Restoring Relations With the Syrian Regime That Continues to Commit Crimes Against Humanity Against the Syrian People is a Violation of International Law and the Rights of Millions of Victims

The Syrian Regime is Still Forcibly Disappearing and Torturing 96,000 Syrian Citizens, 201,000 Civilians, including Approximately 23,000 Children, Have been Killed by the Syrian Regime With No Accountability

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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The Syrian regime chose ruthless violence in its response to the people’s popular uprising ever since the March 2011, when regime forces fired live bullets at the peaceful protesters and carried out mass arbitrary arrests. The regime's violence rapidly escalated to the point that some of the crimes committed by its forces during the first year alone constitute crimes against humanity, according to the September 2011 report issued by the UN High Commissioner of Human Rights (OHCHR) and the report released by the Independent International Commission of Inquiry on the Syrian Arab Republic (COI) on November 23, 2011.

The Arab League, in turn, was late in its proposal of intervention to protect the Syrian people from the regime’s killing, torture, and enforced disappearance. Four months into the uprising, on July 13, 2011, the then-Secretary General of the Arab League, Nabil Elaraby, visited Damascus. However, the Syrian regime explicitly refused any intervention from the Arab League, and asserted that it has the right to do whatever it sees fit to crush and end the popular uprising. In light of such response, the Arab League visit failed to change the regime’s brutal aggression towards the Syrian people which continued to be seen in various types of violations.

In early September 2011, the Arab League unveiled its first initiative that contained many positive points, with the Arab League working to establish mechanisms to actualize the initiative. On October 16, 2011, the Council of the Arab League at the ministerial level issued resolution 7435 that provided for the establishment of a ministerial committee tasked with communicating with the Syrian regime in order to bring an end to the violence and fighting, end military involvement, and launch a dialogue between the Syrian government and the bodies representing the Syrian opposition. The Syrian regime took no heed any of those provisions and continued its killings and arrests.

On November 12, 2011, the Council of the Arab League decided to suspend Syria from the Arab League. The resolution adopted at the time provided that Arab state are to recall their ambassadors from Syria, while imposing political and economic sanctions on the Syrian government. This was followed by a second Arab League initiative on January 22, 2012 which stressed that the violence and bloodshed in the country must come to an end, and called on the Syrian regime to release detainees, give access to the relevant Arab League bodies and Arab and international media outlets to move freely throughout the whole of Syria, withdraw military forces and any other armed formations, guarantee the freedom of peaceful assembly, and not attack protestors. The initiative also called on the Syrian government to facilitate the mandate of the observers and allow for the entrance of all equipment, especially communication devices. Furthermore, the resolution also called on the Syrian government and the Syrian opposition bodies to launch serious political dialogue under the auspices of the Arab League within no more than two weeks, in addition to calling for support from the UN Security Council.

I. The Syrian Regime Failed to Uphold any of the Provisions of the Two Arab Leagues Initiatives in 2011 and 2012, this Will Not Change in 2023

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In response, however, for a second time, the Syrian regime ignored all the Arab League’s provisions and issued patently false promises as its security and military forces continued to perpetrate increasing numbers of violations, with the Arab observer mission failing to prevent any of these. On February 12, 2012, Mohammed al-Dabi, the head of the mission, tendered his resignation to the Arab League.

Between March 2011 and February 12, 2012, the Syrian Network for Human Rights (SNHR) documented the killing of 13,923 civilians and the arrest/disappearance of 23,526 others at the hands of the Syrian regime.

The COI report released in February 2023 categorically confirms that Syrian citizens continue to suffer arbitrary arrests, enforced disappearances, and deaths due to torture, with victims including returning refugees and internally displaced persons (IDPs) returning to the areas under the Syrian regime’s control. In all of its reports, the COI has stressed that many of the Syrian regime’s violations constitute crimes against humanity.

Moreover, SNHR’s database provides further confirmation that the Syrian regime continues to this day to commit various types of violations; these include the enforced disappearance of approximately 96,000 Syrian citizens since March 2011, the killing of at least 201,000 civilians in the same period, including approximately 23,000 children, with nearly 15,000 victims dying under torture, in addition to many other violations, including indiscriminate bombardment, especially using barrel bombs. In fact, we have documented that the Syrian regime has dropped nearly 82,000 barrel bombs and used chemical weapons in 217 attacks. All of these violations by the regime have resulted in the displacement of nearly seven million refugees, none of whom will show the slightest willingness to return as long as the same regime that has been displacing them since 2011 remains in power with no political transition.

In light of the above, it is clear that the same reasons that led to the Syrian regime being kicked out of the Arab League, boycotted by democratic countries, and sanctioned and isolated at the international level that have been present since 2011 remain unchanged. Even worse, these reasons have only grown in magnitude and severity since 2011, leading to many more catastrophes and victims.

II. To this Day, The Syrian Regime Continues to Commit Horrific Violations that Constitute Crimes Against Humanity Against the Syrian People

In Mid-November 2011, the Arab League made the decision to deploy an Arab observer mission to Syria. Mohammed al-Dabi was named as its head in December 2011. Consisting of 150-200 observers, the mission was tasked with finding a resolution to the Syrian crisis and providing protection for Syrian citizens.
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The attempts by some Arab states, or any other states for that matter, to reestablish any form of relations with the Syrian regime are grievously insulting, first and foremost to those states deciding to take such action, sending the wrong message to their own peoples, that they support a regime that has committed crimes against humanity and choose to side with said regime atop the backs and skulls of its millions of victims. Furthermore, restoring relations with the Syrian regime encourages the regime’s own impunity, and that of other similar authoritarian regimes, and is an unconscionable and monstrous insult to its millions of victims. Therefore, any such restoration of relations constitutes an expression of support for the regime’s previous and continuing violations against the Syrian people; this is particularly shocking since opposing such horrific violations which are classified as crimes against humanity and war crimes is, under international law, a core part of the responsibilities of all the world’s states as ratifiers to the Geneva Convention.

III. Recommendations to the States Wishing to Restore Relations With the Syrian Regime

- Demand that the Syrian regime immediately release nearly 136,000 political prisoners, including 96,000 forcibly disappeared persons,
- Insist that the regime disband all extraordinary courts and repeal all of their rulings.
- Insist that all lands and properties pillaged by the Syrian regime be returned to their rightful owners.
- Demand that the perpetrators of violations against the Syrian people be held accountable (the Syrian regime has failed to hold even one individual who was involved in committing crimes accountable since March 2011).
- Insist that the regime fully acknowledge its responsibility for committing violations and issue an apology to the victims and their families.
- Work to expedite a political resolution in Syria, which remains the only acceptable path for the Syrian state to return to the Arab League, and to ensure the return of millions of IDPs and refugees.