation of firstly: The Geneva Communiqué, which was included in Security Council Resolution No. 2118; and secondly: Security Council Resolution No. 2254. Both these resolutions clearly stipulate that the solution to the internal armed conflict is the formation of a

¹³ ICRC, Additional Protocol (I) to the Geneva Conventions of 1977, Article 87-2, <https://ihl-databases.icrc.org/ihl/INTRO/470>

¹⁴ The Rome Statute of the International Criminal Court, Article 25, <https://www.icc-cpi.int/nr/rdonlyres/add16852-ae9-4757-abe7-9cdc7cf02886/283503/romestatuteng1.pdf>

¹⁵ The Rome Statute of the International Criminal Court, Article 28, <https://www.icc-cpi.int/nr/rdonlyres/add16852-ae9-4757-abe7-9cdc7cf02886/283503/romestatuteng1.pdf>

¹⁶ Report of the International Court of Justice (1998-1999) <https://www.icj-cij.org/public/files/annual-reports/1998-1999-en.pdf>
Report of the International Court of Justice (2004-2005) <https://www.icj-cij.org/public/files/annual-reports/2004-2005-en.pdf>

transitional governing body exercising full executive powers with representation from both the regime and the opposition, which could then create a new constitution, and only then hold parliamentary and presidential elections based on this new constitution.

Article 4 of Resolution 2254 clearly states this sequence: “Expresses its support, in this regard, for a Syrian-led political process that is facilitated by the United Nations and, within a target of six months, establishes credible, inclusive and non-sectarian governance and sets a schedule and process for drafting a new constitution, and further expresses its support for free and fair elections, pursuant to the new constitution, to be held within 18 months and administered under supervision of the United Nations, to the satisfaction of the governance and to the highest international standards of transparency and accountability, with all Syrians, including members of the diaspora, eligible to participate, as set forth in the 14 November 2015 ISSG Statement.”

The Syrian regime’s relentless pursuit of holding these elections once again demonstrates the extent of its deception and evasion of any genuine political solution, including the Constitutional Committee supported by the Syrian regime’s ally, Russia, and reveals the extent of the Syrian regime’s reliance on Iranian military and militia support, as well as material support, in light of the nuclear file negotiations, which may lead to a partial lifting of the sanctions imposed on it, which means the expansion of Iranian support and incursion into Syria.

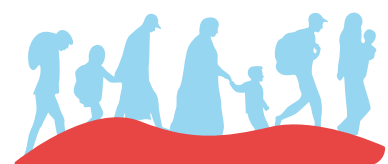
Six: The domination and threat of the security services rob Syrians of any safe and neutral environment and freedom of opinion:

The Syrian regime’s security services continue to brutally oppress and terrorize any form of opposition to the regime; the SNHR team has documented the arrest of at least 174 Syrian citizens on political grounds since the beginning of 2021 to date, with nearly 86,000 Syrian citizens still forcibly disappeared at the regime’s hands, the vast majority of whom have been detained in the context of political accusations. The security services arrest and torture those who dare to even express a critical opinion opposing the policies of the ruling regime on social media sites, even if these individuals are supportive of the Syrian regime, as happened with [Syrian TV media worker Halah al Jarf](#), as well as [the activist Abdul Rahman al Saleh, whose relatives were arrested by the Syrian regime](#) simply for expressing his opinion on Al Jazeera’s ‘Opposite Direction’ Programme.

Seven: More than half of the Syrian people are forcibly displaced:

In light of this brutal security domination, the vast majority of those living under the control of the Syrian regime would not dare to elect any opponent of Bashar al Assad.

According to the United Nations High Commissioner for Refugees (UNHCR), [at least 13.3 million Syrians are either IDPs or refugees](#), with a large proportion of these people having lost their identity documents; these peoples are not even considering returning to Syria for the sham elections, with the vast majority of them having been displaced due to the violations perpetrated by the Syrian regime.



That is why the regime is keen not to obstruct their return by continuing to carry out arbitrary arrests and enforced disappearances, forcible conscription and looting and theft of IDPs' and refugees' property, legitimizing these crimes through laws issued by the regime-controlled People's Assembly, or through legislative decrees issued even during sessions of the People's Assembly; with the vast majority of the Syrian people being thus absent, whether through detention, forcible disappearance, or displacement, this makes it impossible to establish any effective parties or to establish any genuine pluralist democratic form of political life.

Eight: About 37% of the area of the Syrian state remains outside the control of the Syrian regime:

About 37% of the Syrian state's territory remains outside the control of the Syrian regime, with the governorates of Hasaka, Raqqa, Deir Ez-Zour, Idlib, and large parts of Aleppo governorate being outside the control of the Syrian regime; no voting for the sham election in these areas since they do not recognize the presidential elections or accord them any legitimacy.

II. Conclusions and Recommendations:

- The Syrian regime unilaterally engineered the 2012 constitution, making it a wholly self-serving constitution, imposed by the power of the regime's security services, which further strengthened Bashar al Assad's absolute power, placing his brutal dictatorship above any accountability, and made it impossible for him to be removed through democratic means, putting all three powers solely in his hands, in addition to strengthening the violent domination of the regime's security services, whose members number in the tens of thousands.
- Since 1971, the Ba'ath Party has nominated only two individuals for the leadership of Syria, exclusively from the al Assad family, namely Hafez al Assad, then his son Bashar al Assad. This confirms that the party is exclusively affiliated with and engineered to serve the Assad family.
- Bashar al Assad, as the Commander-in-Chief of the army and armed forces and head of the executive authority, is involved in committing crimes against humanity and war crimes against the Syrian people, and he must be held accountable.
- Presidential elections in this climate violate Security Council resolutions and the course of the political process, including the Constitutional Committee.
- There is no safe or neutral environment for any election, with Syrian citizens' fully-justified fear of the brutality of the tens of thousands of members of the regime's security services guaranteeing a decisive victory for Bashar al Assad.
- More than half of the Syrian people are either IDPs or refugees, and more than 37% of the territory of the Syrian state remaining outside the control of the Syrian regime.
- The wholly sham election farce confirms that the Syrian regime completely rejects any political participation, however limited it may be, demonstrating once again that it is an extremist regime founded on intolerance and tyranny to the utmost limits.

- Based on all these points, it is very clear that the elections which the Syrian regime intends to hold are wholly illegitimate, with a predecided result, which is not binding on the Syrian people.
- The failure of the international community, including the UN Security Council, has helped in the failure to achieve any serious progress at the level of political transition after the passage of more than ten years since the start of the popular uprising for democracy in Syria, with the 14 sessions of the Geneva negotiations, including five of the meetings of the Constitutional Committee, making no progress towards any political transition for democracy and human rights. This failure, along with the complete impunity granted to the Syrian regime, helped the regime to continue to challenge the international community and to hold unilateral and presidential elections, nominating the same person involved in committing crimes against humanity.

Recommendations:

The UN Envoy, Geir O. Pedersen, and the states sponsoring the peace process in Geneva:

- Condemn the unilateral holding of presidential elections, announce the UN's refusal to recognize their results, work to oblige all parties to pursue the path of a political solution under the relevant Security Council resolutions, and set a specific timetable for accomplishing this.
- Announce that those involved in atrocious crimes such as crimes against humanity have no role in the future of Syria, and stress the rejection of any rehabilitation for them since events of this nature contribute to fueling the conflict rather than resolving it.

Russia, the Syrian regime's ally:

- Pressure the Syrian regime to stop this sham election farce, which it intends, with Iranian support, to complete, since it undermines all political processes, including the Astana process and the Constitutional Committee.

The UN Security Council:

- Issue a resolution explaining the unilateral presidential elections' violation of UNSC resolutions related to the political process.
- Work to implement Resolution 2254 as soon as possible; this will spare the Syrian people more suffering and violations and contribute to ending the Syrian conflict.

The Syrian regime:

- Stop the farcical sham elections in which only one person can run to represent a party that claims to have millions of members, among whom it can apparently find no better qualified, more patriotic or empathetic person than Bashar al Assad.
- Put an end to the depletion of the Syrian state and people, proceed with the political process, and end the practices of atrocious violations, including torture, enforced disappearances and the looting of the property of political opponents.



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