

Four essential measures for documenting the dead and missing in Syria

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Over the past 13 years, hundreds of thousands of people have been killed or forcibly disappeared in the armed conflict in Syria. Unprecedented efforts by civil society and international actors have ensured that many of these victims have already been identified, and documented. However, many thousands more remain unaccounted for.

Comprehensive records of those killed in the conflict can contribute to fundamental transitional justice activities, including holding accountable those responsible for war crimes and crimes against humanity, providing a form of reparation to victims, enabling survivors to receive restitution and compensation, realising the right to truth, and preventing recurrence. Every family has the right to know the fate of their loved ones.

To ensure that every casualty can be effectively recorded and acknowledged, we call for the following actions:

1. Protect the living

The desire of survivors to know the fate of their loved ones, and to bring to justice those responsible for war crimes and crimes against humanity, is a powerful and wholly justified force. However, the situation in Syria continues to develop rapidly and the future remains uncertain. All activities to identify the dead and missing, to compile or share information, must prioritise the security of surviving witnesses and family members. Their wishes and informed consent must be sought and respected at all stages of the process.

2. Take urgent measures to preserve all evidence, including mass grave sites

Rapid action is vital to prevent evidence being destroyed or lost. This may result in tens of thousands of victims becoming permanently unidentifiable.

The new Syrian government must:

- Urgently secure and protect all known or suspected mass grave sites, in line with the Bournemouth Protocol on Mass Grave Protection and Investigation. These are crime scenes and vital sources of evidence which must not be tampered with.
- Urgently secure and preserve all documentary records which may be relevant for identifying victims of killings and enforced disappearances. This includes documents from prisons and detention centres, hospitals and morgues, cemeteries, civil registry offices, and police services. The Syrian authorities should work closely with the International, Impartial and Independent Mechanism for Syria and the Commission

of Inquiry on Syria to share and ensure the appropriate preservation and analysis of all physical and documentary evidence.

- Seek and accept international assistance to establish appropriate forensic anthropology capabilities to excavate, analyse and document grave sites to the highest international standards, grounded in the principles of international humanitarian, human rights, and criminal law. These activities should be conducted transparently, and by independent entities, with the aim of identifying all victims individually. Once completed, victims' remains should be returned to their families or local communities for proper and dignified burial.
- Ensure respect for the dignity of the dead and victims' families at all times, treating all recovered human remains with respect, ensuring no disfigurement or desecration, in accordance with international law.

The international community must:

- Provide financial and technical support for efforts to secure and preserve evidence in Syria, including mass graves, as a matter of top priority.
- Expedite the operationalisation of the Independent Institution on Missing Persons in Syria, including by committing ear-marked and long-term funding for its operations.
- Commit urgent, ear-marked and long-term funding for the International, Impartial and Independent Mechanism for Syria and the Commission of Inquiry on Syria, to ensure that all evidence can be appropriately preserved and analysed.
- Support the ICRC in gaining immediate and full access to detention facilities, and obtaining the names of individuals in detention.
- All actors who have engaged in military action in Syria since 2011, whether with an on-the-ground presence or through air strikes, must commit to full transparency about fatal incidents regardless of the identity of the perpetrator or the deceased. Only through complete transparency on all deaths – civilian and combatant – can the full truth about the Syrian conflict be established. Military actors should collaborate to the fullest extent possible with independent investigators, including the International, Impartial and Independent Mechanism for Syria and the Commission of Inquiry on Syria, to establish the fate and identity of every person missing or killed.
- Support civil society casualty recorders, many of whom have been documenting fatalities in Syria for more than a decade, to continue and expand their activities. Prioritise funding to preserve their records.

3. Reform the civil registry and issue valid death certificates

Hundreds of thousands of conflict-related deaths were not officially or accurately registered by the Civil Registry Department under the Assad regime. False medical reports were issued

for those killed in detention, and victims' families were required to sign false statements to obtain a death certificate.

The new Syrian government must:

- Urgently reform the civil registry system to ensure that all deaths are promptly and accurately recorded, including by revoking the Minister of Justice Circular No. 22 of August 2022 which required the bereaved to obtain a security clearance document to register a death.
- Enable families issued with false death certificates to have these replaced and amended with the true circumstances of the victim's death.
- Enable families of those who died in areas outside the Assad regime's control, who were unable to officially register the death previously, to register such deaths now and receive official death certificates.

4. Collaborate across all sectors to enable the effective identification of as many casualties as possible.

The Syrian government, international community, international agencies, civil society organisations, and all other actors involved in documenting the dead should:

- Establish effective mechanisms to coordinate the verification, documentation and sharing of information on casualties and missing persons.
- Adhere to standardised methodologies and recognised best practices to record and identify casualties, including the Standards for Casualty Recording (2016).
- Seek, accept and share expertise relating to data collection and analysis, identification processes, and other relevant issues.
- Ensure the parameters for documenting casualties are as inclusive as possible and the criteria consistent, without adverse discrimination, to maximise the number of casualties recorded.
- Make use of, and securely preserve, all potential sources of information which could help clarify the identity or fate of a casualty, however minimal it may appear. Corroborate all details through as many independent sources as possible. Keep records open to incorporate new information should it arise at any point in the future.
- Conduct continuous risk assessments to ensure the security of those involved in the casualty documentation process, including survivors and witnesses, as well as the security of the data held. Obtain informed prior consent from all witnesses.

For further details please contact: info@everycasualty.org.