

After 8 Years and 500,000 Dead, No ‘Normalization’ in Syria without Justice

Today, 15 March, marks eight years of deadly conflict in Syria. Since 2011 half a million people have been killed, 11.9 million have been displaced from their homes and 13 million remain in dire need of humanitarian assistance. As the conflict enters its ninth year and the prevailing media narrative is that the civil war is coming to an end, civilians in Syria still face the threat of war crimes and crimes against humanity.

Throughout the course of Syria's civil war every major principle of international law has been violated. Numerous parties to the conflict – including armed opposition groups - have conducted indiscriminate attacks on civilians, perpetrated sexual violence, deliberately obstructed humanitarian aid, and used food as a weapon to starve besieged communities. However, the Syrian government – with the support of its Russian and Iranian allies – has far greater military capacity to inflict suffering on civilians and bears a greater burden of responsibility for war crimes and crimes against humanity.

Over the past months bombardment by Syrian government forces and sporadic attacks by armed opposition groups have placed millions of civilians at risk in Idlib and adjoining portions of Aleppo and Hama governorates – the opposition's last remaining stronghold. In addition, during 2018 the government passed “Law 10,” allowing it to seize abandoned housing and land belonging to displaced Syrians for reconstruction and redevelopment. Despite these developments, an increasing number of states have taken tentative steps towards normalizing diplomatic relations with the Syrian government and participants in the recent Arab Economic and Social Development Summit publicly encouraged refugees to return.

Such initiatives and pronouncements are unhelpful and premature. Donors should continue to withhold aid and reconstruction funds until conditions for the safe, dignified and voluntary return of all Syrian refugees have been met. Such conditions must include protection against arbitrary detention and disappearance, as well as legal protections regarding the property of returnees. The rebuilding of Syria's devastated cities and towns should only take place within the context of a wider negotiated agreement on the country's political future.

Meanwhile, the international community must end the climate of impunity that has characterized the Syrian conflict for the past eight years. Limited progress has been made through the International, Impartial and Independent Mechanism for Syria established by the UN General Assembly in 2016 to investigate atrocities and collect evidence. States have also begun utilizing the legal principle of universal jurisdiction to hold perpetrators of atrocity crimes in Syria accountable. During February three former Syrian secret service officers were arrested in Germany and France on charges of committing torture and crimes against humanity.

For eight years the Syrian government has waged war on its own people and manifestly failed to uphold its responsibility to protect. Having perpetrated widespread war crimes and crimes against humanity, the Syrian government should not be rewarded with “normalization” and redevelopment funds. Instead, on this anniversary the international community should commit to ensuring that the recent arrests in Germany and France are only the first in a long process of holding all perpetrators of atrocities in Syria accountable under international law. Justice has been delayed, but it should no longer be denied.