

Achievements and Opportunities

As we approach the year end for what has been a significant period for justice and accountability, we can reflect on what the IIIM has been able to achieve, what new challenges and opportunities have emerged, and where we will be heading in 2024.

The year started with a number of important justice outcomes, including convictions in Germany and Sweden for which we were able to publicly mention our assistance.



We have seen the initiative of Canada and the Netherlands under the Convention Against Torture reach the International Court of Justice and already resulting in the provisional measures ordered by the Court last month. As they prepare their submission for the next phase of the case, moving parties count on our continued support including the dedicated brief being developed as part of our detention related crimes line of inquiry. We are committed to contributing to this unique justice opportunity for victims/survivors, the inclusion of a victim/survivor-centred approach into the proceedings.

There have also been a number of ground-breaking, senior level arrest warrants issued by the French judiciary, including one against the Syrian Head of State related to the August 2013 Ghouta chemical weapons attacks. Such attacks are a key aspect of the Syrian conflict and related justice opportunities are particularly precious and scarce.

For the IIIM, 2023 has seen an on-going strengthening of our well-established cooperation with civil society organizations and victims/survivors – and we have continued to reap important benefits from it, not least during our consultation and workshop focusing on the ISIL line of inquiry and support to domestic jurisdictions investigating ISIL crimes. We also tested a new focus group discussion methodology for engaging with children in Syria on the IIIM's mandate and work, as well as to hear their views and priorities concerning justice. We also further expanded the reach of our engagement with affected community CSOs on a range of specialized topics through greater online consultations with communities inside and outside Syria.

The establishment in June of the new Institution to search and clarify the fate of the missing was another collective achievement in this context, and we are looking forward to cooperating with this new institution once it becomes operational.

We have made significant progress with the processing of information and evidence in our Central Repository, rendering much of that data more “findable” and useful. This includes taking advantage of cutting-edge artificial intelligence technology to establish more efficient ways to distribute and analyse large volumes of multi-media material.

This has also been a year of important challenges. It started with the devastating earthquake in Turkey and Syria, which affected many of our partners directly. We also stand by victims/survivors and Syria's civil society at large, who remain steadfast in calling for the crucial issues of justice and accountability in Syria to remain a priority across the membership of the United Nations, and for it to become once again a reason for unity, rather than division.

There are additional details of our contributions and activities in this edition of the bulletin and you'll see that there continues to be rising demand for our work from competent jurisdictions. Competent jurisdictions are also increasingly requesting IIIM staff to testify at trial in cases we have supported. I want to thank our donor States, especially those who have provided additional voluntary contributions in support of strengthening our capacity to respond to the increasing requests for assistance, which includes the development of new analytical products that are becoming an important and deeply rich resource.

While there is still much to do, the progress made is testament to the collective and complementary efforts of the IIIM, civil society organisations and competent jurisdictions. I am proud of what has been accomplished in 2023 and we can be hopeful for the many new opportunities in 2024 to make a difference for more comprehensive, and more inclusive justice for Syria.

My team and I remain committed to exploring ways to facilitate justice for the many victims/survivors who have yet to receive it, and the IIIM will continue to support important new justice initiatives in the spirit of our mandate, and in line with our broader justice objectives.

For now, my best wishes for the end of the year, with hope for a peaceful and just 2024.

Catherine Marchi-Uhel

Support to Jurisdictions

The IIIM continues to share information and evidence with jurisdictions upon receiving a request for assistance (RFA), or proactively if it is aware of investigations or prosecutions that might benefit from the data or analytical products it already has.

The IIIM's assistance can take various forms. Jurisdictions may receive relevant material from the IIIM's Central Repository (only that which sources have given us consent to share), as well as support to carry out open-source investigations, collect

additional information, identify witnesses or conduct witness interviews. Jurisdictions are also increasingly leveraging a range of analytical products developed by the IIIM and shared as part of its ongoing support, ranging from legal briefs and analytical reports to institutional structure charts or geolocation reports.

Prosecutors, judges and investigators from national jurisdictions can bolster their work and capacity through the dedicated efforts and expertise of the IIIM.

325 Requests for Assistance (RFAs) from **16** competent jurisdictions.

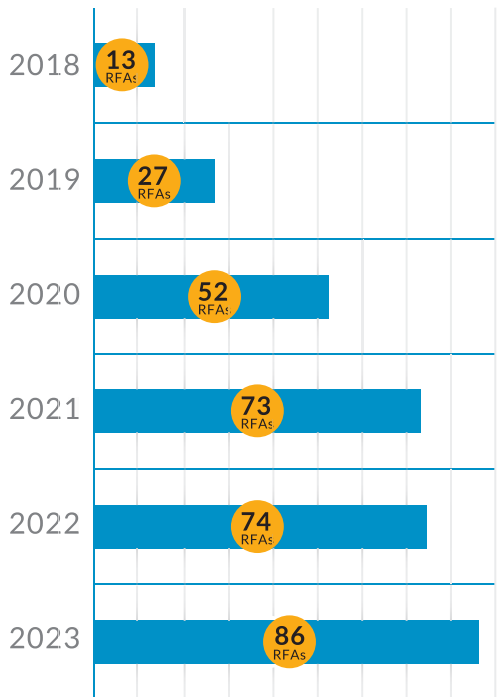
with **226** RFAs

Relating to **162** distinct investigations

supported through sharing of information, evidence and/or analytical products.

86 new RFAs since the start of 2023.

RFAs PER YEAR TO DATE

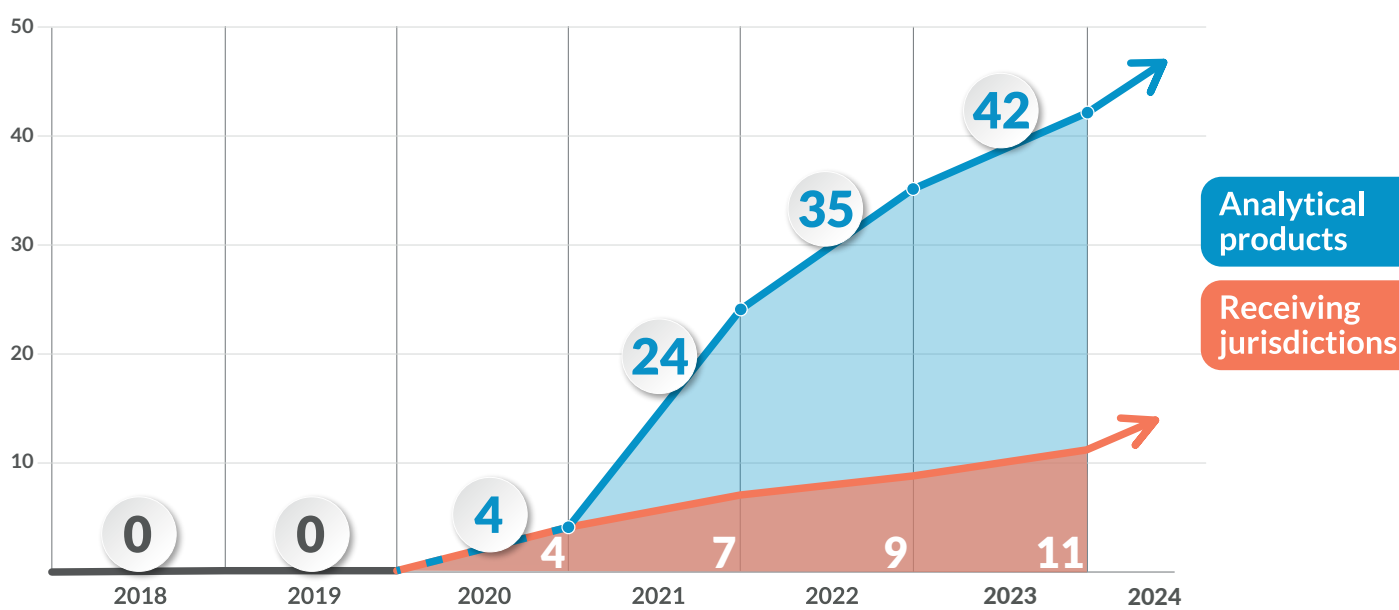


As is clear from the figures, the RFAs have consistently increased since the IIIM became operational in 2018. Each request signifies the national jurisdictions' commitment to upholding international law and holding perpetrators accountable.

What is not evident is the sustained assistance provided beyond the initial request received. A growing number of individual investigations require long-term support

and multiple forms of assistance, from support with new inquiries or new information on initial enquiries to the retailoring of analytical reports, the conduct of additional interviews or in-court testimonies. Given the lengthy duration of international justice investigations and prosecutions, the IIIM's ongoing support varies in scope and nature, adapting to the needs of jurisdictions.

ANALYTICAL PRODUCTS SHARED WITH COMPETENT JURISDICTIONS



Justice Developments

ICJ Case

On June 8, 2023, Canada and the Netherlands jointly filed a case against Syria at the International Court of Justice (ICJ), accusing Syria of violating the Convention against Torture since 2011.

Canada and the Netherlands also requested provisional measures to protect their rights under the Convention, aiming to prevent acts of torture in Syria. On October 10, 2023, Canada and the Netherlands presented their arguments for these provisional measures, with Syria choosing not to participate.

The ICJ issued a legally binding ruling November 16, 2023, and issued a legally binding ruling, requiring Syria to take necessary steps to prevent torture, with a majority of thirteen votes to two. The Court mandated that Syria, in accordance with its obligations under the Convention against Torture shall:

1. Take all measures within its power to prevent acts of torture and other cruel, inhuman or degrading treatment or punishment and ensure that its officials, as well as any organizations or persons which may be subject to its control, direction or influence, do not commit any acts of torture or other acts of cruel, inhuman or degrading treatment or punishment, and
2. Take effective measures to prevent the destruction and ensure the preservation of any evidence related to allegations of acts within the scope of the Convention against Torture including medical and forensic reports of injuries and deaths. .

The IIIM has publicly stated that it is preparing to provide support for the ICJ's determination of the proceedings that have been commenced against Syria for violations of the Convention against Torture.

Although the ICJ will not make a determination on individual criminal responsibility, the IIIM has interpreted its mandate to also cover non-criminal judicial proceedings that concern accountability for core international crimes and provide a meaningful justice opportunity for victims/survivors. This is in accordance with the IIIM's victim/survivor centred approach.

The IIIM's contribution to the ICJ proceedings is being drawn from work conducted within the detention line of inquiry within its structural investigation, which has been ongoing from an early stage of its work. The IIIM has been working to gather and analyse evidence related to crime patterns and structures involved in committing crimes in Syrian government detention.

The IIIM's support will take the form of a report drawing together its analysis that will address issues relevant to the proceedings.

Read the ruling [here](#).

Justice Developments in France

The IIIM supported several investigations conducted by the French judicial authorities by providing information, evidence and analytical products. Three of these investigations supported by the IIIM recently led to:

- The indictment of three senior Syrian officials – Ali Mamlouk, Jamil Hassan and Abdel Salam Mahmoud – for complicity in crimes against humanity and war crimes for their responsibility in the disappearance and death of two Franco-Syrian nationals, Mazzen and Patrick Dabbagh.
- The issuance of arrest warrants against four Syrian high-ranking generals – Major General Fahed Jassem al-Fraij, Major General Ali Abdullah Ayoub, Brigadier General Ahmad

Balloul and Brigadier Ali al-Safatli – for complicity in “deliberate attacks against the civilian population” and in “deliberate injury to life” as war crimes for their responsibility in unlawful attacks conducted in Daraa in June 2017 that led to the death of French-Syrian citizen Salah About Nabout.

- The issuance of arrest warrants issued against President Bashar al-Assad, Maher al-Assad, General Ghassan Abbas and General Bassam al-Hassan on charges of complicity in crimes against humanity and in war crimes for their responsibility in chemical weapons attacks conducted against civilians in Douma and the district of Eastern Ghouta in August 2013.

Justice Developments in Germany

Through the sharing of information, and evidence but also geolocation analysis, the IIIM supported the investigation that resulted in the indictment on 26 July 2023 of Syrian national Ahmad H. for crimes against humanity and war crimes through torture and enslavement in relation to the mistreatment of civilians in at Tadamun, Damascus and his arrest on 2 August 2023.

The IIIM's Impact: Publicly Disclosed Contributions to Justice Processes to date

NETHERLANDS



The Hague District Court - 21 April 2021 – Appeal pending

Conviction of Syrian national Ahmad al-Y for membership in a terrorist organization and committing outrages upon personal dignity as a war crime. He was sentenced to 6-years imprisonment. He was acquitted on appeal of war crimes in December 2022.

The Prosecution's appeal before the Supreme Court is pending.

The IIIM supported the investigation by providing information and evidence.

NETHERLANDS & CANADA



International Court of Justice - Ongoing

Proceedings commenced by the Netherlands and Canada against Syria for violations of the Convention against Torture.

The IIIM is providing support regarding these proceedings.

FRANCE



Paris Judicial Court - Still under investigation

Indictment of French cement company Lafarge for aiding and abetting crimes against humanity in Syria. The company is accused of making arrangements with ISIL and several other armed groups in order to keep its Jalabiya cement factory plant open and running between 2012 and 2014 in Northeast Syria.

The IIIM supported the investigation by providing information, evidence and a legal analysis demonstrating the existence of a systematic attack against the civilian population by ISIL.

Paris Judicial Court - 15 November 2023

Arrest warrants issued against Syrian President Bashar al-Assad, his brother Maher al-Assad, General Ghassan Abbas and General Bassam al-Hassan on charges of complicity in crimes against humanity and in war crimes for their responsibility in chemical weapons attacks conducted against civilians in Douma and the district of Eastern Ghouta in August 2013.

The IIIM supported the investigation by providing information and evidence.

Paris Judicial Court - 18 October 2023

Arrest warrants issued against four Syrian high-ranking generals – Major General Fahed Jassem al-Fraij (former Syrian Minister of Defence), Major General Ali Abdullah Ayoub (former Chief of Staff of the Syrian Armed Forces), Brigadier General Ahmad Balloul (former Air Forces Commander) and Brigadier Ali al-Safatli (former 64th Helicopter Brigade & Bley Airport Commander) – for complicity in “deliberate attacks against the civilian population” and in “deliberate injury to life” as war crimes for their responsibility in unlawful attacks conducted in Daraa in June 2017 that led to the death of French-Syrian citizen Salah Abou Nabout.

The IIIM supported the investigation by providing information, evidence and analytical products.

Paris Judicial Court - 29 March 2023 – trial scheduled for May 2024

Indictment of three senior Syrian officials – Ali Mamlouk, Jamil Hassan and Abdel Salam Mahmoud – for complicity in crimes against humanity and war crimes for their responsibility in the disappearance and death of two Franco-Syrian nationals.

The trial is scheduled to be held in absentia in May 2024.

The IIIM supported the investigation by providing information, evidence and analytical products.

Paris Judicial Court - 18 January 2020

Indictment of senior Jaysh al-Islam official and former spokesperson, Madji Nema aka Islam Alloush, for war crimes, torture, enforced disappearance, and complicity in these crimes.

The accused is in detention, but the trial is not yet scheduled.

The IIIM supported the investigation by providing information and evidence.



SWEDEN

Göteborg District Court - 29 March 2023

Conviction of Swedish national Fatoush Ibrahim for posting photos of severed heads in Raqqa, Syria, with disparaging comments and sentenced to 3-month imprisonment (under appeal).

The IIIM supported the investigation by providing information and producing an analytical product on ISIL's use of a square during Raqqa's occupation.

Solna District Court - 9 January 2023

Conviction of two Swedish nationals who had joined ISIL for their respective roles in taking children to a war zone and the girls' forced marriage and rape. The man who married one of the girls, Abdirahman Shukri Mohamed, was sentenced on appeal to 10 years imprisonment for aggravated rape against a child. The mother of the two girls, Camilla Olofsson, was sentenced to 6 years and 10 months imprisonment for human trafficking and aiding and abetting rape against children.

The IIIM supported the prosecution by developing analytical work relating to the situation of girls and women in ISIL-controlled areas in Syria, providing legal analysis concluding to the existence of a systematic attack against the civilian population by ISIL and having a staff member testify in court about the IIIM's findings.

Stockholm District Court - 4 March 2022

Conviction of Swedish national Lina Naina Ishaq as an accomplice for serious crimes under international law and war crimes and sentenced to six years imprisonment for her omission as a legal guardian to protect her 12-year old son from being recruited and used as child soldier by ISIL in Syria, where he died.

The IIIM supported the prosecution by providing information.



GERMANY

Frankfurt Higher Regional Court - Ongoing

Prosecution of Alaa M., a Syrian doctor currently being tried under charges of sexual violence, torture and killing of Syrian civilians, as crimes against humanity.

The IIIM provided information and evidence and conducted a key witness interview.

Federal Court of Justice - 26 July 2023

Indictment of Syrian national Ahmad H. for crimes against humanity and war crimes through torture and enslavement in relation to the mistreatment of civilians in at Tadamun, Damascus. The accused was arrested on 2 August 2023.

The IIIM supported the investigation by providing information, evidence, and geolocation and analytical products.

Berlin Higher Regional Court - 23 February 2023

Conviction of Palestinian-Syrian Moafak D. for use of a prohibited method of warfare as a war crime and murder for launching a grenade into a crowd of civilians waiting for food in Damascus in 2014. He was sentenced to life imprisonment.

The IIIM supported the investigation by providing information and evidence.

Koblenz Higher Regional Court - 13 January 2022

Conviction of Syrian national Anwar R. – former Syrian intelligence officer – for torture, severe deprivation of liberty, murders and sexual violence as crimes against humanity. He was sentenced to life imprisonment.

The IIIM supported the investigation by providing information and evidence and will translate the judgment in English and Arabic for wider dissemination once definitive

Koblenz Higher Regional Court - 24 February 2021

Conviction of Syrian national Eyad A. for complicity in crimes against humanity for his responsibility in the torture of detainees in State detention facilities. He was sentenced to 4-and-a-half years imprisonment.

The IIIM supported the investigation by providing information and evidence and translated the milestone judgment in English and Arabic for wider dissemination.

Expanding the IIIM Audience

In its ongoing commitment to outreach and engagement, the IIIM has undertaken a range of initiatives to broaden its outreach and actively involve Syrian and other affected communities in contributing to its work. It is prioritising meeting with victim/survivor associations, especially those who may not traditionally have access to international justice actors.

Inclusive Spaces for Dialogue

The range of communities affected by the conflict in Syria is not only numerous and diverse, but it also spreads across a large geographical area, both inside Syria and outside. Recognising the importance of creating spaces to hear different priorities and challenges faced by distinct groups, the IIIM initiated a recurring series of online meetings dedicated to CSOs & victim/survivor associations (VSAs) representing specific communities and prioritising those we had not previously engaged with.

Representatives from various CSOs participated in meetings tailored to specific communities including: advocates for disability rights, Palestinian refugees,

LGBTQI+ individuals, feminist-led groups, child and youth organizations, as well as Kurdish and Yezidi groups, among others. The purpose is to enhance understanding of the IIIM's mandate and activities, create further avenues for engagement and for us to hear each group's specific priorities and challenges.

This ongoing initiative underscores our dedication to expanding our outreach efforts and expanding the spaces for Syria's diverse communities to actively contribute to justice and accountability processes.

Integrating Voices of Children

The IIIM's approach to inclusive justice is centered around integrating the experiences and voices of those affected by conflict, particularly children and youth who often bear a disproportionate impact. Unfortunately, in the context of Syria, the serious crimes against them and the long-lasting effects of the violence, often go unreported and overlooked.

To address this, the IIIM has been developing a Strategy for children and youth, aiming at a comprehensive understanding of the conflict from the perspectives of Syria's young population. The strategy was informed by a series of guided discussions with two groups of children aged between 12 and 17 in Syria. These discussions, organized by the IIIM's thematic expert on children & youth, were meticulously planned over months to ensure a safe, child-friendly, and productive environment. Collaborating with a Syrian child protection NGO on the ground, the IIIM prioritized the well-being of the children throughout the process.

Obtaining consent was a critical initial step, first from the parents and then from the children. To that end, the opening session with the children focused on introducing the IIIM, explaining the purpose of the discussions, allowing time for questions, and ensuring the children had time after this first session ended to

consider whether they wished to give consent to participate further. All but one agreed to participate.

The six sessions, held in May 2023, provided invaluable insights, enhancing the IIIM's understanding of the experiences of children in Syria and offering ideas on how to incorporate these insights into our work.

Currently, the IIIM is finalizing internal consultations on the written strategy, which is serving as a guide for all IIIM staff to implement a child and youth-sensitive approach in our work. In 2024, a draft will be circulated to a range of external experts, including children and youth-focused Civil Society Organizations (CSOs) for their further input. In tandem, child-friendly materials, informed by the discussions with children in Syria, are being developed and will be shared first with the same group of children for their feedback. Both products will be publicly launched, which we hope will facilitate further engagement with the IIIM regarding its approach to children/youth and in response to requests from other actors for a publicly accessible version.

Strengthening Support for Justice Opportunities

Alongside our annual Lausanne Platform civil society meeting convened by the Netherlands and Switzerland, the IIIM held the second of our two-part in-person engagements with Syrian and affected community organisations. This year the dedicated victim/survivor consultation and workshop focused on the IIIM's work on ISIL related crimes and how to strengthen its accountability efforts.

Victim/Survivor Consultations

The dedicated consultation with VSAs and individuals was convened to cultivate a deeper understanding of the impact surrounding ISIL related crimes, to empower victims/survivors and to provide a space for their distinct voices to be heard and integrated into the IIIM's broader work.

Participants engaged with the IIIM to understand the support provided to jurisdictions on ISIL related crime investigations and prosecutions. They also shared their perspectives on justice priorities. The consultation played a crucial role in informing participants about the IIIM's ongoing efforts, integrating gender and child-sensitive approaches, and the role victims/survivors have in shaping accountability processes.

Accountability Workshop

The IIIM's workshop was held with civil society organizations actively involved in documenting and accountability efforts for ISIL-related crimes in Syria. It provided the IIIM an opportunity to inform participants about its work, sharing information on justice opportunities related to ISIL crimes, including ongoing national proceeding against individuals and corporations, and joint investigation efforts, and to further understand the contextual information and expertise to accurately address ISIL related crimes.

Participants exchanged views on the IIIM's contribution to accountability efforts, the role of civil society actors and the challenges they face in documenting of ISIL crimes and accessing justice.

The event aimed to foster increased cooperation with the IIIM, in particular to strengthen its line of inquiry for ISIL crimes and preparations to support requests for assistance (RFAs) concerning ISIL crimes.

Advocating for Comprehensive Justice

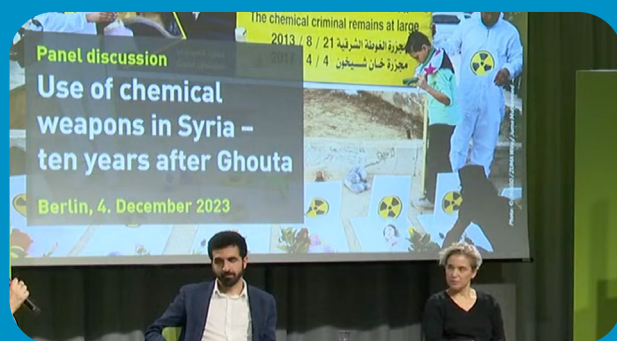
The IIIM regularly participates in public events, and speaks to the media on issues related to its mandate. It aims to support maintaining justice and accountability, in the Syria context, as an international priority. Recent events include:

- **Accountability for Violations of the Chemical Weapons Convention**

The IIIM Head spoke at two events in November on the need for accountability for violations of the Chemical Weapons Convention in Syria. At the Syrian Civil Society Conference on Chemical Weapons in the Hague, and at an event organised by the Henrich Böll Stiftung Foundation in Berlin, Ms. Marchi-Uhel stressed that accountability for the use of chemical weapons has been among the priorities of the IIIM since its inception. She highlighted the IIIM's dedicated line of inquiry focused on unlawful attacks, which include chemical weapons attacks, and how this work builds on the important contributions from Syrian civil society organizations as well as the work of various international bodies such as the Commission of Inquiry on Syria and OPCW.

- **The Rights of Victims to Access Justice.**

The International Center for Counter-Terrorism in the Hague held an event exploring the rights of victims to access justice in cases related to crimes attributed to members of ISIL. Ms. Marchi-Uhel explained how the IIIM's line of inquiry on ISIL related crimes provided assistance to investigations, integrating the voices victims/survivors that it had consulted to better understand the context of the crimes being committed. She explained the work of the IIIM to support investigations by potentially establishing the existence of war-crimes, crimes against humanity or genocide rather than lower charges of participation in a terrorist organisation, and helping to better capture the context of events, leading to more meaningful justice outcomes for victims/survivors.



Contact Us

Thank you to everyone who has already shared their feedback and suggested future topics for us to feature in the bulletin. We really appreciate you taking the time and helping shape the focus of each edition.

If you have any comments, questions, or if you were forwarded this bulletin and would like to be added to our mailing list, drop us a line at iiimsyria@un.org.

Our [website](#) is a great resource to explore more about the work of the IIIM and our recent activities. You can also browse previous bulletins – for example [the last edition](#) has more detail on our other [lines of inquiry](#).

Thank you again for your continued support and cooperation.

Glossary

- **Competent Jurisdictions:** are those that the IIIM can share information with, refers to courts and tribunals and encompasses law enforcement agencies, investigative authorities, prosecutorial authorities, and judges. All must meet the following criteria:
 - Have jurisdiction to investigate, prosecute and try the crimes covered by the IIIM's mandate.
 - Respect international human rights laws and standards.
 - Do not apply the death penalty for the offences being considered.
- **Request for Assistance (RFA):** This is a request from jurisdictions directed to the IIIM, seeking the sharing of information, evidence, analytical work or tools, work product, and/or expertise that the IIIM possesses. An RFA is made to support the work of investigations, prosecutions, or judicial proceedings.
- **Structural Investigation:** Refers to the IIIM's comprehensive mapping of overarching crimes patterns, power structures wield by conflict parties, relevant actors (particularly those within the power structures but also other individuals, including civilians, who may be operating outside of these structures yet significantly contributing to the commission of crimes) and the broader context surrounding relevant events (the constitutional and legislative frameworks, the geopolitical landscape and the political, economic, social, cultural and religious context).

The IIIM may also support civil law and other national and international judicial proceedings related to liability for crimes in Syria that fall under the IIIM's mandate.