Submission of the White Helmets to the Special Rapporteur on truth, justice, reparation and guarantees of non-recurrence

Urgent need for evidence preservation and a transitional justice plan

(*26 January 2025*)

I. Introduction to the White Helmets and its Justice & Accountability Program

1. After the outbreak of the conflict in Syria in 2011, groups of volunteers formed to respond to bombardments and reduce the gap left by the Syrian regime's withdrawal of basic government services. In October 2014, as bombs continued to fall, the volunteers came together to form the Syrian Civil Defence (SCD), pledging allegiance to the international humanitarian values laid out in the Geneva Conventions. Known for their distinctive headwear, SCD became known internationally as the White Helmets.

2. Since then, the White Helmets has continued its search and rescue operations and expanded its services and operations to meet the increasing needs of the communities they serve, providing essential services such as healthcare and firefighting, as well as removing unexploded weapons and providing community education. The White Helmets currently has a team of 3,000 people, made up of mostly volunteers in Syria, and including survivors, internally displaced people and refugees, with offices in five countries: Syria, Türkiye, the Netherlands, Canada and the United States.

3. As first responders, the White Helmets are also witnesses to violations of international humanitarian law and human rights law. While the heart of its mission is to provide humanitarian assistance to Syrian communities, the organisation has gathered a large amount of information about conflict-incidents that volunteers have responded to. To ensure this information is used for justice and accountability purposes, the White Helmets established its Justice & Accountability Program in 2021. The program is dedicated to furthering accountability for the serious human rights violations and crimes under international law committed in Syria through gathering, archiving and analysing evidence collected by White Helmets volunteers, as well as supporting justice initiatives through investigative support, case-building, advocacy, research and networking with local, regional and international stakeholders. This submission was prepared by the White Helmets Investigation Support and Case-Building Unit (ISCU).

4. The White Helmets is one of the few organisations to have maintained access to the ground in Syria (mainly in the northwest) throughout the conflict. This put us in a unique position to gather first-hand information and guarantee the chain of custody. Over the last 10 years, the White Helmets has collected a variety of information through its humanitarian projects including audio-visual documents, incident reports, flight logs, records of explosive remnants of war, chemical weapons samples, and witness accounts.

5. With the fall of Bashar al-Assad's regime on 8 December 2024, the White Helmets has been able to progressively expand its operations from Idleb (إِدْلِب) and Aleppo (حَلَب) throughout the rest of Syria including Hama (حماه), Homs (حمص), Latakia (لاذقاني), Tartus (طَرْطُوس), Damascus (دمشق), Rural Damascus (ريف دمشق)Dara'a (دَرْعَا) and Deir az-Zor (دير الزور).

II. Current threats to the safe preservation of evidence

6. The ousting of Bashar al-Assad's regime represents a unique opportunity for transitional justice, and accountability in particular. The head of the International, Impartial and Independent Mechanism Investigating Serious Crimes in Syria (IIIM) immediately highlighted the risk of evidence being destroyed in such a fast-changing context and the need to do all that is possible to preserve it,[1] which he reiterated after his first historical visit to the country: "*There is a small window of opportunity to secure these sites and the material they hold. Each day we fail to do so, we risk losing the chance for comprehensive accountability.*"[2] Similarly, after visiting Syria, the Commission of Inquiry on Syria (CoI) expressed concerns, as it discovered that "*much evidence and documentation* […] *had been damaged, taken or destroyed*";[3] as did the UN Special Envoy for Syria.[4]

7. The White Helmets is equally worried about this devastating loss of information and potential evidence, which it saw firsthand as its volunteers responded to several incidents since 8 December 2024. We consider that the preservation of evidence and material will be key to realizing the right of all Syrians to truth and justice.

A. Arsons and looting

8. As in any contexts of uncertainty and instability, some crimes have been reported since the overthrow of the regime of Bashar al-Assad on 8 December 2024, including alleged arson and looting. Indeed, the Association of Detainees and Missing Persons of Sednaya (صيدانيا) reported individuals seizing laptops and electronic devices from the infamous prison;[5] as did the authorities with regards to the immigration and passport building in Damascus, which appear to have also been looted on 8 December 2024,[6] prior to being destroyed by a fire.

9. Moreover, the CoI also noted after its visit in Syria that "*large storehouses of documents had been set on fire and burned.*"[7] The White Helmets has identified a number of sites that may have held evidence and were partially or entirely burnt down, although in most cases it is impossible to determine the cause of the fire or the perpetrators. This is for example the case of the Immigration and Passport Department in Damascus which was burnt down after being looted[8] and of the Criminal Security Branch in Suwayda (ٱلسُّوَيْدَاء) which was burnt down on 20 December.[9] Anadolu photographer Emir Sansar visited the

[1] UN, 'Syria crisis: 'Key priority' is preserving evidence of crimes, say UN investigators', 17 December 2024 (**Annex VI.3**).
[2] IIIM, 'Head of Syria accountability mechanism wraps landmark visit to Syria…', 23 December 2024 (**Annex VI.7**).
[3] UN OHCHR, 'UN Syria Commission calls for protection of civilians, humane treatment of ex-combatants and the safeguarding of evidence of crimes', 16 December 2024 (**Annex VI.2**); UN OHCHR, 'UN Commission of Inquiry team visits Syria, welcomes encouraging signs by new authorities to engage on human rights issues, and urges protection of mass graves and evidence', 20 December 2024 (**Annex VI.4**).
[4] UN Special Envoy for Syria Geir O Pedersen Briefing to the Security Council, 17 December 2024, para. 32: https://tinyurl.com/fxwjfnyf (last accessed 26 January 2025).
[5] Syria Untold, 'About Sednaya Prison and Our Documents: What went wrong?', 29 December 2024 (**Annex V.11**).
[6] Report by Syria TV, 16 December 2024 (**Annex I.A.I**).
[7] 'UN Commission of Inquiry team visits Syria, welcomes encouraging signs by new authorities to engage on human rights issues, and urges protection of mass graves and evidence' (**Annex VI.4**).
[8] Report by Syria TV (**Annex I.A.I**).
[9] Post of 'Qalaat Al Mudiq' (@QalaatAlMudiq) on X, 20 December 2024 (**Annex I.E.1**); Report by al-Jazeera Arabic, 21 December 2024 (**Annex I.E.2**).

location on 26 December and photographed a room with documents reduced to ashes among filing cabinets.[10]

10. As one of the few entities providing firefighting services in Syria at the moment, the White Helmets has been called to respond to most of the reported incidents,[11] including:
    - the Political Security facility in Homs on 9 December 2024; [12]
    - military police facility in Tartus on 19 December;[13]
    - the recruitment department of Hama on 19 December;[14]
    - the police headquarter and civil court in Latakia on 20 December;[15]
    - a military justice facility in Latakia on 21 December;[16]
    - the recruitment department in Tartus on 5 January 2025;[17] *and*
    - military barracks in Aleppo on 14 January.[18]
11. On several occasions, the White Helmets volunteers who responded to these incidents found potentially key documents destroyed. This was clearly the case at the recruitment department of Hama[19] and the police headquarters and civil court in Latakia.[20] It is impossible to assess how many locations housing key evidence have been looted, burnt down or otherwise tampered with. One member of the ISCU traveling in Rural Damascus at the end of December 2024 and in early January 2025 was able to document at least three airbases in which evidence had either been scattered or destroyed, including via fire.[21] One of those sites in particular, al-Dumayr (الضمير) Military Airbase,[22] was identified by the Organisation for the Prohibition of Chemical Weapons (OPCW) Investigation and Identification Team

[10] Pictures No. 2191476565 and No. 2191476586 by Emir Sansar for Anadolu viaGetty Images, 26 December 2024 (**Annex I.E.3**).
[11] See for example: Report by Syria TV, 21 December 2024 (**Annex I.1**).
[12] Post of SCD (@SyriaCivilDefe) on X, 10 December 2024 (**Annex I.B.1**); Post of SCD (@SyriaCivilDefe) on X, 11 December 2024 (**Annex I.B.2**).
[13] Post of SCD (@SyriaCivilDefe) on X, 19 December 2024 (**Annex I.C.1**); Post of 'Qalaat Al Mudiq' (@QalaatAlMudiq), 20 December 2024 (**Annex I.C.2**).
[14] Post of SCD (@SyriaCivilDefe) on X, 20 December 2024 (**Annex I.D.1**); Post of 'Qalaat Al Mudiq' (@QalaatAlMudiq), 27 December 2024 (**Annex I.D.2**).
[15] Post of SCD (@SyriaCivilDefe) on X, 20 December 2024 (**Annex I.F.1**); Post of 'Qalaat Al Mudiq' (@QalaatAlMudiq), 20 December 2024 (**Annex I.F.2**).
[16] Post of SCD (@SyriaCivilDefe) on X, 21 December 2024 (**Annex I.G.1**).
[17] Post of SCD (@SyriaCivilDefe) on X, 5 January 2025 (**Annex I.H.1**).
[18] Post of SCD (@SyriaCivilDefe) on X, 14 January 2025 (**Annex I.I.1**).
[19] Post of 'Qalaat Al Mudiq' (@QalaatAlMudiq), 27 December 2024 (**Annex I.D.2**).
[20] Post of SCD (@SyriaCivilDefe) on X, 20 December 2024 (**Annex I.F.1**).
[21] Screenshots of videos recorded by ISCU members in three air bases in Rural Damascus between 31 December 2024 and 4 January 2025 (**Annex I.J.1**, **Annex I.J.2** and **Annex I.J.3**). The full recordings are not yet available to be shared within this submission.
[22] Screenshot of video recorded by ISCU members in al-Dumayr Military Airbase on 4 January 2025 (**Annex I.J.3**).

as the place from where the elite Tiger Forces (قُوّات النِّمر) conducted the 7 April 2018 chemical weapons attack in Douma (دُومَا).[23]

12. Besides the damage resulting from the fire itself, documents and other objects, such as computers and hard drives, were most likely further damaged by the use of fire-retardant products or water by first responders, including White Helmets volunteers, trying to extinguish the flames, prevent their spread, and hopefully save some of the documents.[24]

13. Regardless of whether these incidents were intentional, they are damaging potential evidence of serious human rights violations, breaches of international humanitarian law and international crimes that these locations may have held. It is thus imperative that locations of interest are protected, and the documents therein collected and preserved.

B. Israeli airstrikes in Syria

14. Soon after Bashar al-Assad's regime was ousted on 8 December 2024, Israeli forces started conducting a ground offensive in the Golan heights and airstrikes across the territory of Syria,[25] in an operation dubbed 'Arrow of Bashan' (מבצע חץ הבשן).[26] Prime Minister Benjamin Netanyahu declared that the operation was to "*thwart the potential threats from Syria and to prevent the takeover of terrorist elements near our border*".[27]

15. Since 8 December, the Israeli air force is reported to have carried up to 800 strikes on various sites, including airports, defence facilities and military equipment.[28] The Israeli military itself estimated on 10 December that it had already destroyed at least 70 percent of the Syrian army capabilities;[29] while a former Syrian military commander declared that "*Israel's operations destroyed all our weapons, not just strategic weapons. We need decades to rebuild a national Syrian army.*"[30]

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[23] OPCW, Third report by the OPCW Investigation and Identification Team pursuant to paragraph 10 of decision C-SS-4/DEC.3 "Addressing the threat from chemical weapons use" – Douma (Syrian Arab Republic), 7 April 2018, 27 January 2023, S/2125/2023, para. 6.9; [Confidential] ISCU, 'Chemical Weapons Attacks in Rural Damascus, Syria between 13 January and 07 April 2018, 5 December 2024.

[24] Post of SCD (@SyriaCivilDefe) on X, 20 December 2024 (**Annex I.D.1**).

[25] SOHR, 'First attack after falling Al-Assad's regime | Israeli fighter jets execute airstrikes on several positions in Daraa and Al-Quneiyah countryside', 8 December 2024 (**Annex II.1**).

[26] The Times of Israel, 'IDF: We struck 320 Syria targets since Assad's fall, taking out over 70% of army's capabilities', 10 December 2024 (**Annex II.7**).

[27] Al-Jazeera, 'Israel intensifies Syria attacks, but HTS leader says doesn't want conflict', 15 December 2024 (**Annex II.13**).

[28] Times of Israel, 'As Assad ousted, Israeli jets destroy his deadly arsenals before they fall to rebels', 8 December 2024 (**Annex II.4**); Statement by the IDF, 10 December 2024 (**Annex II.5**); Statement by the IDF, 12 December 2024 (**Annex II.11**); 'Israel intensifies Syria attacks, but HTS leader says doesn't want conflict' (**Annex II.13**); al-Jazeera, 'Israel strikes missile depots, air defences in Syria's Tartous region', 16 December 2024 (**Annex II.16**).

[29] The Times of Israel, '350 strikes, targeting most arms stockpiles in Syria: IDF airs clip of its bombing spree', 10 December 2024 (**Annex II.6**).

[30] Syria Direct, ''Decades to rebuild': Israel grabs land and wipes out Syria's arsenal', 10 December 2024 (**Annex II.8**).

16. Regardless of the lawfulness of the strikes with regards to both *jus ad bellum* and *jus in bello*,[31] any and all sites targeted in the 'Arrow of Bashan' operation were likely to have held evidence as to the serious human rights violations, breaches of international humanitarian law and crimes under international law committed by various actors in Syria, including the former Syrian regime. For example, one witness told Reuters that "*the strikes had hit infrastructure used to store sensitive military data*",[32] which could have helped prove some of the regime's military tactics against the civilian population and identify alleged perpetrators.

17. Most notably, the Israeli army targeted scientific research centres linked to Syria's chemical weapons program very early on.[33] Israel's Foreign Minister Gideon Sa'ar claimed responsibility for the attacks on chemical weapons facilities and declared that the strikes were done "*in order that they not fall into the hands of extremists*".[34]

18. According to the Israeli army itself, a 'government research center' was among the sites targeted.[35] On 8 December 2024, the Israeli Defence Forces (IDF) hit the Syrian Scientific Studies and Research Center (SSRC) Barzah (بَرْزَة) site in Damascus.[36] In one picture posted on social media, a very large plume of smoke can be seen rising from what is presumed to be the research center.[37] The following day, White Helmets volunteers had to put out the fire and reassure the population that no toxic fumes had been detected.[38] Agence France Presse photographer Louai Beshara visited the Barzah site on 10 December and documented the smoldering remains of the entirely destroyed building.[39] Other videos and pictures show the extent of the damage to the site,[40] which is also visible on satellite imagery.[41] It appears that the IDF also struck the SSRC Masyaf (مصياف) site near Hama on 9 December,[42] and the SSRC as-Safirah

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[31] The White Helmets have condemned these attacks and demanded the immediate cessation of all hostilities and the withdrawal of Israeli forces from occupied Syrian territories. See: The White Helmets, 'Statement from The White Helmets Regarding Israeli Attacks on Syrian Territory', 14 December 2024 (**Annex II.12**).

[32] Reuters, 'Israeli airstrikes hit security complex, research centre in Damascus, sources say', 8 December 2024 (**Annex II.3**).

[33] Al-Jazeera, 'Syria war live tracker: Maps and charts', 16 December 2024 (**Annex II.15**).

[34] The Times of Israel, 'Sa'ar confirms Israel hit chemical weapons sites and long-range rockets in Syria', 9 December 2024 (**Annex III.2**).

[35] 'As Assad ousted, Israeli jets destroy his deadly arsenals before they fall to rebels' (**Annex II.4**).

[36] SOHR, 'Since toppling of the "dictator" | Nearly 310 Israeli airstrikes destroy the remaining weapons of army of future Syria', 10 December 2024 (**Annex II.10**); Report by al-Quds, 10 December 2024 (**Annex III.A.4**).
Note that an IDF aircraft was spotted circling over the area on the day of the attack: Hala Systems, 'Observations of Israeli Strikes against Syrian Facilities', 24 January 2025 (**Annex II.17**), Incident No. 2.

[37] Post of 'Qalaat Al Mudiq' (@QalaatAlMudiq) on X, 8 December 2024 (**Annex III.A.1**).

[38] Post of the SCD (@SyriaCivilDefe) on X, 9 December 2024 (**Annex III.A.2**); Al Jazeera, 'Fire breaks out in Damascus after Israeli attacks', 10 December 2024 (**Annex III.A.3**).

[39] Pictures No. 2188586990, 2188587117, and 2188585089 by Louai Beshara for AFP via Getty Images, 10 December 2024 (**Annex III.A.5**).

[40] Post of 'Qalaat Al Mudiq' (@QalaatAlMudiq) on X, 12 December 2024 (**Annex III.A.6**); Business Insider, 'Photos show how Israeli airstrikes wiped out remnants of Assad's military in Syria', 14 December 2024 (**Annex III.A.7**).

[41] 'Observations of Israeli Strikes against Syrian Facilities' (**Annex II.17**), Incident No. 2.

[42] Post of 'Qalaat Al Mudiq' (@QalaatAlMudiq) on X, 9 December 2024 (**Annex III.B.1**); Post of 'ELINT News (@ELINTNews) on X, 9 December 2024 (**Annex III.B.2**); Post of al-Masirah TV (@Ammasirahbrk) on X, 9 December 2024 (**Annex III.B.3**); 'Since toppling of the "dictator" | Nearly 310 Israeli airstrikes destroy the remaining weapons of army of future Syria' (**Annex II.10**).
Note that flight observations are consistent with the IDF being responsible for the strike: 'Observations of Israeli Strikes against Syrian Facilities' (**Annex II.17**), Incident No. 5.

(السَّفِيْرَة) site near Aleppo on 2 January 2025.[43] Satellite imagery obtained by the ISCU, through Hala Systems, shows significant damage to several of the buildings of this latter site.[44]

19. Both the Barzah and the Masyaf sites have previously been linked to the manufacture of chemical weapons and their installation on long-range missiles and artillery.[45] Indeed, the SSRC is a research institution affiliated to the Ministry of Defence identified as having had a key role in the development of various types of weapons, including chemical weapons.[46] The Barzah site hosted the SSRC General Directorate and the Institute 2000, also known as 'the Mechanical Institute' and tasked with the development and protection of Syria's chemical weapons programme, as well as barrel bombs.[47] The Masyaf site hosted the Institute 4000, which produced various missiles and thermobaric bombs.[48] This Institute was located in the as-Safirah site prior to 2012.[49] The key role played by SSRC members and locations in the production and use of chemical weapons by Syria is well-established and has led to international sanctions. In addition, two of the SSRC's high-level members are also under arrest warrant for international crimes.[50] The sites targeted and destroyed by Israeli airstrikes must have held key evidence as to the Syrian chemical weapons program and the crimes carried out in its implementation, that has now been destroyed.

20. Other targets may also have held crucial information for any future transitional justice process the Syrian people choose to implement. For example, Israel conducted airstrikes in Damascus itself and the area around it.[51] Among these, an intelligence facility was allegedly hit in Kafr Sousa (كَفْر سُوسَة) on 8 December,[52] sparking a huge fire,[53] which White Helmets volunteers had to put out.[54] According to reporting by Reuters, the strikes "*caused extensive damage to the main customs headquarters and buildings adjoining the military intelligence offices*".[55] Satellite imagery shows the extent of the damage.[56] In Homs governorate, the IDF appears to have struck al-Shayrat (الشعيرات) military airbase on 9 December 2024,[57] from which the chemical weapons attacks on Ltamenah (اللطامنة) on 24, 25 and 30

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[43] The Times of Israel, 'Syrian media report an Israeli airstrike on defense facilities near Aleppo', 2 January 2025 (**Annex III.C.1**); Report by Syria TV, 2 January 2025 (**Annex III.C.2**).
[44] 'Observations of Israeli Strikes against Syrian Facilities' (**Annex II.17**), Incident No. 4.
[45] BBC, 'Syria government 'producing chemical weapons at research facilities'', 4 May 2017 (**Annex III.1**).
[46] Artic Wind (in collaboration with Syrian Archive and OSJI), 'Syria's Scientific Studies and Research Center', 20 October 2020: https://tinyurl.com/4xzppv2c (last accessed 26 January 2025).
[47] 'Syria's Scientific Studies and Research Center'.
[48] 'Syria's Scientific Studies and Research Center'.
[49] 'Syria's Scientific Studies and Research Center'.
[50] Summary: TRIAL, 'Bashar al-Assad and other high-ranking officials': https://tinyurl.com/5dshhfde (last accessed 26 January 2025).
[51] 'Israel intensifies Syria attacks, but HTS leader says doesn't want conflict' (**Annex II.13**).
[52] 'Israeli airstrikes hit security complex, research centre in Damascus, sources say' (**Annex II.3**); The Times of Israel, 'Syrian and Arab media report fresh Israeli strikes in Damascus', 8 December 2024 (**Annex IV.1**).
Note that an IDF aircraft was spotted circling over Damascus at the time of the attack: 'Observations of Israeli Strikes against Syrian Facilities' (**Annex II.17**), Incident No. 1.
[53] Post of 'Qalaat Al Mudiq' (@QalaatAlMudiq) on X, 8 December 2024 (**Annex IV.A.1**); Post of 'al-Jazeera Mubasher) (@ajmubasher) on X, 8 December 2024 (**Annex IV.A.2**); Post of 'al-Arabiya' (@AlArabiya) on X, 8 December 2024 (**Annex IV.A.3**).
[54] Post of 'al-Jazeera Mubasher) (@ajmubasher) on X, 8 December 2024 (**Annex IV.A.2**).
[55] 'Israeli airstrikes hit security complex, research centre in Damascus, sources say' (**Annex II.3**).
[56] 'Observations of Israeli Strikes against Syrian Facilities' (**Annex II.17**), Incident No. 1.
[57] Report by Syria TV, 9 December 2024 (**Annex IV.B.1**); Report by al-Sharq Now, 10 December 2024 (**Annex IV.B.2**).

March 2017 were conducted.[58] This location may have held key information to identify the chain of command and perpetrators of these attacks.

21. Israeli strikes also hit the Mezzeh (ٱلْمَزَّة) airbase on 8 December 2024,[59] where detainees were held and routinely tortured and raped,[60] and where relatives of missing people have been looking for them.[61] The IDF is also reported to have targeted locations near Sednaya prison,[62] including warehouses in M'neen (منين),[63] a mere three kilometers away from the prison.[64] These strikes appear to have occurred as the White Helmets were still present at the prison to conduct search operations.[65] In any case, civilians had also been going in and out of the location trying to find any trace of their loved ones.[66] The strikes thus not only put at risk the evidence that might have been in the Mezzeh and M'neen locations, but also the safety of individuals conducting humanitarian work and trying to collect other evidence nearby.

C. Lack of coordinated response

22. Since 8 December 2024, the Syrian people have been in a state of shock. Although the caretaker government has already made commitments to accountability,[67] it has yet to organize or coordinate a country-wide effort to safeguard and preserve the evidence of the international crimes committed in Syria over the past decades.

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[58] OPCW, First report by the OPCW Investigation and Identification Team pursuant to paragraph 10 of decision C-SS-4/DEC.3 "Addressing the threat from chemical weapons use" – Ltamenah (Syrian Arab Republic), 24, 25 and 30 March 2017, 8 April 2020, S/1867/2020, para. 3.

[59] 'As Assad ousted, Israeli jets destroy his deadly arsenals before they fall to rebels' (**Annex II.4**); Post of 'Hani Alumani' (@Hani_Alymani_) on X, 8 December 2024 (**Annex IV.C.1**); Report by al-Jazeera, 11 December 2024 (**Annex IV.C.3**); Reuters, 'Suspected Israeli strikes hit a part of Damascus, two security sources say', 8 December 2024 (**Annex IV.C.4**). See also: picture No. 2193713756 by Ali Haj Suleiman via Getty Images, 8 December 2024 (**Annex IV.C.2**).

[60] Report by al-Jazeera, 12 December 2024 (**Annex IV.C.5**); BBC, 'Skulls and body bags: Searching for Syria's disappeared', 14 December 2024 (**Annex V.4**). See also: UNHRC, Twenty-third report of the Independent International Commission of Inquiry on the Syrian Arab Republic, 'A decade of arbitrary detention and imprisonment', Annex II: 'Main detention facilities in the Syrian Arab Republic where the Commission has verified violations', 11 March 2021, A/HRC/46/55, p. 32.

[61] See para. 23.

[62] Post by 'al-Hadath' (@AlHadath) on X, 9 December 2024 (**Annex IV.D.2**); SOHR, 'New attacks | Israeli airstrikes target warehouses and positions in Rif Dimashq, Daraa and Al-Suwaydaa', 15 December (**Annex IV.D.8**).

[63] A thermal anomaly was detected on this location on the day of the attack; while an IDF aircraft was spotted circling the area: 'Observations of Israeli Strikes against Syrian Facilities' (**Annex II.17**), Incident No. 3.

[64] 'Since toppling of the "dictator" | Nearly 310 Israeli airstrikes destroy the remaining weapons of army of future Syria' (**Annex II.10**); SOHR, 'New attacks | Israeli forces carry out 35 airstrikes on tunnels that hold warehouses in camps in Rif Dimashq', 14 December 2024 (**Annex IV.2**).

[65] Post of the SCD (@SyriaCivilDefe) on X, 8 December 2024 (**Annex IV.D.1**); Post of the SCD (@SyriaCivilDefe) on X, 9 December 2024 (**Annex IV.D.3**); Post of the SCD (@SyriaCivilDefe) on X, 9 December 2024 (**Annex IV.D.4**); Post of the SCD (@SyriaCivilDefe) on X, 9 December 2024 (**Annex IV.D.5**); Post of the SCD (@SyriaCivilDefe) on X, 9 December 2024 (**Annex IV.D.6**); The White Helmets, 'Statement on the Conclusion of Search Operations for Possible Remaining Detainees in Secret Cells and Basements of Sednaya Prison', 10 December 2024 (**Annex IV.D.7**).

[66] See para. 23.

[67] Levant24, 'Syrian Transitional Government Outlines Path to Justice and Reconstruction', 14 December 2024 (**Annex VI.1**).

23. This has, for example, resulted in individuals gathering documents or relatives of missing people rifling through paperwork in Sednaya prison[68] and Mezzeh military airbase;[69] two locations infamous for arbitrary detention, torture, and extrajudicial killings.[70] Documents left strewn on the floor might be damaged by the heavy foot traffic of civilians looking for answers.[71] Similarly, on 10 December 2024, White Helmets volunteers looking for detainees at the Najha (نجها) State security branch found documents that had been left behind and could reveal the names of soldiers working there.[72] Beyond documents, civilians have also tampered with graves and human remains in desperate attempts to find their loved ones.[73]

24. Syrian civil society organisations (CSOs), including the White Helmets, have taken it upon themselves to safeguard potential evidence,[74] including human remains.[75] The White Helmets also issued public advice, asking civilians not to touch or take documents, computers or detainees' belongings, not to tamper with burial sites, and to report any such thing to the nearest White Helmets center.[76] It issued similar advice to journalists.[77] The White Helmets sent a letter to Ahmed al-Sharaa, head of the caretaker government, on 21 December, underlining the urgent need to take measures to preserve sites that contain evidence.[78] As of the writing of this submission, it has not yet received a reply or update as to the authorities' planned actions.

25. Although the caretaker government seems to have eventually taken some steps to protect mass graves and detention centers,[79] much of the sites and the evidence they contain remain at risk. For example, a group of young Syrians was recently reported to have painted the walls of a detention center, erasing the inscriptions made by detainees[80] that might have proved useful to identify them and for memorialization purposes.[81]

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[68] BBC News, 'Syrians gather evidence of barbaric crimes of Assad regime', 16 December 2024 (**Annex V.5**); VoA, 'As refugees go home, families fear Syria's 'disappeared' are lost forever', 16 December 2024 (**Annex V.6**). See also pictures by by Anagha Subhash Nair, Ali Haj Suleiman, Emin Sansar, Sameer al-Doumy and Naël Chahine via Getty Images (**Annex V.1**).

[69] 'Skulls and body bags: Searching for Syria's disappeared' (**Annex V.4**). See also: pictures by Aris Messinis, Ali Haj Suleiman and Bekir Kasim via Getty Images (**Annex V.1**).

[70] See for example: Twenty-third report of the Independent International Commission of Inquiry on the Syrian Arab Republic, 'A decade of arbitrary detention and imprisonment'.

[71] R. Shaif, 'Syria's Paper Trail of Atrocity Must Be Preserved' in Foreign Policy, 17 December 2024 (**Annex V.7**); Post of 'Qalaat Al Mudiq' (@QalaatAlMudiq) on X, 20 December 2024 (**Annex V.9**).

[72] Post of the SCD (@SyriaCivilDefe) on X, 10 December 2024 (**Annex V.2**).

[73] 'Skulls and body bags: Searching for Syria's disappeared' (**Annex V.4**); Mediapart, '« Sans cela, nous ne réussirons pas à reconstruire ce pays » : en Syrie, l'urgence de collecter les preuves des exactions du régime', 22 December 2024 (**Annex V.10**).

[74] '« Sans cela, nous ne réussirons pas à reconstruire ce pays » : en Syrie, l'urgence de collecter les preuves des exactions du régime' (**Annex V.10**); 'About Sednaya Prison and Our Documents: What went wrong?' (**Annex V.11**).

[75] '« Sans cela, nous ne réussirons pas à reconstruire ce pays » : en Syrie, l'urgence de collecter les preuves des exactions du régime' (**Annex V.10**); Statement by the White Helmets, 30 December 2024 (**Annex V.12**).

[76] Post of the SCD (@SyriaCivilDefe) on X, 14 December 2024 (**Annex V.3**).

[77] Post of the SCD (@SyriaCivilDefe) on X, 17 December 2024 (**Annex V.8**).

[78] [Confidential] Letter from the White Helmets to Mr. Prime Minister of Syria, 21 December 2024, Ref. No. 765/J.

[79] UN OHCHR, 'UN Syria Commissioner underscores solidarity with the Syrian people in a first mission to Syria since the Commission's establishment', 9 January 2025 (**Annex VI.12**).

[80] Post by Rami Jarrah (@RamiJarrah) on X, 14 December 2024 (**Annex V.13**).

[81] See para. 39.

26. In addition, there has thus far been little to no coordination between the caretaker government and CSOs. As of the drafting of this submission, the caretaker government has not appointed a focal point on evidence preservation, accountability and/or transitional justice, whom CSOs and international organisations could work with to coordinate their actions and ensure the existing evidence is collected and preserved in the best possible conditions. The uncertainty and lack of effective coordinated effort also represent a risk to evidence preservation and any future transitional justice project.

III. States' duty to implement and support a transitional justice plan in Syria

27. The sheer scale of the gross human rights violations, breaches of international humanitarian law and international crimes perpetrated against all sections of the Syrian people represents an incredible challenge in the process of "[coming] *to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation*".[82] A month after the fall of the regime of Bashar al-Assad, it would be unrealistic to expect the caretaker government to already have the situation under full control and to be able to implement a comprehensive transitional justice process.

28. However, the Syrian State holds the obligation under international law "*(a) to investigate, prosecute and punish those accused of serious rights violations; (b) to reveal to victims and society at large all known facts and circumstances of past abuses; (c) to provide victims with restitution, compensation and rehabilitation; and (d) to ensure repetition of such violations is prevented.*"[83] Beyond Syria, States have a duty to support each other in prosecuting alleged perpetrators of serious human rights violations or breaches of international humanitarian law,[84] and in this to assist Syria in facing this challenge. Indeed, after decades of autocratic rule and years of civil war that decimated the country, it is unlikely that the existing Syrian institutions would be able to tackle such a challenge by themselves, and collect, preserve and make use of the evidence for truth and justice purposes. Thus, international support will be necessary to ensure Syrians' rights are safeguarded.

29. Any transitional justice plan will also need to be designed and adopted in consultation and with the support of Syrian civil society, which has been extraordinarily active since the outbreak of the civil war and has carried much of the burden of pursuing truth and accountability thus far.

30. The White Helmets has had positive meetings with the caretaker government, which has proved receptive. We are also encouraged to see the steps the caretaker government have already taken in this direction, such as agreeing to engage with the CoI[85] and meeting with the International Criminal Court

[82] UNSC, Report of the Secretary-General: 'The rule of law and transitional justice in conflict and post-conflict societies', 23 August 2004, S/2004/616, para. 8.
[83] UNHRC, Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence on transitional justice in weakly institutionalized post-conflict settings, 21 August 2017, A/HRC/36/50, para. 20.
[84] UNHRC, Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, Pablo de Greiff, on prosecutorial prioritization strategies in the aftermath of gross human rights violations and serious violations of international humanitarian law, 27 August 2014, A/HRC/27/56, para. 30 and 102.
[85] 'UN Syria Commissioner underscores solidarity with the Syrian people in a first mission to Syria since the Commission's establishment' (**Annex VI.12**).

(ICC) Prosecutor.[86] While optimistic that the caretaker government and future transitional authorities will deepen their engagement with international organisations, including the CoI, the IIIM, the Independent Institution on Missing Persons in the Syrian Arab Republic (IIMP), the ICC and the OPCW, we remain conscious of the colossal task ahead to safeguard the rights of Syrians to truth, justice, reparation and guarantees of non-recurrence after decades-long abuses.

A. The right to truth

31. As the Special Rapporteur himself wrote, "*the right to truth and memory creates not only an obligation on States to present facts related to gross violations of human rights and serious violations of international humanitarian law during conflicts or authoritarian rule, but also a legal duty to ensure the thorough documentation and review of all alleged violations, the gathering of all relevant testimonial and documentary evidence, the undertaking of all relevant scientific analysis and the establishment and preservation of adequate archival resources.*"[87]

32. Within the measures needed to guarantee the right to truth of all Syrians, the tracing of missing persons, including through the identification of human remains, is without a doubt one of the main priorities for most Syrians. It is estimated that over 110,000 people were forcibly disappeared since March 2011,[88] in addition to those who had already been disappeared prior to the conflict. To this end, the preservation of human remains is of course crucial, as is the safeguarding of any document found in official and clandestine detention centers.[89] The White Helmets is working closely with other Syrian CSOs and families' associations on exploring options for improving coordination on the issue of missing persons. It is apparent that the caretaker government and more broadly Syrian public institutions do not have the expertise or the capacity to tackle the immense challenges posed by the missing persons and will thus require the support of CSOs and other actors, including for example the IIMP.

B. The right to justice

33. As was rightly pointed out by UN experts last month,[90] it is paramount for a successful transition that individuals who committed serious human rights violations, breaches of international humanitarian law and international crimes be held accountable in fair processes adhering to international human rights standards.

34. This obligation falls on the Syrian State, "*and anyone exercising power in the country*", as was underlined by the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or

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[86] France 24, 'ICC chief prosecutor meets with Syria's new leader al-Sharaa', 18 January 2025 (**Annex VI.13**).
[87] UNHRC, Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, Bernard Duhaime, on his approach to the mandate and preliminary areas of interest, 15 July 2024, A/HRC/57/50, para. 52.
[88] Syrian Network for Human Rights, SNHR's 13th Annual Report on Enforced Disappearance in Syria on the International Day of the Disappeared: No End in Sight for the Crime of Enforced Disappearance in Syria, 30 August 2024.
[89] Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence on transitional justice in weakly institutionalized post-conflict settings, para. 80-82.
[90] UN OHCHR, 'Syria: Experts advocate for sovereignty, democratic reconstruction and respect for human rights', 20 December 2024 (**Annex VI.5**).

punishment, Dr. Alice Jill Edwards, in her position paper on the International Court of Justice case on the Application of the Convention against torture and other cruel, inhuman or degrading treatment or punishment (Canada and The Netherlands v. Syrian Arab Republic).[91] Like the Special Rapporteur's predecessors,[92] the White Helmets believes this duty extends not only to the crime of torture, but to the prosecution of all alleged perpetrators of gross violations of human rights, serious violations of international humanitarian law, and international crimes. It also extends to States other than Syria, via extraterritorial jurisdiction.[93]

35. Indeed, the White Helmets feels strongly that the work undertaken thus far by jurisdictions across the world should not slow down or come to a halt now that the regime of Bashar al-Assad has fallen. Adopting the necessary legal and judicial reforms necessary for the prosecution of suspects for international crimes and gross violations of human rights in Syria, with respect of the right to a fair trial, may take years; in the meantime, impunity cannot be allowed to persist and victims' rights cannot be shunned further.

36. The White Helmets commends the efforts of the caretaker government to arrest suspects of such crimes throughout the country.[94] However, much work remains to be done to ensure that their crimes are properly investigated and that they are given fair trials. A prioritization strategy might be necessary considering the large number of suspects and would require the creating of specialized bodies with the support of the international community.[95] Overall, it is quite certain that the Syrian judiciary will be overwhelmed and unable to deal with the sheer scale of conflict-related cases, and thus that Syria, the Syrian people, and the international community must consider what institution(s) might be the most apt to tackle this issue.

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[91] Position paper of the United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Dr. Alice Jill Edwards, in respect of International Court of Justice Application of the Convention against torture and other (hereafter: Position paper of the SR on torture in respect of the ICJ case), 17 December 2024, p. 1. and para. 44-51: https://tinyurl.com/vftd8ean (last accessed 26 January 2025).

[92] Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, Pablo de Greiff, on prosecutorial prioritization strategies in the aftermath of gross human rights violations and serious violations of international humanitarian law, para. 30; Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence on transitional justice in weakly institutionalized post-conflict settings, para. 20; UNHRC, Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, Fabián Salvioli, on accountability: prosecuting and punishing gross violations of human rights and serious violations of international humanitarian law in the context of transitional justice processes, 9 July 2021, A/HRC/48/60, para. 22; UNHRC, Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, Fabián Salvioli, on international standards underpinning the pillars of transitional justice, 10 July 2023, A/HRC/54/24, para. 18 and 37.

[93] Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, Pablo de Greiff, on prosecutorial prioritization strategies in the aftermath of gross human rights violations and serious violations of international humanitarian law, para. 30 and 102.

[94] The National, 'Who is Mohammad Kanjo Hassan? The former Syrian official accused of Sednaya prison executions', 27 December 2024 (**Annex VI.8**); Report by LebPress, 28 December 2024 (**Annex VI.9**); Report by al-Jazeera, 4 January 2025 (**Annex VI.10**); Asharq al-Awsat, 'The Arrest of Aws Salloum: What We Know About the 'Azrael of Sednaya'', 4 January 2025 (**Annex VI.11**).

[95] Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence on transitional justice in weakly institutionalized post-conflict settings, para. 78.

C. The right to reparation

37. The caretaker government and the future transitional government will have to spare no efforts to provide reparations to the victims and the Syrian people in general. The ability of any authority to implement reparations will in itself greatly depend on an effective mapping of the gross human rights violations, breaches of international humanitarian law and international crimes committed and registration of the victims and affected communities. This, in turn, relies on the effective preservation of evidence.

38. Reparations could include financial compensation, for which the preservation of material assets left behind by the regime might prove useful, and the preservation of documents which may allow the recovery of ill-gotten assets from individuals or legal persons affiliated with the former regime are essential. However, considering the breadth of victimization in Syria, it is unlikely that all victims will be able to receive individual financial compensation, underlining even more the need for collective reparations. To some extent, these might be at least partly fulfilled by the reconstruction of basic infrastructure (such as schools and medical facilities) destroyed over the course of the conflict,[96] to which much of Syria's resources will no doubt be spent on.

39. Memorialisation projects will thus no doubt play a key role in the reparation process in Syria. In this regard, ensuring the conservation of sites, objects and documents is crucial so they may one day be turned into museums for example. The destruction of entire military bases, detention centers and other relevant sites, as well as of objects and documents therein, represents thus not only a loss of information but a loss of memory, regardless of whether the people responsible are well-meaning or not. The documents, in particular, should one day constitute a publicly available archive, "*to learn the truth and regain ownership of* [their] *history*."[97]

D. The need for guarantees of non-recurrence

40. Entire generations of Syrians have known nothing but conflict and the dictatorship of the al-Assad family. For a people for whom gross human rights violations have been a daily occurrence for as long as anyone can remember, it is especially important that any transitional justice plan includes solid guarantees of non-recurrence. This will be essential for sustained peace and a meaningful political transition.

41. Guarantees of non-recurrence can take many shapes, and it would be futile to try to be exhaustive here. However, the White Helmets considers the implementation of a solid vetting process to be a priority, to prevent any perpetrators of gross human rights violations to hold senior positions of authority or work in the security forces. To this end, the preservation of evidence, including documents found in public buildings and military facilities, is key in order to identify those who should no longer be considered eligible to hold office.

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[96] ICTJ, 'The Rabat Report: The concept and challenges of collective reparations', February 2009 (last accessed 23 January 2025), p. 59: https://tinyurl.com/2mcj4mna (last accessed 26 January 2025); UNHRC, Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence on practical experiences of domestic reparation programmes, 11 July 2019, A/HRC/42/45, para. 110.

[97] UNHRC, Report of the Special Rapporteur on the promoti on of truth, justice, reparation and guarantees of non-recurrence on memorialization processes in the context of serious violations of human rights and international humanitarian law: the fifth pillar of transitional justice, 9 July 2020, A/HRC/45/45, para. 70.

42. Furthermore, as the Special Rapporteur underlined in the past, "*both inequality and poverty correlate robustly with violence and the violations of various rights*".[98] A stronger Syrian economy, where Syrians could imagine a future for themselves, will be key to preventing any relapse of the conflict. Without economic opportunities beside government employment, the risk of any individual or group using violence to maintain their grip on power remains high.[99] To this end, the issue of economic sanctions placed on Syria will need to be addressed, beyond the existing humanitarian aid exemptions, so as to allow the country to rebuild and prosper.

43. Finally, it will be particularly important for the future transitional authorities to proceed with the ratification the Rome Statute of the ICC and human rights treaties,[100] including the Convention for the Protection of All Persons from Enforced Disappearance. They should also engage in complaint mechanisms and international courts, so that legal avenues may, in the future, be available to Syrian victims of human rights violations.

IV. Specific requests for support from the Special Rapporteur

44. As the situation is changing at a rapid pace and information is constantly incoming, this submission does not aim to either be exhaustive or ascertain allegations as facts. However, the White Helmets does wish to underline the urgency of the situation and to call on the Special Rapporteur to use any and all of his prerogatives to ensure the safe and coordinated preservation of evidence of the crimes committed under the previous Syrian regimes and to support the Syrian people in a peaceful, democratic and inclusive transition that respect their right to truth, justice and reparation.

45. To do so, the White Helmets suggests that the Special Rapporteur address communications to the following and any other relevant stakeholders to recommend the following:

    a. To the Syrian caretaker government and, in the future, the transitional authorities, regarding:

        i. Any urgent measures taken to secure suspected and known mass graves;

        ii. Any urgent measures taken to secure public buildings, official and clandestine detention centers, and any other location which might hold relevant evidence;

        iii. Any coordination with the International Committee of the Red Cross, the IIMP and any other competent organization for the exhumation and identification of remains;

        iv. Any measure taken to facilitate civil society, human rights and humanitarian organisations' efforts, including by removing barriers to registration;

[98] UNHRC, Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, Pablo de Greiff, on guarantees of non-recurrence, 7 September 2015, A/HRC/30/42, para. 34.
[99] Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, Pablo de Greiff, on guarantees of non-recurrence, para. 36.
[100] Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, Pablo de Greiff, on guarantees of non-recurrence, para. 42-44.

v. Any coordination with the IIIM, including whether they have positively replied to its requests[101] and cooperate so that its staff may safely deploy to Syria and preserve evidence;

vi. Any measure or plan to create an archive of the evidence collected or preserved or to rely on the existing ones, such as the IIIM;

vii. Any consultation with civil society to determine what mechanisms or processes Syria should pursue to guarantee the right to truth, justice, reparation and guarantees of non-recurrence, including but not limited to creating a hybrid court, a special unit and/or a truth commission;

b. To Israel, regarding:

i. Any information regarding the specific location of sites it has struck and precautions taken to safeguard human life but also evidence they might have held;

ii. Any information regarding the specific location of sites it has destroyed in the occupied Syrian territories and precautions taken to safeguard human life but also evidence they might have held;

c. To the Russian Federation, regarding:

i. Any measure taken to uphold its duty to investigate, prosecute or extradite alleged authors of international crimes, including Bashar al-Assad.

46. The White Helmets would also be grateful to the Special Rapporteur if he could use his mandate to communicate to the international community at large, including third States and international organisations, that they also have a duty to support the transitional justice process in Syria, including through:

a. Providing support, including financial, to Syrian and Syrian-led CSOs to ramp up documentation efforts;

b. Providing support, including financial, to international bodies tasked with investigating the crimes committed in Syria, including the CoI, the IIIM and the IIMP;

c. Pursuing investigations and prosecutions into crimes committed in Syria through extraterritorial jurisdiction;

d. Providing support to the current caretaker government and, in the future, the transitional authorities in their efforts to pursue a political transition and transitional justice avenues.

47. The White Helmets would also support the Special Rapporteur conducting a country visit to Syria, to engage with the caretaker government or transitional authorities, CSOs and Syrians. His expertise would surely prove very useful in helping the Syrian people navigate this new situation and design a transitional justice plan.

[101] 'Syria crisis: 'Key priority' is preserving evidence of crimes, say UN investigators' (**Annex VI.3**); Al-Monitor, 'UN investigator says possible to find 'enough' proof for Syria prosecutions', 22 December 2024 (**Annex VI.6**).