

Statement

Protecting Crime Scenes in Syria: The Role of Ruling Authorities and Their Legal Responsibility

SNHR Monitors Unauthorized Access
and Tampering With Crime Scenes by
Activists and Media Workers



Photo credit: Tamer Turkmani

Wednesday 8 January 2025

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 analyzes in Syria.

MONITORING VIOLATIONS AT CRIME SCENES

The Syrian Network for Human Rights (SNHR) has monitored the circulation of numerous videos showing activists, journalists, and media workers freely roaming through crime scenes such as the former regime's security branches and prisons. We observed that these individuals often tamper with files or document their presence by filming themselves or their colleagues while doing so.

Despite the presence of guards at these locations, entry is often facilitated either with the guards' consent, based on prior recommendations, or under the guise of professionalism or expertise. This phenomenon is still taking place as of this writing.

WHY IT IS IMPORTANT TO REGULATE ACCESS TO CRIME SCENES

Accessing crime scenes is governed by international laws and protocols designed to protect evidence and ensure the integrity of investigations. Having reviewed the globally acknowledged best practices in this regard, SNHR has concluded that entry should be restricted solely to individuals legally authorized and serving a legitimate role in investigations.

AUTHORIZED CATEGORIES FOR ACCESS

1. Law enforcement officers

Responsible for securing the crime scene, defining its boundaries, controlling access, and documenting evidence.

2. Forensic experts

These figures specialize in collecting and analyzing evidence to ensure its proper and lawful use in investigations.

3. Forensic doctors

Tasked with examining bodies to determine causes of death.

4. Legal representatives

Includes prosecutors and legal experts who oversee compliance with legal standards in evidence collection.

LEGAL FOUNDATIONS FOR ACCESSING CRIME SCENES

- **Police authority:** Entitled to declare a location a crime scene and prohibit unauthorized entry.
- **Search warrant:** Required if the site is private property, except in emergencies such as evidence protection or saving lives.
- **International standards:** Demand careful handling of sensitive locations, such as mass graves, with stringent access controls.

LIMITED EXCEPTIONS

In rare cases, medical emergency rescue teams may be permitted to enter to provide necessary care, provided all actions are documented to avoid compromising the crime scene.

MEASURES TO PRESERVE CRIME SCENE INTEGRITY

Access control measures

- 1. Restricting access:** Unauthorized individuals, including journalists, spectators, and even non-essential law enforcement officers, are prohibited.
- 2. Documenting entry and exit:** All individuals entering and exiting must be recorded to ensure transparency and prevent evidence tampering.
- 3. Physical barriers:** Tools such as ropes or cones should be used to demarcate boundaries and prevent access to all unauthorized parties.

Site security measures

1. Strict entry regulations

- Deploy trained security personnel to guard sensitive locations, such as mass graves and detention centers.
- Require written permits for access, restricted to authorized categories only.

2. Site lockdown

- Fully seal off sensitive areas with clear signage indicating legal protection.

CONSEQUENCES OF UNAUTHORIZED ENTRY

- **Evidence contamination:** Could undermine its validity for legal use and possibly result in loss.

- **Legal penalties:** Include fines or imprisonment for unauthorized individuals.
- **Potentially impeding justice:** Mishandling evidence may lead to its rejection in court.

WHY IT IS IMPORTANT TO SECURE CRIME SCENES

Primary reasons

1. Preservation of evidence

It is essential to maintain the integrity of criminal evidence, such as documents and human remains, to prove war crimes and crimes against humanity.

2. Prevention of tampering

Sensitive evidence in Syria has been subject to theft or destruction, highlighting the need for strict measures.

ETHICAL CONSIDERATIONS

- Mass graves and detention centers are locations and symbols of profound human suffering, and violating their sanctity shows gross disrespect for victims and their families.
- Unauthorized exploration constitutes an ethical breach, and any visit to these sites requires prior coordination with qualified experts to ensure compliance with international standards.

RECOMMENDATIONS BY SNHR TO PROTECT EVIDENCE AND CRIME SCENES IN SYRIA

1. Protecting evidence from environmental damage

- Shield temporary evidence, such as bloodstains and documents, from potentially damaging weather effects like rain or wind using appropriate equipment, such as tarpaulins.

2. Documentation and preservation

- **Photographic and video documentation:** Photograph and video crime scenes from multiple angles, carefully documenting measurements and environmental conditions, before evidence is moved.
- **Detailed notes:** Document evidence locations, conditions, and any changes observed during investigations.
- **Chain of custody:** Maintain a detailed log of all personnel handling evidence to ensure credibility in court.

3. Handling physical evidence

- Proper collection techniques: Use specialist tools and containers for collecting porous and non-porous materials, avoiding overhandling to preserve integrity.
- Secure storage: Place evidence in tamper-proof containers and store it in a secure environment until analysis or court presentation.

4. Coordination with civil society

- Collaborate with Syrian civil society organizations experienced in evidence collection and analysis to ensure proper handling.
- Organize public awareness campaigns to educate local communities on the importance of preserving evidence and encourage individuals to submit documents through safe channels.

5. Survivor-centered approach

- Include victims' associations in evidence preservation efforts to enhance their role in achieving justice.
- Establish support centers for survivors to document their testimonies, assist in identifying missing persons, and provide support for families of the disappeared.

6. Collaboration with international mechanisms

- Work with entities such as the Independent International Commission of Inquiry on the Syrian Arab Republic (COI), the International, Impartial, and Independent Mechanism (IIIM), the International Committee on Missing Persons, and the UN Independent Institution on Missing Persons in the Syrian Arab Republic to ensure evidence collection meets international standards.
- Ensure compliance with international guidelines for documenting and preserving digital and physical evidence of international crimes.

7. Legal commitments

- Transitional authorities must issue a clear declaration affirming evidence protection as a fundamental principle of justice and reconciliation.
- Establish standards to prevent tampering with or destruction of evidence while promoting transparency in efforts to uncover the fate of forcibly disappeared individuals and to hold perpetrators accountable.

8. Ethical considerations

- Respect victims' dignity through sensitive treatment of locations such as mass graves.
- Prohibit unauthorized individuals from entering sensitive sites to protect ongoing investigations.

9. Capacity building

- Train police, guards, and investigators in international standards for evidence collection and preservation.
- Provide necessary resources, including forensic tools and digital infrastructure, to support evidence preservation efforts.
- Ensure gloves are worn during evidence handling to protect against contamination and maintain integrity.

10. Legal frameworks

- Enforce strict penalties on individuals or entities found tampering with or destroying evidence.

11. Guidance for media professionals

- Train journalists in legal and ethical standards related to covering sensitive sites.
- Require media personnel to coordinate with relevant authorities before reporting on crime scenes to ensure evidence protection.

12. Forensic standards for crime scenes

- Ensure compliance with international principles mandating strict handling of evidence to ensure its validity in court and avoid mismanagement that could compromise it.

13. Public awareness campaigns

Educate local communities about the importance of preserving sensitive sites as crime scenes, and encourage individuals to protect and avoid tampering with them.



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January 2025

