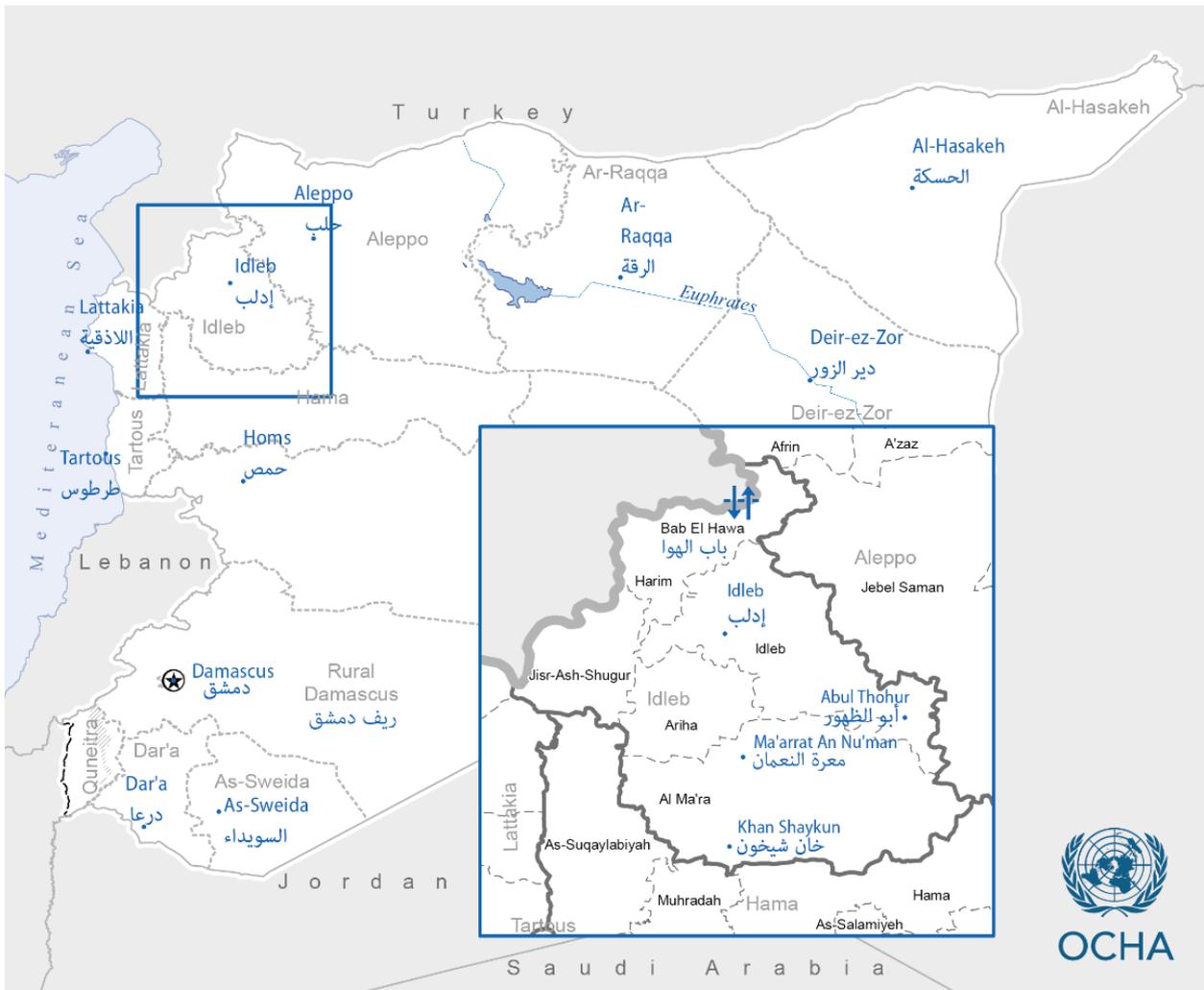


MONTHLY HUMAN RIGHTS DIGEST

SYRIA | December 2017

- The situation in areas currently under the control of armed opposition groups, primarily the Hay'at Tahrir Al-Sham alliance (including the group formerly known as Jabhat Al-Nusra), in Idleb Governorate and surrounding areas is currently rapidly deteriorating. Despite the declaration of Idleb and surrounding areas being a “de-escalation area”, a swiftly moving Government offensive is ongoing with armed clashes intensifying in the south and east as armed opposition groups attempt to reverse such advances. The offensive is supported with increasing numbers of airstrikes on populated areas including Idleb city. Armed opposition groups on their side are reportedly increasingly resisting the offensive with heavy weaponry including tanks and armoured vehicles. These developments come on the back of apparent efforts by Hay'at Tahrir Al-Sham - the dominant armed group in Idleb Governorate - to control key civilian structures and service provisions, as well as regulate civil society. Approximately two million civilians are at the forefront of such developments in the Governorate. Fighting is expected to intensify dramatically throughout the Governorate as further attempts are made to dislodge an increasingly entrenched Hay'at Tahrir Al-Sham.



This Monthly Human Rights Digest on Syria has been prepared by the Office of the United Nations High Commissioner for Human Rights based on information collected by the Office along with contributions from other agencies. It is intended to serve as an overview of some current and possible future human rights concerns in Syria, as well as provide humanitarians with a brief outline of relevant international human rights and humanitarian law provisions relating to the alleged violations. The Digest does not seek to highlight all human rights violations and abuses committed in Syria during the last month, nor list all documented cases of a particular type. Rather, OHCHR focuses every month on a few key areas which are of particular concern as the situation develops, based on data which has been analysed and cross-checked. Only information which is deemed credible is included. Separately, OHCHR provides input on past developments for the monthly report of the Secretary-General to the Security Council. OHCHR would like to thank OCHA for its support with the graphics and map compilation for the Digest.

IDLEB

Military Developments Impacting Civilians

With the bulk of ISIL forces in Homs and Deir-ez-Zor Governorates largely defeated, pro-Government forces¹ appear now to be re-directing a large part of their firepower in a rapidly moving offensive moving from the south towards the Abu-Ad-Duhur military airbase [putting civilians at grave risk](#). It is unclear whether the current offensive's objective is limited to taking over the strategically important airbase, or whether they intend to push west toward the key cities of Idleb, Maarat An-Nu'man, Khan Shaykun, and Jisr-Ash-Shugur.

Increased airstrikes have also been launched on areas of Idleb Governorate far from the frontline, including on Idleb city itself, with reports of civilian casualties as a result. On 8 December, airstrikes hit an IDP camp in Khwin village south of Idleb, reportedly killing three children and their mother. On 17 December, ten civilians including six women, three girls and a boy were allegedly killed in Khan Shaykun by airstrikes. Three days later, 18 civilians, including seven women and five children, were reportedly killed in Maar Shurin town, near Ma'arat An-Numan.

The ongoing offensive's current aim appears to be to isolate the opposition-held area east of the Aleppo-Hama-Homs section of the Hejaz railway (which OCHA estimates has a population of 154,637 as of 8

January) and capture the Abu-Ad-Duhur military airbase - key for the provision of helicopter and other air support to future operations inside Idleb Governorate. Since October, thousands of civilians have been displaced as a result of various ceasefire agreements and fighting elsewhere in the country. Military operations in southwestern Aleppo have resulted in the significant displacement of persons towards eastern Idleb. Since the start of the offensive an estimated 90,000 persons have been displaced. Many such persons are believed to have been repeatedly displaced.

In response to such advances, Hay'at Tahrir Al-Sham issued a statement on 14 December calling on other armed opposition groups to unite and join the counter-offensive against both Government forces and ISIL. The group reportedly released a number of fighters it was holding from Ahrar Al-Sham and Nouredine Al-Zinki on the same day. There have also been increased reports of armed opposition groups moving troops and heavy equipment towards eastern Idleb to stop the offensive.

Complicating the volatile situation in Idleb Governorate still further are unconfirmed reports of the presence of ISIL sleeper cells in the Governorate, and that ISIL fighters may be preparing to advance into Idleb from north eastern Hama. ISIL fighters have engaged in heavy clashes with Hay'at Tahrir Al-Sham fighters, as well as with pro-Government forces. Having taken over a number of villages from other armed opposition groups, ISIL is currently only a few kilometres away from Idleb Governorate and may be able to take advantage of the situation to take more ground.

¹ "Pro-Government forces," unless otherwise specified, includes forces of the governments of the Syrian Arab Republic, the Russian Federation, and the Islamic Republic of Iran, as well as Hezbollah and other foreign and domestic allied militias fighting in support of the Government.

De-escalation Area and Role of the “Guarantors”

It is currently unclear what action the “guarantors” of the “de-escalation area” may take in Idleb Governorate. Turkey has deployed troops inside Idleb along the international border following the May 2017 announcement of the creation of a de-escalation area. The stated aim of the deployment of forces inside the Idleb de-escalation area was to “prevent incidents and clashes between the conflicting parties” and the enhancement of coordination between the “guarantors” - namely the Republic of Turkey, the Russian Federation, and the Islamic Republic of Iran.

Currently no concrete action appears to have been taken by the guarantors to prevent the ongoing and increasing clashes between the two sides, though Turkey has reportedly condemned the actions of pro-Government forces. That said it is unclear what position the guarantors may take should the fighting spread further into the Governorate and nearer to Turkish positions along the border. At a minimum it risks increasing tension between the guarantors - particularly the Republic of Turkey and the Russian Federation. The risk of clashes between Turkish and pro-Government forces should not be discounted- though its concern with the presence of Kurdish forces in western Aleppo Governorate is likely to be its primary concern. An upsurge in violence in and around the besieged towns of Fua’a and Kefraya may also increase involvement of the Islamic Republic of Iran.

The temporary reduction in violence in Idleb between May and September 2017 following on

from the announcement of the “de-escalation areas” is an indication of the key role international actors are able to play in the Syrian conflict and the effect such cooperation between them can have on the well-being of civilians.

Attempts to Control Civilian Infrastructure

Aside from concerns with regard to the armed conflict, there are also concerns with regard to the situation facing civilians as a result of Hay’at Tahrir Al-Sham’s increased control over civilian life within the Governorate. Similar to what has been witnessed in Eastern Ghouta primarily regarding Jaish Al-Islam and Failaq Ar-Rahman, Hay’at Tahrir Al-Sham appears to be attempting to strengthen its control over civilian structures and service provision by ordering the dissolution of local governance institutions and replacing such structures with ones affiliated with the group, in line with what was previously [highlighted](#).

Most recently, the so-called “Syrian Salvation Government” (SSG) - a civilian entity believed to be backed by Hay’at Tahrir Al-Sham - was established in early November in Idleb. The SSG sought to position itself as the sole legitimate political force in opposition-controlled areas and announced that it intended to take over local councils and directorates currently under the authority of the Turkey-based Syrian Interim Government (SIG).

On 6 December, the SSG announced the establishment of a new local council in Ariha and requested that the existing SIG-run Ariha local council dissolve itself and hand over all files and resources. This request was reportedly rejected

through a statement issued on same day. Four days later, the SSG issued a statement addressed to the SIG, demanding that it close all its offices within 72 hours. On 13 December, the SSG issued a further statement through Twitter in which it reiterated that it was the only legitimate civilian body, and that the 72-hour closure demand came as a last resort after several failed attempts to reach a consensus. The SSG also stated that the work of directorates and NGOs would continue. To date, no forced closure of SIG run-offices has taken place and negotiations are reportedly ongoing between the SIG and SSG.

On 11 December the SSG-affiliated IDP Affairs Administration issued an executive decision stating that internally displaced widows were obliged, in accordance with Sharia'a law principles, to live with a male guardian by either moving to his place of residence or to make him move to her place of residence. Those who failed to uphold this instruction would be held accountable under Sharia'a law and before Sharia'a courts, indicating that the SGG is implementing repressive measures

Non-state actors that exercise government-like functions and control over a territory must respect human rights norms when their conduct affects the human rights of the individuals under their control. Any regulations which attempt to regulate who and where a certain category of person should live would run contrary to the rights to be free from discrimination, freedom of movement, and freedom to choose one's residence.

based on a strict interpretation of Islamic law and

which conflict with human rights norms. Reports have also been received of individuals being targeted for publicly highlighting the ongoing situation in Idleb Governorate.

Insecurity and Criminal Acts

Idleb Governorate continues to suffer from heightened levels of criminal activity due to weak or absent law enforcement bodies, and widespread access to weapons. Robberies, lootings and killings are regularly reported. Existing law enforcement bodies are primarily linked to the various armed opposition groups and act primarily in their interest. Such bodies that seek to perform quasi-civilian functions such as the Free Syrian Army (FSA)-linked "Free Syrian Police", have been prevented from operating by other armed opposition groups, including Hay'at Tahrir Al-Sham, due to their link to the FSA.

Attacks by vehicle-borne improvised explosive devices (VBIEDs) and other forms of IEDs apparently targeting Hay'at Tahrir Al-Sham positions and leaders continue to be reported. Such attacks have also impacted civilians and civilian objects. On 13 November, a VBIED exploded in Idleb city and reportedly injured 14 civilians including five children and four women. Reports also continue to be received of civilians, including children, falling victim to unexploded ordinances.

Deteriorating Humanitarian Situation in Hay'at Tahrir Al-Sham-run Areas

While the overall access of humanitarian aid in Idleb

has not been significantly impacted by Hay'at Tahrir Al-Sham's strengthened position in the Governorate, the climate of insecurity, tensions between the armed opposition groups, and the presence of checkpoints has in some cases affected the work of local NGOs due to their movements in accessing certain areas having been restricted.

UN humanitarian consignments continue to reach Idleb through Bab Al-Hawa. That said, the Governorate continues to suffer from shortages of electricity and water. The water supply has been affected by strikes which hit the main electricity power plant in Khan Shaykun and northern Hama, in addition to the limited water sources in the Governorate as well as the malfunctioning supply roads.

The lack of electricity and water has reportedly had a particularly negative effect on IDP camps in the Governorate, with those recently arrived being particularly hard hit. This comes in addition to reports of poor living conditions in the newly-established camps, often *ad hoc* settlements which are overcrowded and lack basic services and heating as well as other basic requirements for winterization.

People in the Governorate are also experiencing widespread unemployment and inflation due in part to the ongoing depreciation of the Syrian pound, taxes imposed on trucks travelling between Government-controlled areas and Turkey, the continued influx of IDPs placing increased demands on local foodstuffs, and the absence of a centralised price monitoring body.

Looking Forward

The situation facing civilians in areas currently held by armed opposition groups in Idleb Governorate and surrounding areas is extremely bleak and of utmost concern. The rapid increase in violence puts the safety and well-being of civilians at great risk. The fighting is escalating rapidly with armed opposition groups - led by Hay'at Tahrir Al-Sham - moving to prevent any further Government advances. While it is unclear what the final goal of the current offensive is, it cannot be discounted that large-scale clashes between pro-Government forces and well-armed opposition groups in heavily populated areas are imminent. The shooting down of a Syrian Government fighter jet on 26 December is a clear indication of the military capabilities of the armed opposition groups in Idleb. Unconfirmed reports also indicate the use of tanks and armoured vehicles by armed opposition groups. Such incidents will only serve to increase the firepower used against them. In light of similar scenarios in other areas of the country such as Aleppo and Eastern Ghouta in which large-scale military operations were launched aimed to defeat armed opposition groups heavily entrenched amongst the civilian population, large numbers of civilian casualties must be expected.

At the same time, efforts by Hay'at Tahrir Al-Sham to control key civilian structures and service provisions as well as regulate civil society should not be ignored. Such ongoing efforts risk entirely disrupting the function of key civilian structures, the provision of essential public services, as well as the work of NGOs should funding be restricted as a result of concerns over Hay'at Tahrir Al-Sham's

increased control over their operations. This comes in the context of tens of thousands of civilians being displaced as a result of the current fighting - many of them having already been displaced - either as a result of various ceasefire agreements, or fighting elsewhere in the country. The mass movements of population is likely to place an increased strain on the already fragile infrastructure, and availability of essential items in an area where service provision is being increasingly controlled by Hay'at Tahrir Al-Sham. While other armed opposition groups imposed restrictive measures on the civilian population which had the effect of denying civilians some of their human rights, what little democratic space existed is being dramatically reduced and the civilian voice almost muted.

For more information on the topics raised or for any further information concerning the human rights situation in Syria, please contact Matthias Behnke, OHCHR Syria Coordinator, at mbehnke@ohchr.org.