

The Syrian Regime's Refusal to Allow the Organization for the Prohibition of Chemical Weapons' Investigation Team to Enter Syria Constitutes Strong Evidence Against the Regime

The Civilized Countries of the World Must Punish the Syrian Regime Politically, Economically and Militarily for Preventing the Investigation Team from Entering

SNHR

SYRIAN NETWORK FOR HUMAN RIGHTS

الشبكة السورية لحقوق الإنسان

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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. The Syrian Regime's Refusal to Allow the Organization for the Prohibition of Chemical Weapons' Investigation Team Exposes the Russian Support for it

The Syrian regime has categorically refused to allow the OPCW investigation team to enter Syria to investigate and identify the perpetrators of attacks where chemical weapons may have been used. This prohibition proves beyond doubt once again that the Syrian regime has been involved in these attacks, and doesn't want the OPCW to reveal this. The Syrian Network for Human Rights (SNHR) has proved the Syrian regime's involvement in the use of chemical weapons again in the suburbs of Latakia, and called on the countries that have long threatened the Syrian regime that, if chemical weapons were used again, they would respond decisively, primarily the United States, France and Britain.

The Director-General of the Organization for the Prohibition of Chemical Weapons, Mr. Fernando Arias, confirmed last Wednesday (June 12) in statements quoted by [Reuters](#) that the Syrian regime has prevented his team from entering Syria and that he had received two letters from the Syrian regime's Deputy Foreign Minister informing him that the Syrian government would not permit the team members to access any confidential information related to the Syrian chemical file.



II. A Cumulative Series of Lies, Misleading the United Nations and Insulting the International Community

The SNHR confirms through its continuous monitoring of the chemical weapons file in Syria over the past eight years that the Syrian regime's use of humiliating practices against the international community and the United Nations have always remained the same due to the support of the Russian state, which is a permanent member of the UN Security Council; this has turned the Syrian regime into a rogue regime, placing it above the law and accountability, and enabling it to obstruct the work of the UN committees, to repeatedly use chemical weapons, and to kill the Syrian people with absolute certainty of its impunity due to this Russian support. For these reasons, the SNHR has emphasized the urgent need to create an alliance outside the Security Council aimed at penalizing the Syrian regime at various political, military and economic levels after the Security Council signally failed to fulfill its mandate of protecting international peace and security in Syria following repeated use of weapons of mass destruction by the Syrian regime on 217 occasions during the last eight years.

A. The Syrian regime was obliged to join the Convention on the Prohibition of the Use of Chemical Weapons on September 14, 2013, after using chemical weapons against the people of the two Ghoutas of Damascus on August 21, 2013; however, it repeatedly thwarted the OPCW team's work, and it failed to deliver all of its chemical weapons, as evidenced by the fact that the regime has repeatedly used them 184 times since September 2013 to date according to the SNHR database. The Independent International Commission of Inquiry on the Syrian Arab Republic, as well as the Joint Investigative Mechanism established by Security Council resolution number 2235, have proved that the Syrian regime has used chemical weapons many times since ratifying the Chemical Weapons Convention.

B. The Syrian regime has always obstructed the international organization's teams by deliberately delaying the granting of visas, delaying its response to these organization's messages, and hindering the access of inspectors to a number of areas, according to [an investigation prepared by Reuters in August. 2017](#), which intersects to a large extent with the investigations conducted by the SNHR on the blatant steps taken by the Syrian and Russian regimes to obstruct these bodies' investigations, most notably following the attack on Douma city in Damascus Suburbs governorate in April 2018, of which we noted in our report "[Additional Evidences and Investigations Prove that the Syrian Regime was Probably Implicated in Attacking Douma City Using Chemical Weapons](#)". The replies submitted by the Syrian regime and the Russian government, [in which they criticized](#) the recent report by the Organization for the Prohibition of Chemical Weapons (OPCW) on the attack on Douma city, which proved that chemical weapons had been used without specifying who



committed that act of criminality, since the OPCW had not yet expanded its mandate. The replies, reviewed by the SNHR, reveal that the Syrian regime and Russia continue to operate with the same mentality, outlook and approach towards the issue of chemical weapons, and further confirm that there is no hope of changing that mentality except through serious sanctions that compel the criminal to comply with international law.

C. This prohibition and prevention of the OPCW's operations coincides with the latest attack in which the Syrian regime used a chemical weapon on al Kbaina village in the eastern suburbs of Latakia on May 19, 2019, which was the first chemical [attack documented by the SNHR](#) since the attack on Douma city in April 2018, as well as the first to take place since the expansion of the Organization for the Prohibition of Chemical Weapons' powers, meaning that the organization can now identify the Syrian regime as being the party that used chemical weapons; this is precisely what the Syrian regime and its Russian ally fear since it will prove the long series of lies they have engaged in with the cooperation of dozens of pro-regime and pro-Russia journalists, media figures and other propagandists, consequently supporting the use of chemical weapons as a crime against humanity.

III. The Failure of the Civilized Countries to Punish the Syrian Regime Enables the Regime's Use of Chemical Weapons Repeatedly and Extensively

The civilized countries of the world succeeded in thwarting the efforts of Russia and its allies when the latter voted against expanding the mandate of the Organization for the Prohibition of Chemical Weapons, with this vote indicating Russia's and its allies' desire to continue the use of chemical weapons against the human race and to ensure the absence of any body identifying the perpetrators. In this action, through their majority vote on June 28, 2018, the civilized countries of the world succeeded in taking a step towards upholding international law and achieving justice; however, the same nations are currently powerless in the face of the Syrian regime's preventing the OPCW from exercising its functions. If the Syrian regime succeeds in this objective without facing any political, military or economic pressures, it will undoubtedly repeat its use of chemical weapons, then use its standard strategy of denying doing so and claiming that there is no evidence, secure in the knowledge that Russia will protect it again in the Security Council.



The following is the record of the Syrian regime's use of chemical weapons under UN Security Council resolutions, which shows the enormous number of times the Syrian regime breached international humanitarian law and Security Council resolutions:

- A. After resolution 2118 of September 27, 2013: 184 attacks.
- B. After resolution 2209 of March 6, 2015: 115 attacks.
- C. After resolution 2235 of August 7, 2015: 59 attacks.

The total record of chemical attacks documented on the SNHR's database are 222 between December 23, 2012, the date of the first use of chemical weapons in Syria to be documented by the SNHR, and June 15, 2019. These attacks are distributed according to the perpetrator party as follows:

- The Syrian regime: 217 chemical attacks, mostly in the governorates of Damascus Suburbs and Idlib.
- ISIS: Five attacks, all in Aleppo governorate.

These attacks collectively resulted in the deaths of at least 1,461 individuals, recorded on our lists by name and in detail. All of the victims died in attacks carried out by the Syrian regime, and are categorized as follows:

- 1,397 civilians, including 185 children, and 252 women (adult female).
- 57 Armed Opposition fighters.
- Seven Syrian regime prisoners of war who were being held in an opposition prison.

The chemical attacks also injured at least 9,889 individuals, categorized as follows:

- 9,757 were injured following attacks by the Syrian regime.
- 132 were injured following attacks by ISIS.

[The following link](#) contains reports documenting the particulars of chemical attacks that we have worked on, include the full details of the incidents we were able to document, such as timing and location of the attacks, weather conditions, tolls of deaths and injured casualties, the types of weapon used, testimonies from eyewitnesses and survivors of incidents, and a large number of photographs and videos that we have received, which we examined and verified, along with other evidence. We can confidently assert, therefore, that the Syrian regime's use of chemical weapons is clearly a recurring pattern that amounts to crimes against humanity, in addition to each such attack being a war crime.



IV. Conclusions and Recommendations

- By using chemical weapons, the Syrian regime has violated customary international humanitarian law, which prohibits the use of chemical weapons in any situation, and secondly has undoubtedly breached the Chemical Weapons Convention that was ratified by the Syrian government in September 2013, which requires the prohibition of the use of toxic gases and the destruction of any such materials, and thirdly breaches all relevant Security Council resolutions, in particular resolution numbers 2118 of 2013, 2209 of 2015, and 2235 of 2015. The use of chemical weapons also constitutes a war crime according to the Rome Statute of the International Criminal Court.
- The Syrian regime's use of weapons of mass destruction against the Syrian people will remain an egregious and historic disgrace for the international community due to its failure to punish the perpetrator of these attacks, even in the form of economic sanctions, which the United Nations failed to impose against the Syrian regime in response to its crimes, despite the simplicity of such action. This shows the alarming magnitude of the deterioration of the international system; it is imperative that the international community rectify this imbalance and impose economic and military sanctions against the Syrian regime, which remains determined to commit crimes which amount to crimes against humanity.

Recommendations:

Security Council:

- The Security Council should convene an emergency session and act quickly to pass a resolution obliging the Syrian regime to allow the OPCW team to enter Syria unhindered and to travel freely there, threatening the use of sanctions if the Syrian regime fails to comply.

International Community, Primarily the Civilized Countries:

- If the Security Council fails to compel the Syrian regime to abide by international law due to Russia's unlimited support, the rest of the world must act to preserve the honor and prestige of international law and take a decisive stand against the Syrian regime's use of weapons of mass destruction and ensure that the commission of inquiry is allowed to enter in order to carry out its investigations.
- There is an imperative need for the creation of a humanitarian alliance aimed at protecting Syrian civilians from chemical weapons and barrel bombs since, without any such protection, Russia will continue to obstruct the Security Council and to use its veto with impunity. There is also a similarly urgent need for immediate humanitarian intervention to protect the Syrian people from the crimes against humanity practiced by the Syrian regime, similar to the NATO intervention to protect civilians from killings and ethnic cleansing in Yugoslavia,



an intervention approved by the International Court of Justice which did not see it as contrary to international law or UN Security Council Resolution 1244 of 1999, especially since we are once again referring to gross violations, crimes against humanity and war crimes committed by the ruling power against the people.

Organization for the Prohibition of Chemical Weapons:

- Request that the Security Council act immediately to issue a resolution obliging the Syrian regime to allow the entry of the OPCW team.
- Expose the blatant crimes of the Syrian regime and its Russian ally before all United Nations organizations and bodies, as well as before media institutions, and put serious pressure on all such organizations to prevent the Syrian regime from repeating its prevention of investigators' entry to the country.





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