

SYRIAN CIVIL/CRIMINAL CASES & INVESTIGATIONS OF WAR CRIMES (Compiled March 2018)

Cases Involving the Assad Regime

<u>JURISDICTION</u>	<u>CASE/MATTER</u>	<u>DESCRIPTION</u>	<u>STATUS</u>
U.S.	Colvin <i>et al.</i> v. Syrian Arab Republic (2016) ⁱ	Federal lawsuit filed against the Assad Regime for the extrajudicial killing of Marie Colvin. Case filed under the Foreign Sovereign Immunities Act.	<i>Pending</i>
France	Baba Amr Media Case ⁱⁱ (2012)	Preliminary investigation into the Baba Amr Media Center attack opened in 2012, initially for assassination and attempted assassination; focus shifted in 2014 to war crimes. ⁱⁱⁱ	<i>Pending</i>
France	The Dabbagh Case (2016) ^{iv}	Human rights groups, FIDH and LDH, filed complaint against Assad Regime for war crimes. French judge opened investigation into disappearance of father and son with dual French and Syrian citizenship in Syria.	<i>Pending</i> ^v
France	Qosmos Corporate Complicity Case (2012) ^{vi}	FIDH and LDH filed a complaint in July 2012 urging the French judiciary to investigate the involvement of French companies, especially Qosmos, in supplying the Bachar El Assad regime with surveillance equipment. French judicial investigation was subsequently opened against Qosmos (company). Alleged complicity for acts of torture. Assigned to specialized unit in crimes against humanity and war crimes.	N/A
France	Caesar Investigation (2015) ^{vii}	Crimes against humanity and war crimes investigation opened by the Paris Prosecutor based on 45,000 photos taken by “Caesar”, a former forensic photographer for the Syrian military police.	<i>Pending</i> ^{viii}
France	Rahman Case (2016) ^{ix}	Criminal complaint lodged in Paris High Court against Assad regime alleging torture, forced disappearance and homicide for death of brother in Damascus prison in 2014.	Case officially closed in 2016.
Spain	Abdulmuemen Alhaj Hamdo (Caesar Photos) Case (2017) ^x	Criminal proceeding against high-level Syrian officials in Spain’s National Court on allegations of state terrorism - enforced disappearance, torture and killing of victim at a government detention center. Case dismissed in July 2017 after public prosecutor argued court lacked jurisdiction to hear the case. Dismissal appealed	Appeal rejected in late 2017.
Germany	Universal Jurisdiction against	Attorneys filed criminal complaint against Bashar al-Assad for alleged	N/A

	Syria for Crimes in Aleppo (2016) ^{xi}	war crimes perpetrated in Aleppo between April and November 2016.	
Germany	Structural Investigation (2011) ^{xii}	Ongoing structural investigation into crimes against humanity and war crimes perpetrated by the Syrian government since 2011.	<i>Ongoing</i> [Structural investigation has led to subsequent investigations of at least 10 Regime officials]
Germany	March 2017 Torture Case (2017) ^{xiii}	First criminal complaint filed (March 1, 2017) against six suspected high-level officials of Syrian intelligence for war crimes / crimes against humanity. Federal prosecutors agreed to hear witness testimony.	<i>Pending</i>
Germany	September 21 Caesar Photos Case (2017) ^{xiv}	Criminal complaint filed by the “Caesar-Files Support Group” and ECCHR against senior officials of intelligence and military for crimes against humanity and war crimes.	<i>Pending</i>
Germany	Nov 6 2017 Torture Cases (2017) ^{xv}	Two criminal complaints filed on November 6, 2017 with the Office of the German Federal Public Prosecutor in Karlsruhe alleging crimes against humanity and war crimes perpetrated in detention facilities (military and intelligence).	<i>Pending</i>
Sweden	Syrian soldier guilty of war crime ^{xvi}	Syrian soldier, Mohammad Abdullah, found guilty of war crimes.	Sentenced to 8 months in prison on September 25, 2017

Cases Involving Syrian Rebels/Opposition Armed Forces^{xvii}

<u>JURISDICTION</u>	<u>NAME</u>	<u>DESCRIPTION</u>	<u>STATUS</u>
Austria	Alleged Farouq Brigade member charged and convicted (2017) ^{xviii}	Unnamed former member of Farouq Brigade charged with murder as a war crime and violations of the 1949 Geneva Conventions. Alleged to have murdered twenty unarmed and injured Syrian governments soldiers in Homs between 2013 and 2014.	Sentenced to life imprisonment in 2017. Defense lawyer appealed conviction.
Germany	Case of Ibrahim Al F., former member of militia group Ghurabaa al-Sham (2016) ^{xix}	Ibrahim Al F. accused of leading militia group Ghurabaa al-Sham (allegedly fighting government forces as part of Free Syrian Army). Arrested on April 6, 2016 near Dortmund and formally charged with war crimes and abduction for the purpose of blackmail at the Higher Regional Court of Dusseldorf on October 27, 2016.	Trial started on May 22, 2017 ^{xx}
Sweden	Syrian Rebel Sentenced to Life for Mass Killing Caught on Video (2017) ^{xxi}	Former rebel, Haisam Omar Sakhaneh, involved in mass killing of Syrian soldiers caught on video sentenced to life in prison for war crimes.	Sentenced to life in prison on February 16, 2017; confirmed by court of appeal on May 31, 2017 ^{xxii}

Sweden	Syrian Rebel Sentenced to Five Years for War Crime (2015) ^{xxiii}	Former FSA fighter, Mouhannad Droubi, convicted of war crime caught on video.	Sentenced to 8 years in prison by court of appeal on August 5, 2016. ^{xxiv}
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Cases Involving Jihadists or ISIS

JURISDICTION	NAME	DESCRIPTION	STATUS
France	LaFarge Corporate Accountability Case (2017)	Proceedings against cement company Lafarge (now LafargeHolcim) for financing terrorism, complicity in war crimes and crimes against humanity perpetrated by ISIS, deliberate endangerment of lives, exploitative labor practices, forced labor, and violation of EU embargo on oil purchases.	In December 2017, former chief executive of Lafarge group and three former directors, with two former French directors of subsidiary, were formally indicted for financing of terrorism and endangering people's lives. ^{xxv}
Germany	ISIS Structural Investigation ^{xxvi}	Ongoing structural investigation in Germany for serious crimes under international law (incl. war crimes) committed against the Yazidi minority in Syria and Iraq since 2014. In December 2016, the Supreme Court of Germany issued an arrest warrant against a high-ranking IS commander allegedly responsible for genocide and war crimes, including abduction and sexual enslavement of Yazidi women in Syria and Iraq.	<i>Ongoing</i> [Structural investigation spurred subsequent investigations of at least 27 specific individuals involved in crimes committed by the IS]
Germany	Former al-Nusra Fighter Arrested for War Crimes (2017) ^{xxvii}	Abdalfatah H. A. (alleged member of Jabhat al-Nusra) arrested in Dusseldorf on March 2, 2017. Accused of membership in terrorist organization and war crimes for involvement in murder of 36 Syrian civil servants in March 2013.	<i>Pending</i>
Germany	Former al-Nusra Fighter Arrested for War Crimes (2016) ^{xxviii}	Alleged former member of the Jabhat al-Nusra, Suliman A.S, arrested on January 21, 2016 for suspicion of aiding war crime for kidnapping of a U.N. observer. On June 27, 2016, charged with war crimes, abduction for the purpose of blackmail, unlawful imprisonment, attempted blackmail, use of force or threats against life and membership in a terrorist organization abroad.	Sentenced to 3.5 years in prison on September 20, 2017 ^{xxix}
Germany	Former ISIS fighter charged with war crimes ^{xxx} (N/A)	Aria L., German national and ISIS fighter, charged with war crimes.	Sentenced to 2 years in prison on July 12, 2016
Germany	Former ISIS fighter charged	Abdelkarim El. B., ISIS fighter and German national, charged with war	Sentenced to 8.5 years in prison on November 8, 2016

	with war crimes ^{xxxii} (N/A)	crimes.	
Germany	Four Syrian brothers (former members of Jabhat-al Nusra) accused of war crimes (2017) ^{xxxii}	Mustafa K., Abdullah K., Sultan K. and Ahmed K. (four brothers) arrested and accused of perpetrating war crimes. Allegedly forced civilians to leave city of Ras al-Ayn while plundering their possessions.	<i>Pending</i>
Germany	Two alleged jihadists (Jabhat-al Nusra and ISIS) charged with war crimes. ^{xxxiii} (2017)	Mousa H. A. and Abdulmalk A. arrested on May 9, 2017 for membership in terrorist organizations. Abdulmalk A. accused of murder as a war crime. In custody.	<i>Pending</i>
Germany	Alleged ISIS member accused of perpetrating war crime. ^{xxxiv} (2017)	Akram A. arrested on February 7, 2017 in northeast Germany and taken into custody on suspicion of belonging to ISIS. Also accused of a war crime for raping a Syrian woman. On 12 June 2017, federal prosecutor requested investigating judge waive arrest warrant and release suspect due to new findings questioning the validity of original charges.	Suspect released due to lack of evidence.
Germany	Harry Sarfo Case (2017)	In July 2017, Sarfo (German national and former ISIS member) charged with six counts of murder and war crimes following release of video by Washington Post showing Sarfo taking part in execution of six prisoners in Syria.	<i>Pending</i>

ⁱ CJA: <http://cja.org/what-we-do/litigation/colvin-v-syria/>

Washington Post: https://www.washingtonpost.com/world/national-security/war-reporter-marie-colvin-was-tracked-targeted-and-killed-by-assads-forces-family-says/2016/07/09/62968844-453a-11e6-88d0-6adee48be8bc_story.html?utm_term=.1929e345f690

New York Times: https://www.nytimes.com/2016/07/10/world/middleeast/marie-colvin-family-sues-syria.html?_r=0

ⁱⁱ FIDH: <https://www.fidh.org/en/region/north-africa-middle-east/syria/war-crimes-against-journalists-in-homs-fidh-and-victims-families-call>; <http://insearchofjustice.fidh.org/#cesar>.

ⁱⁱⁱ TRIAL International: https://issuu.com/trialinternational/docs/ujar-mep_a4_2018_web_new/1?ff=true&e=26190424/59306316.

^{iv} FIDH: <https://www.fidh.org/en/impacts/syria-french-judges-open-enquiry-into-disappearance-of-franco-syrian>

Reuters: <https://www.reuters.com/article/us-mideast-crisis-france-judge/french-judge-to-investigate-disappearance-of-franco-syrians-in-syria-idUSKCN12R2HE>

Al-Araby: <https://www.alaraby.co.uk/english/news/2016/10/28/syria-war-crime-plea-accepted-by-french-court>

^v TRIAL INTERNATIONAL: https://issuu.com/trialinternational/docs/ujar-mep_a4_2018_web_new/1?ff=true&e=26190424/59306316.

^{vi} FIDH: <https://www.fidh.org/en/region/north-africa-middle-east/syria/FIDH-and-LDH-ask-French-judicial>; <https://www.fidh.org/en/region/europe-central-asia/france/15116-france-opening-of-a-judicial-investigation-targeting-qosmos-for-complicity>.

vii FIDH: <http://insearchofjustice.fidh.org/#cesar>.

viii TRIAL International: https://issuu.com/trialinternational/docs/ujar-mep_a4_2018_web_new/1?ff=true&e=26190424/59306316.

ix TRIAL International: https://issuu.com/trialinternational/docs/ujar-mep_a4_2018_web_new/1?ff=true&e=26190424/59306316.

x TRIAL International: https://issuu.com/trialinternational/docs/ujar-mep_a4_2018_web_new/1?ff=true&e=26190424/59306316; New York Times: https://www.nytimes.com/2017/02/02/world/europe/spain-syria-torture-case.html?_r=0
France 24:
<https://www.youtube.com/watch?v=8qlxCG-vrS0>

*4/17 UPDATE: Judge has agreed to open criminal inquest.
New York Times: <https://www.nytimes.com/2017/03/27/world/middleeast/syria-crime-torture-assad-war.html>

xi Al-Jazeera:
<http://www.aljazeera.com/news/2016/11/german-lawyers-seek-criminal-case-syria-assad-161128141943783.html>
Associated Press: <http://bigstory.ap.org/article/e828526a47f04bb989b3d257b84beff0/lawyers-seek-war-crimes-case-against-assad-germany>

xii TRIAL International: https://issuu.com/trialinternational/docs/ujar-mep_a4_2018_web_new/1?ff=true&e=26190424/59306316.

xiii ECCHR: <https://www.ecchr.eu/en/international-crimes-and-accountability/syria/saydnaya-air-force-intelligence.html>;
Washington Post:
https://www.washingtonpost.com/world/europe/for-syrian-victims-the-path-to-justice-runs-through-europe/2017/03/01/1b947f4c-fe8e-11e6-9b78-824ccab94435_story.html?utm_term=.c2945bb42bb0.

xiv ECCHR: <https://www.ecchr.eu/en/international-crimes-and-accountability/syria/saydnaya-air-force-intelligence.html>

xv ECCHR: <https://www.ecchr.eu/en/international-crimes-and-accountability/syria/saydnaya-air-force-intelligence.html>; TRIAL International: https://issuu.com/trialinternational/docs/ujar-mep_a4_2018_web_new/1?ff=true&e=26190424/59306316.

xvi NY Times:
<https://mobile.nytimes.com/2017/10/03/world/middleeast/syria-war-crime.html?referer=https://www.google.com/>; TRIAL International: https://issuu.com/trialinternational/docs/ujar-mep_a4_2018_web_new/1?ff=true&e=26190424/59306316.

xvii As of March 2017, European prosecutors had started more than 20 cases against individuals for war crimes – all focused on low-ranking perpetrators from opposition armed groups or jihadist forces. See <https://www.nytimes.com/2017/03/27/world/middleeast/syria-crime-torture-assad-war.html>.

xviii TRIAL International: https://issuu.com/trialinternational/docs/ujar-mep_a4_2018_web_new/1?ff=true&e=26190424/59306316.

xix TRIAL International: https://issuu.com/trialinternational/docs/ujar-mep_a4_2018_web_new/1?ff=true&e=26190424/59306316; DW: <http://www.dw.com/en/german-police-arrest-syrian-national-accused-of-war-crimes/a-19170679>

xx Human Rights Watch: <https://www.hrw.org/report/2017/10/03/these-are-crimes-we-are-fleeing/justice-syria-swedish-and-german-courts>.

xxi New York Times: <https://www.nytimes.com/2017/02/16/world/europe/syrian-rebel-haisam-omar-sakhanh-sentenced.html>.

xxii Human Rights Watch: <https://www.hrw.org/report/2017/10/03/these-are-crimes-we-are-fleeing/justice-syria-swedish-and-german-courts>.

xxiii BBC:
<http://www.bbc.com/news/world-middle-east-31639378>.

xxiv Human Rights Watch: <https://www.hrw.org/report/2017/10/03/these-are-crimes-we-are-fleeing/justice-syria-swedish-and-german-courts>.

xxv ECCHR: <https://www.ecchr.eu/en/business-and-human-rights/lafarge-syria.html>; TRIAL International: https://issuu.com/trialinternational/docs/ujar-mep_a4_2018_web_new/1?ff=true&e=26190424/59306316.

xxvi TRIAL International: https://issuu.com/trialinternational/docs/ujar-mep_a4_2018_web_new/1?ff=true&e=26190424/59306316.

xxvii DW:
<http://www.dw.com/en/germany-arrests-syrian-national-on-war-crimes-murder-charges/a-37778123>^{xxvii}
TRIAL International: https://issuu.com/trialinternational/docs/ujar-mep_a4_2018_web_new/1?ff=true&e=26190424/59306316.
Independent:

<http://www.independent.co.uk/news/world/europe/germany-refugees-arrested-terror-syria-jabhat-al-nusra-massacre-36-civilians-war-crime-isis-attacks-a7607226.html>.

^{xxviii} Telegraph: <http://www.telegraph.co.uk/news/worldnews/europe/germany/12115037/Suspected-Syrian-jihadist-arrested-in-Germany-for-war-crime.html>; TRIAL International:

https://issuu.com/trialinternational/docs/ujar-mep_a4_2018_web_new/1?ff=true&e=26190424/59306316.

^{xxix} Human Rights Watch: <https://www.hrw.org/report/2017/10/03/these-are-crimes-we-are-fleeing/justice-syria-swedish-and-german-courts>.

^{xxx} Human Rights Watch: <https://www.hrw.org/report/2017/10/03/these-are-crimes-we-are-fleeing/justice-syria-swedish-and-german-courts>.

^{xxxi} Human Rights Watch: <https://www.hrw.org/report/2017/10/03/these-are-crimes-we-are-fleeing/justice-syria-swedish-and-german-courts>.

^{xxxii} TRIAL International: https://issuu.com/trialinternational/docs/ujar-mep_a4_2018_web_new/1?ff=true&e=26190424/59306316.

^{xxxiii} TRIAL International: https://issuu.com/trialinternational/docs/ujar-mep_a4_2018_web_new/1?ff=true&e=26190424/59306316.

^{xxxiv} TRIAL International: https://issuu.com/trialinternational/docs/ujar-mep_a4_2018_web_new/1?ff=true&e=26190424/59306316.