



4 / 3 / 2022

Mr secretary general of the united nations

Honorable Security Council members

Honorable members of United Nations General Assembly

The Syrian Free Lawyers offer you their best regards and wish to inform you of the following:

Subject: Based on the United Nation Security Council Resolution No. "2623" dated 2/227 2022, which includes the demand to hold an emergency special session of the United Nations General Assembly in accordance with its resolution under the title "United for Peace" to respond to the Russian invasion of the Ukrainian state and the war crimes committed by Russian forces on Putin's orders Against Ukrainian civilians.

The United Nations General Assembly, at the conclusion of its session dated 2/3/2022, has adopted a resolution condemning the Russian aggression against Ukraine in the strongest terms, and calling on Russia to immediately stop its use of force against Ukraine and to refrain from any threat or illegal use of force against any Member State, etc

Based on the previous , and since the Russian regime has committed the crime of aggression against the Syrian people in support of its criminal ally Bashar al-Assad and his repressive regime

We confirm our memorandum No. 26 dated 9/21/2018

And we demand..

Referring Bashar al-Assad and his partners to the International Criminal Court for crimes of genocide and crimes against humanity and war crimes against the Syrians based on the United Nations resolution (Union for Peace) No. 377/5 dated 3/11/1950

Ladies and Gentlemen:

The UN Security Council was formed to maintain international peace and security and to make it easier and faster to take decisions.

However, we are faced with the repeated and deliberate negative vote by Russia and China, which are permanent members of that Council. This negative vote represented a lack of consensus among the five permanent members on the crimes committed by the regime of Bashar al-Assad, which threaten international peace and security, To the International Criminal Court Because of Russia and China's negative vote repeated in the Security Council, we ask you to activate Resolution 377/5 of 1950 against the regime of Bashar al-Assad on the basis of the following facts and evidence:

I. Crimes against humanity:

1 .Murder:

The regime of Bashar al-Assad has committed massive murder and extrajudicial assassinations of large numbers of civilians in Syrian cities and villages over the past years in a non-discriminatory manner, using all types of weapons, including warplanes, ballistic missiles, explosive drums and toxic gases Chemical weapons, as documented by resolutions of the Human Rights Council and the International Commission of Inquiry into the violations in Syria, established by resolution S-17/1 of 23 August 2011.

2 .Genocide:

Bashar al-Assad's regime has been in the past five years and continues to impose harsh living conditions, including the denial of access to food and medicine, with the aim of destroying part of the population, hundreds of whom have died of starvation and lack of health care due to the siege imposed on several Syrian regions. Special Envoy of the Secretary-General of the United Nations.

These acts include the elements of the crime of genocide set forth in article 7, paragraph 1 (b), of the Rome Statute of the International Criminal Court. In violation of the Fourth Geneva Convention of 1949, article 33 of which constitutes a violation of Additional Protocol I to the Geneva Conventions, in particular Article 54 thereof.

3 .Expulsion of population or forcible transfer of population:

The regime of Bashar al-Assad systematically and systematically expelled the civilian population and forced them to leave their natural habitats, especially in the cities of Homs, Zabadani, Madaya, Qaysair, Aleppo, Damascus, Ghouta, Daraa, Quneitra, Kafriya and Fu'a. Forced migration as a result of the brutal policies in the siege of these areas and the prevention of all causes of life and intensification of systematic bombing on their areas of residence with the aim of displacement. Which is the crime provided for in article 7, paragraph 1 (d), of the Rome Statute of the International Criminal Court.

4 .Torture:

The regime of Bashar al-Assad carried out the practice of torture and inflicted severe pain and physical and mental suffering on the detainees arbitrarily and still, which led to the death of thousands of detainees arbitrarily and the names of some of them were documented and horrific images that indicate terrible violations. The world witnessed tens of thousands of photographs and documents, Caesar "or" Caesar ", the crime of torture was clearly established as defined in article 7, paragraph 1, of the Rome Statute of the International Criminal Court.

5 .Prisons and deprivation of liberty:

Bashar al-Assad's regime has arbitrarily detained tens of thousands of Syrian citizens without any legal basis in brutal conditions of detention and degrades human dignity, and tens of thousands remain in the prisons of the Bashar al-Assad regime and its security centers.

Arrest and deprivation of liberty is a crime against humanity in accordance with article 7, paragraph 1 (e), of the Rome Statute of the International Criminal Court.

6 .Rape and sexual violence:

Bashar al-Assad's regime has committed rape, sexual violence and in other cases against men and children extensively, systematically and systematically. As documented by dozens of reports from organizations working in the field of human rights.

This crime, as well as its violation of human dignity, was used by the regime as a method of punishing and oppressing its opponents until the number of victims who had documented the testimonies of some of them, especially in prisons and detention centers, became one of the methods of psychological torture practiced by the regime against women in particular.

This crime is provided for in article 7, paragraph 1 (g), of the Rome Statute of the International Criminal Court.

7 .Enforced disappearance of persons:

The regime arbitrarily detained and abducted thousands of Syrians and refused to give any information about their fate or whereabouts or to bring them to justice and prevent them from contacting their families or legal representatives.

The fate of tens of thousands of Syrians remains unknown since 1980. Enforced disappearances have escalated dramatically in the past seven years. Which constitutes the crime provided for in article 7, paragraph i / 1, of the Rome Statute of the International Criminal Court.

Second: War Crimes:

Bashar al-Assad's regime has committed a massive set of war crimes defined in Article 8 of the Rome Statute, the founding of the International Criminal Court Charter:

- 1 .Intentionally directing attacks against the civilian population as such.
- 2 .Intentionally directing attacks against civilian and service sites, attacking and bombing towns, villages, dwellings and isolated buildings that do not constitute military objectives.
3. Intentionally directing attacks against religious buildings (mosques and churches), educational facilities, schools, archaeological sites, hospitals and primary medical care, and deliberately targeting the medical teams working in these locations and targeting the civil defense teams, rescue teams and relief workers.
- 4 .Use of chemical weapons and toxic gases:

As well as Security Council resolution 2118, in particular its paragraph 15, calling for the accountability of individuals responsible for the use of chemical weapons in the Al-Ghouta massacre on 21 August 2013 and the frequent and systematic use of chlorine gas, which was condemned by Resolution No. 2235 of 2015, in particular paragraph 15, Reaffirms its decision in response to violations of resolution 2118 by imposing measures under Chapter VII of the Charter of the United Nations" .

Khan Shikhun was hit by sarin gas on the morning of 4 April 2017, leaving more than 80 civilian casualties, including 25 children and 400 injured.

"Any peace process or settlement that has to be held on the basis of the need to hold criminals and perpetrators of war crimes accountable, as stated in paragraph 9 of the preamble to resolution 2165," Stressing the need to end impunity for violations of international humanitarian law and violations of the law International humanitarian and human rights violations and abuses and reaffirms that perpetrators of such violations and abuses or those responsible for them must be brought to justice in Syria ".

5 . The report of the Organization for the Prohibition of Chemical Weapons (OPCW) issued on 4/8/2020 No. 1867/2020 legally proves that Bashar the terrorist has used chemical weapons after the issuance of Resolution 2118 at least three times on: 24, 25 and 30 March 2017 in (Al-Lataminah area) in Hama countryside, and that the orders for the use of chemical weapons were directly from the Commander-in-Chief of the army and armed forces, and the use of chemical weapons could not be done without his direct orders .

6 . The report of the Organization for the Prohibition of Chemical Weapons issued on October 26, 2017, has confirmed the responsibility of the Bashar al-Assad regime for the sarin gas attack in April 2017 on the city of (Khan Sheikhoun, Idlib)On the 4th of April 2017

7 . The report of the Organization for the Prohibition of Chemical Weapons issued on 4/12/2021, which confirmed that a military helicopter of the Air Force of Bashar's regime, under the control of the so-called "Tiger" forces, was bombed east of (Saraqib) by dropping a cylinder of poisonous chlorine on February 4, 2018

The establishment of international justice in accordance with the resolutions of international legitimacy and the relevant provisions of international law requires the United Nations to take a decisive stand in order to stop these grave violations, war crimes and crimes against humanity by actively seeking to bring to justice the perpetrators of such crimes and to bring to justice Bashar al-Assad and his aides, Its army and all those involved in the commission of these crimes are leaders and elements of the sectarian militias allied with Bashar al-Assad, the Lebanese Hezbollah, the rest of the Iraqi and Iranian sectarian militias, the leaders of the Iranian Revolutionary Guard, He participated in the crimes of the Russian forces.

Ladies and Gentlemen:

Since the competence of the International Criminal Court in accordance with article V of its statute to consider the following crimes:

- 1 .The crime of genocide
- 2 .Crimes against humanity
- 3 .War crimes
4. The crime of aggression

Whereas article 13 of the Rome Statute provided for conditions and cases of referral to the International Criminal Court

The negative vote of Russia and China on the UN Security Council prevented and prevented the referral of the file of the regime of Bashar al-Assad to the International Criminal Court.

Since the crimes committed and continuing from the regime of Bashar al-Assad are crimes of genocide and crimes against humanity and war crimes and aggression against the Syrian people and as these crimes constitute a threat to international peace and security.

Whereas the United Nations resolution "Union for Peace" No. 377/5 of 3 November 1950 stated in its paragraph:

If the Security Council is unable, owing to the non-unanimity of its permanent members, to exercise its primary responsibility for the maintenance of peace and international security in respect of any situation in which a threat to peace, breach of peace or an act of aggression appears, the General Assembly shall immediately consider the matter With a view to making appropriate recommendations to members for the adoption of collective measures, including the use of armed force in the event of a breach of peace or an act of aggression, for the maintenance or restoration of international peace and security.

If the General Assembly is not convened at that time, it may convene in an emergency special session within 24 hours of receiving a request for such a session from any seven members of the Security Council or the majority of the States Members of the United Nations.

Thus, the international community has the legal and practical means of deciding the Union for Peace in order to hold the accused accountable for the heinous crimes set forth in the International Criminal Court. This requires the political will of the Member States of the United Nations and a genuine desire to try the accused for these crimes.

Since the recommendations made by the General Assembly on the basis of the Union for Peace resolution are binding, the provisions of resolution 377/5 Ta 1950 provide for such recommendations if the Security Council fails to reach a solution to the question under consideration and considers it to be detrimental to international peace and security We urge you to:

1- Adopting a moral position and calling for an emergency session of the General Assembly of the United Nations based on the decision of Union for Peace No. 377/5 dated 3/11/1950 regarding the crimes of the regime of Bashar

al-Assad against the Syrians and his threat to international peace and security.

2. Issuing the necessary recommendations to refer Bashar al-Assad, his aides, heads of security services and army commanders, and all those who participated in the commission of these crimes from the leaders and elements of the sectarian militias allied with Bashar al-Assad, the Lebanese Hezbollah, the other Iraqi and Iranian sectarian militias, Those crimes to the International Criminal Court to receive the fair punishment for those who committed genocide, crimes against humanity and war crimes.

Syrian Free Officers take this occasion and express their utmost respect and appreciation

SYRIN LEGALISTS COMMITTEE

