



SYRIA

RECOMMENDATIONS FOR ACTION

- Syria should ensure that its armed forces do not use cluster munitions.
- Other states engaged in the armed conflicts in Syria should ensure that their armed forces and any armed groups they support do not use cluster munitions.
- Syria should accede to the Convention on Cluster Munitions (CCM) as a matter of priority.
- Syria should initiate survey and clearance of cluster munition remnants (CMR) as soon as possible and take other measures to protect civilians from explosive remnants of war (ERW).

CONTAMINATION

CMR contamination in Syria is the consequence of ongoing armed conflicts since 2012. Syrian government forces have used cluster munitions extensively in the four-year-old conflict while Islamic State (IS) has reportedly used them in a number of instances, but the extent of contamination is not known.

In 2014, Human Rights Watch reported that it had identified 224 separate locations in 10 of Syria's 14 governorates that had been attacked with cluster munitions by the Syrian government, many of them more than once.¹ Use continued in 2015 and 2016. Between 30 September (when Syria and Russia began a joint military offensive) and 14 December 2015, cluster munitions were reportedly used on at least 20 occasions. At least 35

civilians, including five women and seventeen children, were killed, and dozens more were injured by cluster munitions, according to a report by Human Rights Watch.² In January and February 2016, the Syrian-Russian joint military operation included use of cluster bombs in at least 14 attacks that killed or injured dozens of civilians.³

In February 2017, the Commission of Inquiry on Syria released its latest report on respect for international law in the armed conflicts in the country. The Commission reported that from September 2016 onwards, "an alarming number of incidents involving cluster munitions were also reported. Although the Syrian Arab Republic is not a party to the Convention on Cluster Munitions, the use of cluster munitions in densely populated areas

is inherently indiscriminate (given the typically wide dispersal pattern and high dud rate, which continues to endanger civilians years after a cessation of hostilities) and therefore prohibited by customary international humanitarian law. For this reason, their use in cities such as eastern Aleppo constitutes the war crime of indiscriminate attacks in a civilian populated area.”⁴

One of its recommendations was that the international community: “Curb the supply of weapons to warring parties and their proliferation, particularly cluster munitions..., which are indiscriminate when used in civilian-inhabited areas and pose a threat to civilians for years after the cessation of hostilities.”⁵

Other Explosive Remnants of War and Landmines

According to the UN Mine Action Service (UNMAS), contamination from the armed conflicts across Syria include landmines, improvised explosive devices (IEDs), locally produced mines (some of which are connected to booby-traps), and other ERW.⁶

PROGRAMME MANAGEMENT

There is no national mine action programme in Syria, no national mine action authority, and no mine action centre.

On the basis of UN Security Council Resolution 2165 (2014), UNMAS was asked to provide assistance for mine action in Syria. In 2015, at the request of the UN Regional Humanitarian Coordinator, UNMAS established an office in Gaziantep, Turkey, to coordinate the international mine action response in Syria. UNMAS deployed a team to southern Turkey in August 2015. In addition to coordinating humanitarian mine action operations, UNMAS has supported direct implementation of risk education and survey of the impact of contamination.⁷

LAND RELEASE

Syria does not have an active civilian programme for survey or clearance of CMR as a result of generalised violence and ongoing armed conflicts. UNMAS reported in early 2016 that conflict in many governorates has prevented access by mine action organisations. The extent and impact of contamination has resulted in Syrians without formal training conducting “ad hoc clearance without the technical ability to do so. The capacity of some local teams conducting clearance has been reduced by half as a result of casualties occurring during operations.”⁸

Russian deminers arrived in Syria in March 2016. In April, the Russian military reported completing demining of the ancient part of the city of Palmyra, recaptured by Syrian and Russian forces in late March from IS militants.⁹

ARTICLE 4 COMPLIANCE

Syria is neither a state party nor a signatory to the CCM and therefore does not have a specific clearance deadline under Article 4. Nonetheless, it has obligations under international human rights law to clear CMR as soon as possible.

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- 1 Human Rights Watch, “Technical Briefing Note: Use of cluster munitions in Syria”, 4 April 2014. The governorates were Aleppo, Damascus City and Rural Damascus, Daraa, Deir al-Zour, Hama, Homs, Idlib, Latakia, and Raqqa.
 - 2 Human Rights Watch, “Russia/Syria: Extensive Recent Use of Cluster Munitions. Indiscriminate Attacks despite Syria’s Written Guarantees”, 20 December 2015, at: <https://www.hrw.org/news/2015/12/20/russia/syria-extensive-recent-use-cluster-munitions>.
 - 3 Cluster Munition Coalition, “The injured were mostly women and children”, 8 February 2016, at: <http://www.stopclustermunitions.org/en-gb/media/news/2016/russia-syria-cluster-bomb-attacks-feb-2016.aspx>.
 - 4 Report of the Commission of Inquiry on Syria, UN doc. A/HRC/34/64, 2 February 2017, §57. In an annex to the report on the applicable law the Commission again asserts that: “When used in densely-populated areas such weapons [cluster munitions] are inherently indiscriminate.” Ibid., Annex 1, §44.
 - 5 Report of the Commission of Inquiry on Syria, UN doc. A/HRC/34/64, 2 February 2017, §109(c).
 - 6 UNMAS, “Programmes: Syria”, last updated March 2016, at: <http://www.mineaction.org/programmes/syria>.
 - 7 Email from Dandan Xu, Associate Programme Management Officer, UNMAS, 12 July 2017.
 - 8 UNMAS, “Programmes: Syria”, last updated March 2016.
 - 9 “Russia completes demining of archaeological site in Palmyra, Syria”, *Euronews*, 22 April 2016, at: <http://www.euronews.com/2016/04/21/russia-completes-demining-of-archeological-site-in-palmyra-syria/>.