

THE HUMAN RIGHTS CRISIS IN SYRIA

HEARING

BEFORE THE

TOM LANTOS HUMAN RIGHTS COMMISSION

HOUSE OF REPRESENTATIVES

ONE HUNDRED AND TWELTH CONGRESS

SECOND SESSION

MARCH 27, 2012

Available via the World Wide Web: <http://www.tlhrc.house.gov>

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THE HUMAN RIGHTS CRISIS IN SYRIA

TUESDAY, MARCH 27, 2012

HOUSE OF REPRESENTATIVES,
TOM LANTOS HUMAN RIGHTS COMMISSION,
Washington, D.C.

The commission met, pursuant to call, at 9:30 a.m., in Room B-318 Rayburn House Office Building, Hon. James P. McGovern [co-chairman of the commission] presiding.

Mr. McGOVERN: Good morning, everyone.

Thank you for being here with us today for this important hearing on the human rights crisis in Syria.

I want to thank Congressman Keith Ellison, a Tom Lantos Human Rights Commission Executive Committee member, for encouraging the commission to hold this hearing to highlight the horrific human rights situation in Syria and consider options for addressing it.

I would like to thank Rupal Metha, Kate Hixon, and the staff of the Tom Lantos Human Rights Commission for organizing this hearing.

I also want to thank our witnesses for testifying and for their leadership over the past year in raising awareness about the human rights crisis in Syria. Most especially, I believe we all need to thank the many people on the ground in Syria and in refugee camps in neighboring countries who have worked, sometimes at great risk to their own lives, to help the people in tremendous need and to share information about conditions inside Syria with the outside world.

The arrest of a group of students in Dara for scrawling anti-regime graffiti on a wall in March 2011, just one year ago, sparked a wave of anger in that impoverished southern province. The government responded swiftly with force, setting off a cycle of protest and reprisal that spread across the country.

Since last March, tens of thousands of Syrians have been arrested, detained arbitrarily, held incommunicado, and tortured as the Assad regime tries to crush its opponents and any voices of dissent or calls for reform. Severe beatings, electric shocks, and sexual violence have been used against Syrians by security personnel. In some cases, torture has been so severe that victims have died in custody. Medical professionals face

arrest, prosecution, and even death if they try to provide medical assistance or carry out their obligation to put a patient's welfare first.

As a result of the violence perpetrated by the Syrian Government, more than 200,000 people have been displaced, and the number is rising rapidly. Refugees leave their homes daily, often under fire, to set out for neighboring Turkey, Jordan, and Lebanon. The Syrian Government is deploying landmines near its borders as a deadly tactic to prevent civilians from escaping.

Given the great insecurity inside Syria, I was pleased that the administration announced on Friday that it is designating temporary protective status for Syrian nationals in the United States.

Despite widening international condemnation, Assad's regime has largely remained intact, and brutal repression by the Syrian Government continues. Western and Arab countries have struggled to stop the bloodshed by calling on Assad to step down and imposing sanctions. One year into the Syrian revolt, the fight to oust Assad is cascading toward civil war, with more than 8,000 killed and no end in sight to the bloodshed.

I have been very disappointed by the response of Russia and China to the crisis in Syria. While most of the international community has been united in seeking to apply heavy pressure on the Assad regime to stop its assault on the Syrian people, the governments of Russia and China have refused to support strong UN action to squeeze the regime. Even worse, Russia has continued to provide military aid to the Syrian Government.

The United States should not continue to purchase arms from Russian companies that are providing the government of Syria with lethal weapons. The Defense Department recently signed a \$375 million contract to purchase helicopters for the Afghan military from the Russian State arms dealer. I believe this sends the wrong signal about the importance of withholding arms from a government that is committing terrible atrocities.

The humanitarian situation in Syria remains catastrophic for civilians. We must do all we can to provide humanitarian assistance to Syrians in need and place more pressure on the Syrian Government to stop its assault on the Syrian people.

It is my hope that today's hearing will bring new awareness of human rights abuses currently taking place in Syria and new ideas for taking action to address these abuses and save lives in Syria.

Before I turn this over to Congressman Ellison, who will chair this meeting, I want to thank Ambassador Ford for being here. I want to thank you for your courage and for your activism on the ground while you were there. I think I speak for everybody here when I say that you made us very proud. So, thank you very much.

And I now turn this over to Congressman Ellison.

[The Statement of Rep. McGovern Follows:]

**PREPARED STATEMENT OF THE HONORABLE JAMES P. MCGOVERN, A
REPRESENTATIVE IN CONGRESS FROM THE STATE OF MASSACHUSETTS
AND COCHAIRMAN OF THE TOM LANTOS HUMAN RIGHTS COMMISSION**

**Rep. James P. McGovern (MA)
TLHRC Hearing: The Human Rights Crisis in Syria
B-318 Rayburn HOB
Tuesday, March 27, 2012
09:30AM- 11:00AM**

Good Morning. Thank you all for being here today for this important hearing on the human rights crisis in Syria.

I want to thank Congressman Keith Ellison, a Tom Lantos Human Rights Commission Executive Committee Member, for encouraging the Commission to hold this hearing to highlight the horrific human rights situation in Syria and consider options for addressing it. I would like to thank Rupal Metha, Kate Hixon, and the staff of the Tom Lantos Human Rights Commission for organizing this hearing.

I also want to thank our witnesses for testifying and for their leadership over the past year in raising awareness about the human rights crisis in Syria. Most especially, I believe we all need to thank the many people on the ground in Syria and in refugee camps in neighboring countries who have worked – sometimes at great risk to their own lives – to help people in tremendous need and to share information about conditions inside Syria with the outside world.

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Since last March, tens of thousands of Syrians have been arrested, detained arbitrarily, held incommunicado, and tortured as the Assad regime tries to crush its opponents and any voices of dissent or calls for reform. Severe beatings, electric shocks, and sexual violence have been used against Syrians by security personnel. In some cases, torture has been so severe that victims have died in custody. Medical professionals face arrest, prosecution, and even death if they try to provide medical assistance or carry out their obligation to put a patient's welfare first.

As a result of the violence perpetrated by the Syrian government, more than 200,000 people have been displaced, and the number is rising rapidly. Refugees leave their homes daily, often under fire, to set out for neighboring Turkey, Jordan, and Lebanon. The Syrian government is deploying landmines near its borders as a deadly tactic to prevent civilians from escaping.

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Despite widening international condemnation, Assad's regime has largely remained intact and brutal repression by the Syrian government continues. Western and Arab countries have struggled to stop the bloodshed by calling on Assad to step down and imposing sanctions. One year into the Syrian revolt, the fight to oust Assad is cascading toward civil war with more than 8,000 killed and no end in sight to the bloodshed.

I have been very disappointed by the response of Russia and China to the crisis in Syria. While most of the international community has been united in seeking to apply heavy pressure on the Assad regime to stop its

assault on the Syrian people, the governments of Russia and China have refused to support strong U.N. action to squeeze the regime. Even worse, Russia has continued to provide military aid to the Syrian government.

The United States should not continue to purchase arms from Russian companies that are providing the government of Syria with lethal weapons. The Defense Department recently signed a \$375 million contract to purchase helicopters for the Afghan military from the Russian state arms dealer. I believe this sends the wrong signal about the importance of withholding arms from a government that is committing terrible atrocities.

The humanitarian situation in Syria remains catastrophic for civilians. We must do all we can to provide humanitarian assistance to Syrians in need and place more pressure on the Syrian government to stop its assault on the Syrian people.

It is my hope that today's hearing will bring new awareness of the human rights abuses currently taking place in Syria and new ideas for taking action to address these abuses and save lives in Syria.

With that said, I turn the gavel over to Congressman Ellison to chair the remainder of the hearing.

Mr. ELLISON: [presiding] Now, at this time, I will recognize Congressman Maxine Waters of California, a long-term advocate for human rights all over the world.

Ms. WATERS: Thank you so very much.

I am very pleased to be here with you, Mr. Ellison and Mr. McGovern. I am remembering Tom Lantos and his leadership and what he did for this nation in organizing this Human Rights Commission. So, I thank you and, also, Congressman Wolf, who is supportive of this hearing today, human rights crisis in Syria, and allowing me to participate.

On March 18th, I had the honor of joining the Syrian American Council in Anaheim, California, for a commemoration of the first anniversary of the Syrian revolution. I was blessed by getting to know Ambassador Robert Ford and to have him give such a wonderful update on what was happening in Syria. Also, I had an opportunity to congratulate him on the courage that he has shown representing us all in Syria. He is here today, and I am anxious to hear from him.

The stories I heard from Syrians and Syrian-Americans were truly heartbreaking. I want to begin by telling everyone how sorry I am for the devastating losses that have been experienced by Syrian families over the past year. Mere words cannot express the profound sorrow we all feel over the tremendous loss of life we have witnessed in Syria.

It is difficult to imagine the sheer magnitude of the violence. It is estimated that over 8,000 people, maybe as many as 10,000, have been killed so far, and many of them are women and children.

Panos Moutziz, the recently-appointed Syria Coordinator for the United Nations' High Commissioner for Refugees, said that at least 230,000 people have fled their homes over the past year. That includes an estimated 30,000 people who have sought refuge in neighboring countries and an additional 200,000 people who have been

internally displaced. However, these numbers are only estimates because the brutal regime of Bashar al-Assad does not allow access for independent journalists. So, the true extent of the violence may never be known.

What is known is, under the repressive nature of Bashar al-Assad's regime, peaceful protesters have been murdered, innocent civilians have been massacred, homes have been looted and destroyed. Even funerals have come under fire. Arbitrary detention is common, and the regime uses ghastly forms of torture on individuals detained in its prisons. These appalling crimes are simply unacceptable. They are crimes against humanity and there is no excuse for them.

The International Committee of the Red Cross, along with the Syrian Arab Red Crescent have been trying to provide humanitarian assistance inside Syria. Their teams have distributed food, blankets, hygiene kits, and other supplies to people affected by the violence. The International Committee of the Red Cross reported that five convoys of trucks carrying humanitarian supplies entered Homs between February 11th and March 5th. However, access for humanitarian relief efforts has been limited and sporadic, even for the Syrian Arab Red Crescent.

I know the situation is bleak, but we cannot give up hope. The United States must continue our efforts to unite the international community, facilitate the delivery of humanitarian assistance, and demand an end to the Assad regime.

I look forward to the testimony today, and I hope that today's hearing will shed more light on the situation on the ground and also result in concrete policy recommendations from Members of Congress who want to bring in an end to the devastating violence and gross violations of human rights that are currently taking place every day in Syria.

Mr. Ellison and Mr. McGovern, when I was at this meeting in Anaheim, I made a commitment. My commitment was to come back and to get the Congressional Black Caucus more involved, to have us make statements and do press conferences, and to use our leadership to get the entire progressive community of Congress involved in dealing with what is going on in Syria.

You were the first person I talked to, Mr. Ellison, and you reminded me of a resolution that you were working on. I have joined onto that resolution. And I hopeful that you and I and others can use that resolution to do the kind of organizing that I committed to that we would do. So, I am very thankful and appreciative that you have moved on this already with the resolution, and I look forward to working with you and Mr. McGovern even further.

Thank you.

Mr. ELLISON: Thank you. Thank you, Congresswoman.

Also, let me start by thanking you, Congressman McGovern, for your great leadership. This Human Rights Commission has done great things under your leadership and under the leadership of Frank Wolf. I thank you both for agreeing to hold this hearing.

It is my opinion that the United States House of Representatives should and can do more. Even though the fact is that we have a broad agenda, nothing could be more important than the human rights of human beings. We have got to step up and be the champion that the world expects us to be on human rights.

I would also like to thank President Obama and Homeland Secretary Janet Napolitano for extending temporary protected status to Syrian nationals on Friday. It would have been cruel to send these individuals back to a war zone, especially given the fact that many of them are in the United States because they have raised questions about the al-Assad regime and might well be sent back to a situation that is dangerous and harmful to their lives or that of their family.

We were right to send aid to these folks at their time of need, and I commend the administration for its compassionate leadership on the issue.

I also want to express my gratitude to our incredible witnesses.

Ambassador Ford, your presence here today means a lot. Your presence in Syria meant a lot, and your willingness to put yourself in harm's way to demonstrate American support for the Syrian people makes you a model ambassador.

I am one of those who doesn't believe that we hold our diplomats in high enough esteem. We correctly hold our men and women of the military in high esteem, but the fact is winning friends and doing diplomacy and development around the world can be very dangerous work, as some of the experiences you had prove. But, at the same time, I don't think the American people really know the great work you do, and I just personally want to commend you and thank you.

I also want to thank our human rights experts on the second panel, Maria McFarland, Suzanne Nossel, Andrew Tabler, and Radwan Ziadeh. Your attention to gross human rights violations and the ongoing humanitarian crisis in Syria has been indispensable to our understanding. My sincere thanks to all of you.

Even before the democratic uprising in Syrian began, we saw the capacity of Bashar al-Assad's government to commit grave human rights abuses. The students in Dara dared to echo the slogan that toppled the governments of Tunisia and Egypt. Quote, "The people want to bring down the regime." Unquote. Those students were only 10 to 15 years old. They were children, but that didn't stop the police from arresting them and even pulling out their fingernails.

I remember earlier this year when I took to the House Floor last June to talk about Hamza Al-Khatib. May we never forget Hamza Al-Khatib, a 13-year-old boy who was arrested during the protests in Dara and he was held for a month before his tortured body was returned to his parents. As a father of four, that struck me in a very personal way, and I can't imagine what his parents are going through. He was held for a month, as I said, before his tortured body was returned to his parents and he was mutilated in ways that I can't mention here.

Again, the regime's message was clear: if you dare to speak out, we will kill you. This is really horrible torture that young Hamza had to endure, but the message really was to the Syrian people as to what will happen if you speak out.

The machinery of the Syrian regime has now killed more than 8,000 people, perhaps as my colleague, Congresswoman Waters said, maybe as many as 10,000. We don't know because press freedom is denied.

In fact, another great profession, journalism, with another great leader in it, Anthony Shadid lost his life trying to get the story out, risking great things. Many journalists have done so. Anthony Shadid gave his life to get the story out.

But they show no sign of letting up in the al-Assad regime. Indeed, the momentum is difficult to judge, but it is disturbing that Russian ships and Iranian planes continue to restock the regime's arms and supplies.

Despite the media blackout, the world is aware of the grave human rights violations in Syria because of people's tenacity to get the stories out. Many a great credit needs to go to those people who use social media and other means and become citizen journalists to try to tell the world what is going on in Syria. And we thank them.

I also thank many Syrian-Americans who really are in many cases the only source of good information that we other Americans have. So, I want to encourage Syrian-Americans to continue to get the story, to tell it, because, without you, we simply don't really know what is going on.

And I know telling the story is painful to you because, of course, this is your homeland and in some cases your family who are under threat. But I commend you for enduring the pain it takes to tell the story, so that we may know. Because if we don't know, we can't act.

I will continue to whip support for the resolution H. Res. 549, so that Syria remains a priority in Congress. I want to thank colleagues who have joined the resolution, including Congresswoman Waters. We are talking with many Members, including Congressman McGovern and others, to try to get this resolution moved forward.

Let me just wrap up right here and just say that this panel is a product of the request of Syria's committed advocates for human rights. It ought to be the case that human beings in this world can raise their voices and say what they believe is true without running the risk of their own lives. Political conflicts should be resolved at the ballot box, not in the torture chamber. We should all remember the great price being paid by advocates for human rights right now.

So, without any further delay, let me introduce Ambassador Robert S. Ford. Ambassador Ford is a career member of the senior foreign service, holding the rank of Minister Counselor. Most recently, he served the State Department's Office of Inspector General, the OIG. He has previously served as U.S. Ambassador to Algeria, political counselor and Deputy Chief of Mission at the U.S. Embassy in Baghdad, and the Deputy Chief of Mission in Bahrain. His early overseas postings include Izmir, Cairo, and Yaounde, and in Washington he has served as the Egypt and North Africa Economic Affairs Officer.

Ambassador Ford grew up in Denver, Colorado, earned his bachelor's degree at Johns Hopkins in Baltimore, Maryland, and his master's degree from Johns Hopkins' School of Advanced International Studies in Washington.

His most recent appointment has been to Syria, where he very courageously went to areas that the government did not want him to go, apparently. And yet, he stood in those places at great risk to himself, and is certainly a credit to everyone who wears the label diplomat and is a model in that regard.

So, without further ado, Ambassador Ford, please share with us your testimony.

STATEMENT OF HONORABLE ROBERT FORD, U.S. AMBASSADOR TO SYRIA

Ambassador FORD: Mr. Chairman, thank you very much for those kind remarks. Congressman Waters and Congressman McGovern, thank you for the honor, really, to appear before you today and to talk about Syria.

The first thing I would like to say is that it was a huge honor for me -- a huge honor for me -- to represent the United States in Damascus. We had a really strong policy in respect to the demands for change in Syria.

Last May, President Obama laid out a very clear policy guidance to those of us working in the Middle East. The President said that America would stand more for the respect of the dignity of the simple citizen in Arab countries, the street vendor, as he put it, and not just with powerful dictators. The President stressed that we would support respect for universal human rights, such as freedom of speech and freedom of assembly. President Obama emphasized that we would support and seek to promote political reform and the establishment of governments that meet the legitimate aspirations of their peoples.

Last November, Secretary Clinton, and speaking specifically about Syria, highlighted that supporting democratic transitions in countries like Syria is in our national security interest. She also stressed that the desire for dignity and self-determination is a universal desire, and that when freedom gains ground in any country, Americans themselves are inspired.

And so, with that policy guidance, in Syria we have pushed very hard for the support of respect of universal human rights and the desire for freedom. The United States has long called on the Syrian regime to comply with international human rights standards and treaties.

Let me underline here that the Syrian Government in 1948 signed the United Nations Universal Charter on Human Rights. The Syrian Government is legally obligated to respect those universal human rights.

I raised human rights issues continually during my tenure in Damascus, starting with my first meeting 13 months ago with President Bashar al-Assad. I have to tell you that in that discussion Assad showed little interest in human rights. In fact, he was rather annoyed that I raised it.

And his callous disregard over the past year has degenerated into massive human rights violations that may amount to crimes against humanity. In the past year, the human rights situation there has become much worse. We will issue in a couple of weeks the annual review of the situation of human rights in Syria and other countries, and I would encourage the committee to look at that report, once we issue it in a couple of weeks.

As Congresswoman Waters mentioned, estimates of the number of dead now range 8,000; there are some estimates of 10,000. Several international institutions and non-government organizations have done thorough research of the human rights abuses in Syria. I would highlight here the work of the United Nations Human Rights Council's Independent Commission of Inquiry, which has also issued a report, and a very detailed report, that specifically assigns responsibility for some of the abuses.

Beyond the brutal killings of peaceful demonstrators in places like Dara, as the chairman mentioned, the worst human rights violations occur in detention facilities, where dozens of methods of torture have been documented by observers and researchers. This United Nations Human Rights Commission of Inquiry that I mentioned had numerous testimonies from detainees and former detainees of the kind of torture applied against detainees, including even children. And you mentioned, Mr. Chairman, the case of Hamza Al-Khatib, which is only one of many, many examples. I have to say contacts of ours at the Embassy in Syria, people that I and my staff knew personally, told us about horrible experiences that they had had, just atrocious.

Syrian security forces, even today, are still entering restive neighborhoods and towns and cities, for example, Homs and some of the suburbs of Damascus, Idlib, Dara, and they are arbitrarily detaining people, especially men, usually between the ages of 16 and 45, but even sometimes women and children. The men, particularly, are often subjected to torture, abuse, and humiliation.

So, let me say here that the United States strongly supports accountability for the crimes committed by the Syrian regime. Beyond the need for justice, we believe that the collection of evidence and the calls for accountability from the international community will convince more regime force commanders and members of those security forces to resist orders to commit human rights violations and, ultimately, abandon their loyalty to the regime.

So, I have a message here now for the officers and commanders of the Syrian security forces. The world is watching. This is not like Hama, when the father of Bashar instituted a security operation that killed tens of thousands in 1982. This is not 1982. And those commanders, those members of the security forces should understand that we are watching and we are going to support collection of evidence.

I would like to add another point, if I may, Mr. Chairman. President al-Assad seems to think that he can kill, that he can arrest thousands of people; he can repress a generally-peaceful protest movement and survive, and that the world eventually will forget and that the world eventually will open its doors to him again.

But, as I said, this is not 1982 again. This time the evidence of atrocities, the videos, the TV coverage, the stories from journalists -- you mentioned Anthony Shadid; Marie Colvan; there are French reporters, Mr. Ochlik who was killed, and others -- and the refugees, thousands of refugees, who have given their stories. This time, unlike

Hama, we have a very detailed picture of what has happened. This time the world will not forget.

Assad and his family that are running Syria have lost their legitimacy. They must step aside and let a democratic transition go forward.

During the post-Assad transition that we are working for, a focus on accountability, along with reconciliation, accountability and reconciliation, will help the new Syrian Government build its credibility and foster long-term stability.

If I may, Mr. Chairman, let me just mention broadly what we are doing in response to the horrible human rights situation in Syria. First, we are ratcheting-up pressure on the regime and we are striving to isolate it. I would highlight here several things.

The United Nations General Assembly voted, 137 countries from all continents, for a resolution denouncing the Syrian Government's actions and calling on the Syrian Government to accept the Arab League's proposals for a democratic transition. One hundred and thirty-seven countries voted for it. Only 12, including Russia and China, voted against it.

We have also implemented a series of very tough economic sanctions, ranging from preventing transactions, outlawing transactions with the Central Bank of Syria, outlawing import of oil. We have convinced our partners to take steps like this, too, and the Syrian Government's budget revenues are plunging. The Syrian Finance Minister said -- sorry -- Petroleum Minister said the regime was losing more than \$2 billion a year in lost revenue because of those sanctions.

Secretary Clinton, on April 1st, will be going to Istanbul to attend the next meeting of the Friends of Syria Group. This group was put together, again, to reinforce the isolation of the Syrian Government. Representatives from, again, all continents will be there at that meeting.

The second track that we are working on, Mr. Chairman, is to provide emergency relief to the Syrian people who are suffering so much. We have, so far, provided over \$15 million in humanitarian assistance. Congresswoman Waters detailed that assistance, and I won't go through it here.

And I would just emphasize, also, we were pleased with the decision of the Homeland Security to grant temporary protective status. I remember Senator Casey explained to me the story of one tragic Syrian man who visited his brother here, and then went back to Syria last August and was killed. We don't need more stories like that.

Finally, Mr. Chairman, I would like to conclude by just saying we are supporting the efforts to create a democratic transition, working with the Syrian opposition. We support citizens in and out of Syria who have begun planning for a democratic transition

from leaders of the Syrian National Council -- and I believe you are going to hear one in the second panel -- but, also, working with local coordination committees inside Syria and local revolution councils inside Syria. I would just commend the work that they are doing in incredibly dangerous and difficult circumstances.

We continue to urge the full range of opposition groups and individuals in Syria, including representatives from all -- and I want to underline that -- all ethnic and religious minorities, to come together around a unified vision for a peaceful and orderly transition.

I don't want to speculate about what might be warranted in the future, but I do want to underline we do not believe now that further militarization of the situation in Syria is the best course forward.

Mr. Chairman, with your permission, I will stop there, and I would be delighted to take questions or discuss any of these points.

Mr. ELLISON: Thank you, Ambassador Ford.

So, we will begin with Congressman McGovern for questions, the Commission Co-Chair.

Mr. McGOVERN: Thank you very much. Thank you, Mr. Ambassador.

It was reported this morning that UN Special Envoy Kofi Annan said President Assad has accepted his peace plan. What is the status of the talks between Annan and the Syrian Government, and what are the prospects for implementing the Annan plan? And I guess, what is the plan? Would it be acceptable to the United States for senior Assad government officials or military commanders to remain in power as part of a transition or a cease-fire agreement?

Ambassador FORD: I have to say, Congressman, I have read the same press reports that you have this morning, but I don't have additional information beyond that. I expect we will in the coming days.

I don't want to speak for Kofi Annan. I mean, he is a very respected international diplomat. But what we understand he is seeking to do, first, his mandate for the work he is doing comes off that United Nations General Assembly resolution I mentioned that had 137 votes in favor of it.

That resolution calls on the Syrian forces to withdraw from cities. That resolution calls on the Syrian Government to release the thousands of political detainees that it holds. And that resolution calls on the Syrian Government to abide by the political transition process proposed in two Arab League resolutions. That is what Annan is to be working for.

So, we will see now in the days ahead what exactly Assad has said. I have to tell you that my own experience is that with him you want to see steps on the ground --

Mr. McGOVERN: Right.

Ambassador FORD: -- and not just take his word at face value.

Mr. McGOVERN: Let me ask you, what is the United States Government doing to put pressure on Russia to stop providing military aid to Syria? I mentioned in my opening remarks my disappointment that the United States is purchasing weaponry from the Russian Government, in this case to purchase helicopters for the Afghan military.

It just seems to me that, you know, you mentioned China and Russia as being a problem. But, other than talking to the Russians about why this is a bad thing, we end up kind of enabling them. It seems as if there is no consequence for their bad behavior.

So, I am trying to figure out what are we doing, because if they stepped up to the plate, I think it would make a real difference here. What additional steps could be taken to dissuade Russia from aiding the Syrian Government?

Ambassador FORD: Congressman, let me highlight that Secretary Clinton has had numerous conversations with Russian Foreign Minister Lavarov. The President spoke with Russian President Medvedev in Seoul over the weekend. At lower levels, Assistant Secretary Feltman visited Moscow, actually, in January to have more technical-level discussions on what we believe this situation in Syria to be. We are talking to the Russians about this constantly. There is a very intense effort to bring the Russians to a position where they would join a consensus among the permanent members of the United Nations Security Council, the P5.

I would highlight here that in our discussions with the Russians, we, the Americans, we have highlighted that we are not seeking justification for military intervention. That is not our goal. Our goal is for a peaceful transition. We do not want to see a collapse of the state, and we do not want to see a civil war break out in Syria. Presumably, if the Russians share these same goals, if that is how they define their interests, then they need to help us, they need to help the United Nations Security Council, they need to help Kofi Annan to move this transition process forward. And so, we will continue, I can assure you, continue working with the Russians on this.

Mr. McGOVERN: And not to belabor the point, I appreciate the strong words out of the administration and the effort to try to engage the Russians on this. But this is not the only country in the world who is having a problem with the Russians propping up a government that has a terrible human rights record.

It just seems to me that a stronger signal that might be sent right now would be to say, at a minimum, that we are not going to purchase helicopters for the Afghan military

with U.S. money from the Russians, that there needs to be a consequence to this continued bad behavior. So, I hope that you will bring that message back.

I mean, words are one thing, and I appreciate the strong words of the administration and the efforts to negotiate. But I think that there needs to be -- at this point, time has gone on -- I mean, there needs to be some other kind of consequence.

Just one final question. Human Rights Watch reported that the Syrian opposition has committed serious human rights violation of its own. I want to know, is the United States taking any steps to discourage the Syrian opposition from committing such abuses?

Ambassador FORD: Yes, we saw those reports, and I have to tell you we had reports like that last year, when some of the fighting in Homs became really seriously. A couple of things I would say on that.

We raised it even in Syria when my Embassy was still open. We discussed it with some of the local revolution council representatives, who are themselves not members of armed groups, but certainly were in contact with them, and emphasized that they would be held to a standard on this if they wanted support from western countries.

In reaction to the latest reports that we have seen, we have raised this with the Syrian National Council. The Syrian National Council last week issued a statement saying that such abuses were against what they stood for and what the Syrian protest movement, what the Syrian opposition stood for in terms of bringing change and bringing democratic transition.

But I have to say, Congressman, this is one of our broader policy fears, is that the longer the violence continues in Syria and the worse it gets, the more we are going to see hard-liners on both sides who probably are not particular defenders of human rights gain influence. And that is a real problem. That is why we need the transition to move forward quickly.

Mr. McGOVERN: Well, thank you for, again, your testimony and for the way you conducted yourself as ambassador while you were there. We really appreciate your insights.

Thank you.

Mr. ELLISON: Now, Congresswoman Waters, you have time for questions.

Ms. WATERS: Thank you very much, Mr. Chairman. I appreciate that. I am going to have to leave shortly to go to the Judiciary Committee.

But I want to thank again Ambassador Ford for his courageous diplomacy and leadership in Syria, and I thank him for his willingness to help educate all of us and share with us information that can be helpful to us.

I, too, share Mr. McGovern's and Mr. Ellison's concerns about Russia and the fact that they are continuing to arm the security forces in this Assad government. I do want to hear from you, not necessarily today but as we continue our work, about what we can do to help support the administration's position on trying to dissuade Russia from continuing to supply arms. I think that is important.

I think that the approach that our government has taken and the work that you have done is extremely important, and we must listen to you. We must show that we appreciate the knowledge that you have experienced on the ground, as we move forward to try to get this peaceful resolution.

What I would like to know, without going into detail, is, do you think there are other things that we can do to encourage defections from the security forces? I think that that kind of activity is extremely important in bringing down these dictators. When you get the defections, it weakens them, and the people who are defecting have information that they can share with us. Without going into detail, do you think there is more that we can do in order to encourage defections from the security forces and sharing of information that will be helpful to weaken the Assad government?

Ambassador FORD: Thank you, Congresswoman Waters.

With respect to defections, we have seen reports that up to nine Syrian security force generals have now defected. I don't want to exaggerate the importance of that because there are hundreds of generals in the Syrian forces, but I would say that we are seeing more reports over the last couple of months than we had seen during 2011. So, I think that is interesting, and I think that is important.

We, on our side, the United States, think that it is important, also, that the commanders in the Syrian forces understand that there will be accountability expected, and that their actions will not be anonymous. As I said, this is not 1982 in Hama any longer.

I want to say one other thing here, which is that, in terms of accountability, the Syrian people themselves will be the first ones to determine accountability and how they decide to manage that, whether they use offers of immunity, for example, in order to convince people who had committed atrocities or were responsible, and then Syrian people's representatives decide to offer immunity to help them come out of the fight and leave the regime. I want to leave that to the Syrians. But I think creativity is going to be important if Syria is going to move forward quickly without extremists on both camps becoming more influential.

For our part, Congressman, I think the best thing we can do is -- and it is something we have started doing. Ambassador Stephen Rapp was just in Turkey and Jordan talking to people to see how we might be helpful in terms of helping researchers collect evidence. We have skills in that. We have experience in that.

Ms. WATERS: Thank you. Thank you.

Mr. ELLISON: Thank you.

Mr. Ambassador, I am curious to know your thoughts on what you think might be achieved at the Friends of Syria conference coming up on April 1st and what we might learn about human rights in the course of that conference.

Ambassador FORD: Mr. Chairman, there will be several things that we hope to achieve out of the conference among the Friends of Syria on Sunday. First, additional coordination on humanitarian assistance. The number of refugees is still growing. We estimate now that about 230 to 250 thousand Syrians have been displaced from their homes because of the fighting. Approximately 30,000-35,000 are outside of Syria in refugee camps in places like Turkey, Lebanon, and Jordan, and even some in Iraq. And then, the remainder, over 200,000 probably, are inside Syria still, but in many cases in desperate situations.

And so, we have increased our assistance through the United States Agency for International Development, the Office of Foreign Disaster Assistance, and, also, the State Department's Population, Refugees, and Migration Bureau. But other countries need to help in that effort, too, and some are, especially partners in places such as Europe. But that will be a big agenda item.

Second, we will certainly discuss additional measures to further isolate the regime. And so, I think there will be a discussion of sanctions and existing sanctions.

The Arab League has announced that its members should implement sanctions, and we will certainly want to talk to the Arab countries about how they are implementing sanctions and if there are ways we can coordinate and cooperate on sanctions.

Finally, we will want to talk, also, to the Syrian opposition itself to hear what they are doing in terms of planning for a transition, what they are doing to build this vision that I mentioned that unites Syrians and brings Syrians together. The Syrian opposition has a huge role in this process as well.

Mr. ELLISON: Mr. Ambassador, I am curious to know, what should or could the United States Congress be doing that we are not doing? What is needed of us? I have a resolution supporting the democratic process that is trying to take hold in Syria. What, in your view, should or could we be doing that we are not doing?

Ambassador FORD: Congressman, I think the resolutions that have come from the Congress already are very helpful in terms of they do two things. First, they give hope to the people inside Syria who are really quite well-informed about what is going on around the world. They have satellite television networks that cover news out of

Washington extensively. I had about 300 Arabic language television stations on my TV in Damascus. It is quite remarkable how many Arabic language stations are there now.

So, they are very well-informed and they know what the Congress is doing and what they are saying. I am sure news about this hearing will be in Damascus tonight. So, I would encourage these kinds of things to spotlight attention.

Second, they reinforce our efforts in the State Department and on the diplomatic side as we try to convince other countries, Russia and others, that this is the way to go, and that the United States is unified in its vision about the problem and how to address it.

I would like to make a pitch, Congressman, if I may. In Secretary Clinton's budget request, she did highlight the establishment of a Middle East Response Fund. When the democratic transition comes to Syria -- and I emphasize the word "when". I think the fall of this regime is inevitable, I hope sooner, not later. It would be far less damaging to the country and far less bloodshed, were it sooner, but it will come. And I am sure that we will want to talk to the new Syrian Government about promoting democracy, about promoting reconciliation, promoting accountability. We will need tools with which to do that, Mr. Chairman. Something like the Middle East Response Fund might give us those tools.

Mr. ELLISON: Well, Mr. Ambassador, given the time, unfortunately, we can't ask all the questions we would like to ask you, but we will contact you and perhaps you can brief us in a future date. But please let it be known that we appreciate and respect the work you have done. And in your communications with Syrians, please let them know that we do care about the situation in Syria. It is our concern and we want to help in any constructive way.

Thank you, sir.

Ambassador FORD: Thank you, Mr. Chairman.

Mr. ELLISON: So, now, with the appreciation of everyone, and particularly Ambassador Ford, we ask the second panel to join us. So, please call to the stand Maria McFarland, Deputy Washington Director, Human Rights Watch; Suzanne Nossel, Executive Director of Amnesty International; Andrew Tabler, Next Generation Fellow at the Washington Institute for Near East Policy, and Radwan Ziadeh, who is a Visiting Scholar, Kennedy School of Government, Harvard University.

In the interest of time, I will not go in-depth into the biographies of our testifiers. I will say this to everyone listening: we have a remarkably distinguished panel today, all very well-experienced and well-trained, and have been at the forefront of human rights.

So, without any further ado -- I am just reminding everyone that, unfortunately, we only have this room until 11:00 -- I will turn the panel over to our first witness, Maria McFarland, Deputy Washington Director, Human Rights Watch.

Maria?

STATEMENTS OF MARIA McFARLAND, DEPUTY WASHINGTON DIRECTOR,
HUMAN RIGHTS WATCH

Ms. McFARLAND: Mr. Chairmen, Commission members, thank you for organizing this hearing to address the human rights crisis in Syria.

Since peaceful protests began over a year ago, the Syrian Government has been engaged in a vicious crackdown against its citizens in which Syrian forces have been engaged in widespread, systematic, and gross human rights violations that amount to crimes against humanity.

Right now, we believe the outcome of the crisis is far from inevitable. We cannot assume that the Assad government will fall. On the contrary, the government seems determined to finish off its opponents, no matter what crimes it must commit to do so, just as the opposition seems to be determined to continue, no matter the price it must pay.

Starting in March of last year, Syrian security forces have responded to protests with increasing brutality, first, by killing and arbitrarily detaining thousands and subjecting many to torture, and then by launching large-scale military operations in towns nationwide, resulting in mass killings, arrests, and displacement. In February, the government significantly escalated its abuses.

I want to stress that Human Rights Watch has no direct access to Syria today. While earlier on we were able to at least be in regular contact with activists and journalists on the ground, even that has become much harder, as phone access has been blocked and the violence has largely forced journalists to stay out of the country.

As a result, collecting information about what is happening in Syria today is extremely difficult. What we have been able to confirm is that, since February, the Syrian army has been engaged in a campaign of indiscriminate shelling in several towns and cities across the country, leading to high rates of civilian deaths. Local sources have reported that approximately 700 civilians were killed and thousands wounded in the month after the military bombardment of Homs came on February 3rd. We have documented similar shelling with high civilian casualties in Idlib and other towns as well. We have also documented Syrian Government forces' use of anti-personnel landmines near the border with Turkey, as well as their use of local residents as human shields in northern Syria.

But we are equally concerned about what is happening after the shelling is over and Syrian forces move into cities or neighborhoods that were opposition strongholds. The mass detentions and widespread use of torture by Syrian forces over the last year give us grave reasons for concern about what may be happening to people once they are in custody. We are actively working to investigate many deeply-disturbing reports that we have received of executions of fighters and civilians.

The government assault has led to a dire humanitarian situation as well as massive displacement. According to the UN's latest numbers, the number of registered Syrian refugees adds up to more than 40,000 in Turkey, Lebanon, Jordan, and Iraq. Many more are unregistered, and there's little doubt that the number of persons internally displaced within Syria is much higher.

We have also documented abuses by some armed opposition elements, as you noted before, including cases of kidnapping, detention, and torture, and we have received reports of executions. Such abuses are serious and it is critical that the international community not turn a blind eye to them. At the same time, it is important to recognize that the evidence available suggests that opposition force abuses do not appear to be systematic and that they do not in any way justify the brutality of the government.

So, what can and should the international community do about what is happening in Syria? Human Rights Watch is limited in its ability to advise on whether any of the options involving use of military force would make the situation in Syria better or worse. What we can say is that all actors should work as hard as possible to maximize the effectiveness of sanctions, diplomacy, and other steps to which the international community has committed in principle, but has not necessarily implemented in practice.

Unfortunately, Russia and China have repeatedly blocked international action at the UN Security Council. It is significant that Russia supported last week's presidential statement by the Security Council which backed the diplomatic mission headed by Special Envoy Kofi Annan, and it is also positive, apparently, that today Annan announced that the Assad government had agreed to his six-point plan.

If implemented -- and that is a big "if" -- it could make a difference, especially because the plan includes a more effective UN monitoring mission than we have seen in the past. But we must be cautious. Assad has a habit of buying time and making promises that he doesn't keep. So, it will be very important to keep very strong pressure on him and to keep moving forward on other measures to push for change in Syria.

In particular, we think that the U.S. should keep pushing the Security Council to come up with a binding resolution that imposes targeted sanctions on Syria and referral of the situation in Syria to the International Criminal Court.

All countries should pursue these goals in any case, regardless of what happens at the Security Council. The Arab League, in particular, should enforce the targeted sanctions that its members had already promised to impose, and the United States and other countries should join France in its call for referral to the ICC.

We have also encouraged the United States to publish satellite imagery of Syria as a way to make clear to the Syrian Government that, even if it shuts down communications and blocks outside access and throws out all the journalists, there are still ways of recording some of what they are doing.

As you mentioned, Chairman McGovern, the United States and other countries should do what they can to ensure that the arms supply to the Syrian Government is cut off. In particular, the U.S. and others should announce that they will not enter into any new commercial contracts with arms suppliers such as Rosoboronexport, which is the Russian arms company that is apparently Syria's main arms supplier, until they cease providing weapons to Syria.

Finally, I will just point out that it is worth remembering that the U.S. cannot really avoid making a decision about how to address the crisis in Syria. To avoid making a decision about what action to take amounts to the same thing as deciding not to take any action.

So, it is crucial that the U.S. refrain from engaging in wishful thinking or backing into a position that it hasn't thought out. Rather, it should consciously and realistically weigh the costs and risks of different courses of action, and there are many, and settle on a strategy that will effectively address the human rights abuses and pursue it vigorously.

Thank you very much.

[The statement of Ms. McFarland follows:]

Mr. Chairmen, Commission members:

Thank you for organizing this hearing to address the human rights crisis in Syria. Since peaceful protests began over a year ago, the Syrian government has been engaged in a vicious crackdown against its citizens that has only escalated in the last few months, starting with security force shootings of demonstrators and now turning into a massive military assault including the shelling of major cities. The crisis shows no sign of letting up in the near future, as the government seems determined to finish off its opponents, no matter what crimes it must commit to do so, while the opposition seems equally determined to continue, no matter the price it must pay. Right now, the outcome is far from inevitable. We cannot assume that the Assad government will fall, as has happened in other countries in the Arab region. Government forces could simply continue their killing until no opposition is left—such tactics have been employed by other governments, like that of Sri Lanka, in the recent past, at a horrifying cost in human lives.

Both the UN High Commissioner for Human Rights and the Commission of Inquiry (COI) established by the UN Human Rights Council have asserted that crimes against humanity are occurring in Syria. Human Rights Watch's own investigations into human rights violations in Syria, including evidence from hundreds of victims and witnesses, support the COI's conclusion that the Syrian government's "forces have committed widespread, systematic and gross human rights violations, amounting to crimes against humanity, with the apparent knowledge and consent of the highest levels of the State." Violations include the use of snipers to target civilians, enforced disappearances, rampant use of torture, and mass arbitrary detentions. The government's intense shelling of Syrian cities, including Homs and Idlib, and the devastation wrought on civilians in those cities, have taken these violations to a new level. The crisis has also resulted in massive displacement of civilians who have fled their homes and in many cases sought refuge in neighboring countries.

The situation urgently requires a coordinated international response including unity in the Security Council; pressure from regional actors in the Arab League and neighboring countries that have already agreed in principle to a number of steps; the engagement of the United Nations; and, if a political settlement were

achieved, significant international assistance. The United States needs to work with other countries on this issue, but strong US leadership is also crucial to ensure a meaningful response.

Escalating Abuses by the Syrian Government

The human rights crisis in Syria began over a year ago, after protests broke out on March 18 in the southern city of Daraa, in response to the arrest and torture of fifteen school children by the Political Security Directorate, one of Syria's intelligence agencies. Attempting to suppress the demonstrations, security forces opened fire on the protesters, killing at least four. Within days the protests grew into rallies that gathered thousands of people and quickly spread to the rest of the country in a show of sympathy with the Daraa protesters. Over the following months, security forces responded by killing and arbitrarily detaining thousands, including children, holding most of them incommunicado, and subjecting many to torture.

The security forces also launched large-scale military operations in restive towns nationwide, resulting in mass killings, arrests, detentions, looting, destruction of property, and massive displacement as well as the use of torture by security forces and armed members of pro-government groups, called *shabeeha*. In July of 2011 security forces stormed Hama, which had witnessed the largest anti-government protests in Syria until that date, killing at least 200 residents in four days, according to local activists. Security forces also stormed the neighborhoods of Bab Sba`, Baba Amr, and Bayyada in Homs on multiple occasions between May and September of last year.

Syrian authorities repeatedly claimed that security forces were responding to armed attacks by terrorist gangs. But in most cases that Human Rights Watch documented, witnesses insisted that those killed and injured were unarmed and posed no lethal threat. Our findings reflect that the protest movement in Syria was overwhelmingly peaceful until September 2011. Instances where protesters used lethal force against Syrian security forces were limited, and often came in response to lethal force by security forces.

Since then a growing number of military defectors and local residents have decided to resort to arms, saying they are defending themselves against security forces' raids or attacking checkpoints and security facilities in their cities.

Starting in early February of this year, the government significantly escalated its abuses in many areas of the country.

I want to stress that Human Rights Watch has no direct access to Syria today. And while earlier in the crisis we were able to at least be in regular contact with activists and journalists on the ground, even that type of communication has become much more difficult, as phone access has been blocked and violence has made the situation even more fluid and unpredictable. Journalists have largely been forced to stay out of the country due to the high risks they would face—as the deaths by shelling of Marie Colvin, Remi Ochlik, Gilles Jacquier and others made clear.

As a result, collecting information about what is happening in Syria today is extremely difficult. The situation we have been able to document is extremely disturbing, but we are just as concerned by what we do not know and have been unable to confirm as by what we do know.

We have encouraged the United States to publish satellite imagery of Syria as a way to make clear to the Syrian authorities that even if they limit access and throw out all the journalists, there are still ways of recording some of what they are doing.

What we have been able to confirm is that since February the Syrian Army has been engaged in a campaign of indiscriminate shelling in several towns and cities across the country, leading to high rates of civilian deaths. We have also recently documented Syrian government forces' use of antipersonnel landmines, as well their use of local residents as human shields, by forcing them to march in front of the army during recent arrest operations, troop movements, and attacks on towns and villages in northern Syria.

But we are equally concerned about what is happening after the shelling is over and Syrian forces move into cities or neighborhoods that were opposition strongholds. In the past year the Syrian forces have engaged in a clear pattern of mass detentions and widespread use of torture, which give us grave reasons for concern about what may be happening to people once they are in Syrian custody. We also know, through witnesses who escaped to Turkey, that government forces executed captured and wounded opposition fighters in Idlib on March 10-11 and in Kherbet al-Jawz near the Turkish border on March 18, and we are actively working to investigate many other similar and deeply disturbing reports that we have received of executions of fighters and civilians.

Indiscriminate Shelling of Homs, Idlib, and Al-Qusayr

Local sources have reported that approximately 700 civilians were killed and thousands wounded in the month after the military bombardment of Homs began on February 3. Video footage from Homs reviewed by Human Rights Watch indicates that the army has used Russian-made 240mm mortar systems there. These systems fire the world's largest high explosive mortar bomb, designed to "demolish fortifications and fieldworks" according to a Russian arms merchandizing catalogue. We do not know when the Syrians acquired these weapons.

Marie Colvin, one of two Western journalists killed in Baba Amr on February 22 by Syrian army shelling, had reported the previous day that she had witnessed 14 shells fall on the neighborhood in the span of 30 seconds and had watched a baby die of shrapnel wounds for lack of proper medical care. Another Western journalist who was in Baba Amr from February 15 to 17 told Human Rights Watch that "on a good day, a shell hit the neighborhood every 4 to 5 minutes while on a bad day, they heard 55 shells in 15 minutes."

In the weeks following the large scale military operation in Homs, similar operations have begun in other cities, including Idlib city and al-Qusayr, a city of approximately 40,000 in Homs governorate near the Lebanese border.

In Idlib, one of the latest opposition strongholds to come under attack by Syrian security forces, Syrian activists compiled a list of 114 civilians killed in the first five days of the military assault that began there on March 10, 2012. Five witnesses, including three foreign correspondents, gave separate accounts to Human Rights Watch that government forces used large-caliber machine-guns, tanks and mortars to fire indiscriminately at buildings and people in the street. After they entered Idlib, government forces detained people in house-to-house searches, looted buildings, and burned down houses, the witnesses said.

Government forces also detained scores of people during the offensive, both in Idlib and in surrounding towns. Some were released, while others are still in detention.

Witnesses from the towns of al-Janoudyah, Kafr Nabl, Kafr Rouma, and Ayn Larouz in the Idlib governorate told Human Rights Watch that they saw the army and pro-government armed men use civilians as human shields, by forcing people to march in front of the advancing army during the March offensive to retake control of areas that had fallen into the hands of the opposition. From the circumstances of these incidents, it was clear to the witnesses that the purpose of these actions was to protect the army from attack.

The witnesses interviewed by Human Rights Watch said that it is very difficult for people to leave the city, as the Syrian army controls the highway that encircles Idlib, forming a belt around the city. Landmines planted by government forces along the border with Turkey have made it even more difficult for people to flee the government's onslaught. One witness estimated that 85 percent of Idlib's population is still in the city.

In al-Qusayr, witnesses who spoke to Human Rights Watch described similarly dire conditions, including the heavy shelling of residential neighborhoods, snipers shooting residents on the streets, and attacks on fleeing residents, including children. Since at least the end of February, witnesses, many of whom were injured in the attacks, said the army has been launching dozens of 81-mm and 121-mm shells into the town on a daily basis. Some reports indicate that following withdrawal of the opposition Free Syrian Army from the Baba Amr neighborhood of Homs on March 1, fighters retreating from Homs moved on to al-Qusayr.

Humanitarian Access, Plight of Refugees

The assault on Homs, Idlib, and other cities has also contributed to a dire humanitarian situation, as hospitals have quickly become overwhelmed.

Syrian authorities have allowed little humanitarian access into Syria. The International Committee of the Red Cross (ICRC) reported on March 19 that it was able to send 12 truckloads of supplies to Aleppo and Homs provinces but that its request for a daily two hour humanitarian pause to deliver assistance has gone unmet despite indications of support from the Russian minister of foreign affairs. Witnesses also told Human Rights Watch that food and water are scarce, communications have been cut, and medical assistance is virtually non-existent, contributing to the rising death toll as doctors are unable to treat the wounded. A nurse from al-Qusayr told Human Rights Watch that the hospital in al-Qusayr where she used to work closed six months ago and was taken over by the military. Other witnesses corroborated this evidence.

In a March 15 statement, Valerie Amos, the Under-Secretary General for Humanitarian Affairs and Emergency Relief Coordinator, renewed OCHA's call for unhindered access for humanitarian organizations in Syria to assess needs and provide assistance. A government-led assessment of humanitarian needs in Homs, Hama, Tartous, Lattakia, Aleppo, Deir el Zour, the Damascus countryside, and Dara'a was reported to be underway as of March 19.

The violence has caused a large exodus of Syrian refugees. The UN High Commissioner for Refugees is still assessing the exact number of refugees, but its latest reports indicate that there may be more than 40,000 in Turkey, Lebanon, Jordan, and Iraq. A significant number of Syrians are internally displaced. We have unfortunately also documented Syrian forces' use of antipersonnel landmines along the borders with Turkey and Lebanon—another blatant example of disregard for human life that has already caused civilian casualties.

Armed Opposition Group Abuses

Human Rights Watch has documented abuses by some armed opposition elements, including kidnapping, detention, and torture of security force members, government supporters, and people identified as armed members of pro-government groups, called *shabeeha*. We have also received reports of executions by armed opposition groups of security force members and civilians. Some of the statements collected suggest that certain armed attacks by opposition groups were motivated by anti-Shia or anti-Alawite sentiments arising from the association of these communities with government policies.

Many of the antigovernment groups reported to be carrying out abuses do not appear to belong to an organized command structure or to be following Syrian National Council (SNC) orders. But Syria's opposition leadership has a responsibility to speak out and condemn such abuses. On March 1 the SNC created a military bureau to liaise with, unify, and supervise armed opposition groups, including the Free Syrian Army (FSA). Human Rights Watch has called on members of the Syrian opposition, including the SNC and the FSA, to pledge to respect the human rights of people in areas where they may have control and to condemn any human rights abuses for which armed groups may be responsible, particularly attacks targeting members of minority communities. Members of the Syrian opposition should make clear that they envision a Syria that welcomes all without discrimination.

Human Rights Watch welcomes reports from March 22 indicating that the SNC is developing a code of conduct for armed opposition groups and that it condemns human rights abuses by armed opposition groups in Syria.

These abuses by opposition forces are serious and it is critical that international community not turn a blind eye to them. At the same time, it is important to recognize that the evidence available suggests that they do not appear to be systematic. Violations committed by armed members of the opposition do not in any way justify the brutality of the government.

Accordingly, the international community should not treat opposition force abuses as an excuse for inaction, but rather as a reason to call on opposition forces to address them, and a cause for concern about the risks of not addressing the ongoing human rights abuses in Syria.

International Action

Many in the international community and the United States have been debating the proper response to what is happening in Syria. Some of the options under discussion include the use of military force. Human Rights Watch is limited in its ability to advise on whether any of the options involving use of military force in this case would make the situation in Syria better or worse.

We can, however, point to some other measures, that might prove to be helpful. It is impossible to predict whether these measures alone would succeed in ending the human rights crisis. But everyone, no matter their view on the wisdom of more direct intervention, should work as hard as possible to maximize the effectiveness of sanctions, diplomacy, and other steps that the international community has embraced in principle but not fully implemented in practice.

On March 21, through a presidential statement, the United Nations Security Council unanimously gave its backing for a diplomatic mission being led by Special Envoy Kofi Annan. It also requested that the Syrian government immediately “end the use of heavy weapons in population centers” and “ensure timely provision of humanitarian assistance to all areas affected by the fighting.” The Council also asked the Syrian government to “intensify the pace and scale of release of arbitrarily detained persons” and “ensure freedom of movement throughout the country for journalists.” This is a good first step, and it is significant that Russia has supported this statement. But it is a non-binding statement and it is not at all clear if this will be enough to convince the Assad government to cease its abuses, which continued even during Annan’s meeting with Assad.

Human Rights Watch urges the UN Security Council to go further and to pass a resolution to:

- Impose targeted sanctions, including travel bans and asset freezes, on those responsible for the ongoing violations;
- Demand access for humanitarian workers, journalists, and human rights monitors;
- Demand cooperation with the Commission of Inquiry established by the UN Human Rights Council;
- Refer the situation in Syria to the International Criminal Court.

Unfortunately, Russia and China have repeatedly blocked international action at the UN Security Council, by twice vetoing very basic resolutions condemning the abuses in Syria. Their support for the recent presidential statement is an improvement over their previous intransigence, but its significance remains unclear. One key task for the United States and other actors is to seek ways to increase the pressure on these two countries to support meaningful international action.

Also, regardless of what action is taken at the Security Council, all countries should be working in a coordinated way to pursue the goals described above. In particular, the League of Arab States, which has already announced sanctions on Syria, should ensure that all its member states are in fact enforcing those sanctions. Also, member states of the Security Council and of the League of Arab States should publicly support referral to the ICC as the forum most capable of effectively investigating and prosecuting those bearing the greatest responsibility for abuses in Syria. France has already done so through a statement by its foreign minister on February 27, but the United States has not yet.

All countries should take immediate measures to provide at least temporary protection to Syrian civilians and habitual residents of Syria (e.g. Palestinians who reside there) who are fleeing conflict and in some cases persecution. The United States took a positive step in this regard by designating Syrian nationals

currently in the United States for Temporary Protected Status, which grants them the right to remain in the US until the authorities decide that the security situation in Syria has improved.

The need to effectively protect those fleeing the turmoil in Syria is particularly significant for members of the League of Arab States. While Syria's neighbors, so far, have kept their borders open to Syrians, we are particularly concerned that the United Arab Emirates has cancelled residency permits of Syrian nationals in its territory because they engaged in nonviolent protests against the Syrian government in Dubai. We are also concerned by a report that Jordan has refused entry to a Syrian national seeking safety at its airport and has charged another Syrian in Jordan at the State Security Court with illegal entry. In addition, Lebanon has arrested some Syrians who escaped to Lebanon solely on the basis of illegal entry. While most were subsequently released, at least one Syrian refugee remains in detention solely for his illegal entry into the country. International law forbids the penalization of asylum seekers and refugees for the way in which they entered the country of refuge.

The United States and other concerned countries should also take steps to ensure that the arms supply to the Syrian government is cut off. Public information sources indicate that Syria's main weapons supplier is Russia's state-owned arms trading company, Rosoboronexport. Human Rights Watch is in the process of writing to Rosoboronexport, calling on it to cease its dealings with Syria and warning that in light of the compelling evidence that crimes against humanity are being committed in Syria, its continued dealings with the Syrian government place it at risk of complicity in such crimes. Given the context of crimes against humanity, governments and companies around the world should announce that they will not to enter into any new commercial contracts with companies such as Rosoboronexport until the arms suppliers verifiably cease providing weapons to Syria. Companies and governments should also consider suspending any current dealings with such companies until they conduct a full review of the suppliers' role in providing support and assistance, direct or indirect, to the Syrian Army's abuses, and their risk of complicity. This could include any commercial contracts such as weapons deals, planned appearances in arms trade shows, and advertising in industry publications.

Finally, it is worth remembering, as the United States considers the various options available to it, that it cannot avoid making a decision about how to address the crisis in Syria. This is an extremely complicated situation and reasonable people who care deeply about the plight of the Syrian people will disagree about the right approach. But to avoid a decision on what action to take amounts to the same thing as deciding to take no action. It is crucial, therefore, that the United States refrain from engaging in wishful thinking or backing into a position that it has not thought out well. Rather, it should consciously weigh the costs and risks of different courses of action, settle on a strategy that will address the human rights abuses, and pursue it vigorously.

Mr. ELLISON: Thank you.

SUZANNE NOSSEL, EXECUTIVE DIRECTOR, AMNESTY INTERNATIONAL USA

Ms. NOSSEL: Good morning, Chairman McGovern, Chairman Wolf, and distinguished members of the Tom Lantos Human Rights Commission.

My name is Suzanne Nossel, and I am the Executive Director of Amnesty International USA. Amnesty International is a global movement of people fighting injustice and promoting human rights. We are the largest of the amnesty movements -- -

Mr. ELLISON: Ms. Nossel, could you push that little thing where it says "Push".

Ms. NOSSEL: I'm sorry. I'm very sorry.

We are the largest of the amnesty movement's 68 country-based sections.

On behalf of Amnesty International, I would like to express our appreciation for the opportunity to appear before you here today and share our grave concerns about the human rights crisis in Syria.

Since the crisis began a year ago, Amnesty International has investigated and carefully documented the government-led violence and brutality against the Syrian people. Through direct interviews with survivors and witnesses, as well as through acquired satellite imagery, we have publicized a wide range of abuses by the Syrian Government that amount to crimes against humanity. In our reports, we have documented torture, detentions, and killings in Syria's hospitals, prisons, and on the streets.

With this research as our guide, we have advocated in national capitals and at the United Nations for a global solution to the crisis. Our members and activists have served as citizen diplomats as well, sending hundreds of thousands of emails and letters to global decision makers to remind them that the world is watching and is outraged.

Over the past year, the government of President Bashar al-Assad and its security and armed forces have conducted a campaign of relentless brutality. Amnesty has received the names of some 7,200 individuals reportedly killed in the context of demonstrations and unrest, mostly by the Syrian security forces. The actual number of dead is likely to be far higher.

In addition, tens of thousands of people are believed to have been arrested. Local Syrian human rights defenders have the names of more than 18,000 people said to be held currently. They estimate this is less than half the actual total.

Most of these individuals have been detained arbitrarily and many held incommunicado for lengthy periods, tortured, or ill-treated. Indeed, torture, which in previous years had been a likely fate for political prisoners, is now a near certainty for nearly anyone arrested in connection with the unrest. Torture appears to have been used to obtain false confessions, punish protesters, and intimidate others to deter them from joining the demonstrations. Deaths in custody have rocketed from an average of four or five reported cases a year over the past decade to 276 reported to Amnesty during the first 12 months of this crisis.

To document these abuses, Amnesty International researchers conducted a research mission last month in Jordan, where they met scores of Syrian refugees. Some 25 of the people they interviewed said they had been tortured or otherwise ill-treated in detention before they had fled across the border.

Our researchers documented the stories of brutality they shared in our latest report, "I wanted to die": Syria's Torture Survivors Speak Out". The report catalogs the medieval horrors visited upon Syrians by government security forces, including some 31

different types of torture. Because one of the most important things we can do is tell the story, I will recount some of those testimonies here.

They recount:

Beatings on all parts of the body, involving punching, slapping, and/or kicking, administered with fists, feet, sticks, truncheons, braided cables, whips, or butts of Kalashnikov-type weapons.

Flesh gouged with pinchers.

Dulab torture, in which the victim is forced into a vehicle tire, which is often hoisted up before the individual is beaten.

Bisat al-rih, the so-called flying carpet, whereby the victim is strapped face-up onto a foldable wooden board, the two ends of which are moved towards each other. This causes significant pain to the lower back. During the process, the victim is often beaten.

Shabeh, whereby the victim is hung by manacled wrists, or from a hook over a door, or occasionally by the feet, often for long periods and usually while being beaten. Sometimes the beatings are administered while the detainee is in a stress position where the detainee must keep his toes on the floor.

Being subjected to sexual violence.

Being forced to watch the rape of another detainee.

Being subjected to sights and sounds of torture being inflicted on others, including friends and family members, and being exposed to the killing of torture victims.

Electric shocks to parts of the body via an electric prod or other hand instrument.

Being stabbed or cut.

Sharing a solitary confinement cell with what appeared to be a dead body.

The individual accounts documented by our researchers reveal the level of violence inflicted by Syrian security forces upon Syrians, most of whom were not political activists or others being specifically targeted for their activities.

Consider the account of Karim. He had described night beatings he and his cellmates suffered while held for 25 days. "A guy had his ribs broken in front of me. Another had his back broken but they did not take him to the hospital. A young man

from Homs was beaten in one of those sessions with metal pipes. His neck was broken and he died on the spot."

Ghazi, a 22-year-old decorator, described to our researchers the flying carpet. "I was on a wooden board like a table, face up, in underpants and blindfolded. I don't know how the ends are raised but some mechanism makes it go up. I suffered terrible pain in my lower back as the body is forced in a V-shape. And I was beaten at the same time. Three men took it in turns with the" whip. "When they rested, they drink tea, smoke a cigarette until it's their turn again."

[The statement of Ms. Nossel follows:]

Good morning, Chairman McGovern, Chairman Wolf and distinguished Members of the Tom Lantos Human Rights Commission. My name is Suzanne Nossel, and I am the Executive Director of Amnesty International USA (AIUSA). Amnesty International (AI) is a global movement of people fighting injustice and promoting human rights. We have more than 3 million supporters, activists and volunteers in over 150 countries. With 300,000 members, the United States section of Amnesty International is the largest of the Amnesty movement's 68 country-based sections.

On behalf of Amnesty International, I would like to express our appreciation for the opportunity to appear before you today and share our grave concerns about the human rights crisis in Syria. Since the crisis began one year ago, Amnesty International has investigated and documented the government-led violence and brutality against Syrians. Through direct interviews with survivors and witnesses -- as well as through acquired satellite imagery -- we have publicized a wide range of abuses by the Syrian government that amount to crimes against humanity.

In our reports, we have documented torture, detentions, and killings in Syria's hospitals, prisons, and on the streets. With this research as our guide, we have advocated in national capitols and at the United Nations for a global solution to this crisis. Our members and activists have served as citizen diplomats as well, sending hundreds of thousands of emails and letters to global decision-makers to remind them that the world is watching.

The crisis began in March of 2011, when a largely peaceful demonstration calling for the release of detained children in the southern city of Dera'a was suppressed by Syrian authorities. In the following months, hundreds of thousands of Syrians shook off decades of fear to demand their rights in overwhelmingly peaceful protests. Week after week, protesters defied the extreme violence of the security forces. Each weekly protest brought a new slogan -- many of them directed at the international community, such as "Your silence is killing us" and "Disappointment with Russia." Women participated in demonstrations and played leading roles in the debates and activism. The resistance seemed to develop spontaneously out of years of frustration and anger.

The government of President Bashar al-Assad and its security and armed forces responded with a campaign of escalating brutality, committing abuses that constitute crimes against humanity. Crimes against humanity cover specific crimes, such as murder, torture and severe deprivation of liberty, committed as part of a widespread or systematic attack against civilians, carried out pursuant to state or organizational policy. By mid-December, more than 3,800 people -- the UN High Commissioner for Human Rights put the figure at over 5,000 -- were reported to have died in connection with the protests, including 200 children.

Today, Amnesty International has received the names of some 7,200 individuals reportedly killed in the context of the demonstrations and unrest, most by Syrian security forces. This figure excludes members of the army and security forces as well as armed defectors. The UN has put the figure at well over 8,000, although it is not clear what categories of people reportedly killed this includes. (See UN Press Update

Release of March 15, 2012, available here: <http://www.unmultimedia.org/tv/unifeed/d/19756.html>). The actual number of dead is likely to be far higher. Most of the dead are civilians who appear to have been shot by government forces at peaceful protests or funerals, though members of the security forces are also among those killed, including some who were shot by other soldiers apparently when they refused to turn their guns on protesters.

In addition, tens of thousands of people are believed to have been arrested. Local Syrian human rights defenders have the names of more than 18,000 people said to be held currently. They estimate that this is less than half the actual total. Many of these individuals, if not most, have been detained arbitrarily, held incommunicado for lengthy periods, tortured and ill-treated. Indeed, torture, which in previous years had been a likely fate for political prisoners, is now a certainty for anyone arrested in connection with the ongoing unrest today. Torture appears to have been used to obtain false confessions, punish protesters, and intimidate others to deter them from joining the demonstrations. Deaths in custody have rocketed from an average of four or five reported cases a year over the past decade to 276 reported to the organization in the first 12 months of the crisis.

To document these abuses, Amnesty International researchers conducted a research mission to Jordan in February of this year, where they met scores of Syrians. More than half of the individuals met were from Dera'a governorate, which borders Jordan and where protesters were first killed in March 2011. Others were from the governorates of Damascus, Rif Dimashq, Hama, al-Hasakah, Homs, Latakia, al-Suwayda and Tartus. Some 25 said they had been tortured or otherwise ill-treated in detention before they fled across the border.

Our researchers documented this brutality in our latest report, *'I Wanted to Die': Syria's Torture Survivors Speak Out*. Published on March 14th of this year, the report catalogues the horrors visited upon Syrians by government security forces, including some 31 different kinds of torture.

These include:

- Beatings on all parts of the body, involving punching, slapping and/or kicking, administered with fists, feet, sticks, truncheons, braided cables, whips or butts of Kalashnikov-type weapons.
- Flesh gouged by pincers.
- Dulab torture, in which the victim is forced into a vehicle tire, which is often hoisted up before the individual is beaten.
- Bisat al-rih, the so-called flying carpet, whereby the victim is strapped face-up onto a foldable wooden board, the two ends of which are moved towards each other. This causes significant pain to the lower back. During the process, the victim is beaten.
- Shabeh, whereby the victim is hung by manacled wrists, or from a hook or over a door, or occasionally by the feet, often for long periods and usually while being beaten. Sometimes the beatings are administered while the detainee is in a stress position where the detainee must keep his toes on the floor.
- Being subjected to sexual violence.
- Being forced to watch the rape of another detainee.
- Being subjected to sights and sounds of torture being inflicted on others, including friends and family members, and being exposed to killings of torture victims.
- Electric shocks to parts of the body via an electric prod or other hand instrument.
- Being stabbed or cut.
- Sharing a solitary confinement cell with what appeared to be a dead body.

The individual accounts documented by our researchers reveal the unbelievable level of violence inflicted by Syrian security forces upon vast numbers of Syrians. In the following accounts, all of the names have been changed to protect the identities of the survivors.

Consider the account of "Karim," who described night beatings he and his cellmates suffered while held for 25 days by the Syrian army's Brigade 138 in a facility in Dera'a governorate in January 2012: "*During one of those night-beating sessions a guy had his ribs broken in front of me. Another had his back broken*

but they did not take him to hospital. A young man from Homs was beaten in one of those sessions with metal pipes. His neck was broken and he died on the spot. I don't know where they took him."

"Ghazi", a 22-year-old decorator, described to our researchers the torture he endured under the so-called "Flying Carpet", or Bisat al-Rih. Ghazi was subjected to this torture by Syrian military intelligence officials in Damascus. He had been detained on July 26th, 2011, while on his way to a hospital in Dera'a. About two months earlier, security forces had shot him in his upper chest with a tear gas canister during a protest in Dera'a city, causing broken ribs. He was detained at a Military Intelligence facility in Dera'a for six days, and then at Military Intelligence Branch 291 in Damascus for 43 days.

He described his torture as follows: "I was on a wooden board like a table, face up, in underpants and blindfolded. I don't know how the ends are raised but some mechanism makes it go up. I suffered terrible pain on my lower back as the body is forced into a V-shape. And I was beaten at the same time. Three men took it in turns with the kurbaj (whip). When they rested, they drink tea, smoke a cigarette until it's their turn again. It lasts about one hour (sic)."

Several former detainees described the terror and anguish they suffered because they witnessed or heard the torture of others, or saw the aftereffects on cellmates returned after torture sessions.

"Thamer" described what happened to him in the Air Force Intelligence branch in Dera'a city. *"The following day at noon they brought a group of detainees, 28 people, to the cell and the corridor adjacent to the cell. All of them were blindfolded and handcuffed. I was forced to look at the security forces while they were beating these detainees. They were kicking them and beating them with thick wooden sticks focusing on their heads for two hours. One man had his shoulder broken in front of me. Another man was my nephew whom I could not see but I identified his voice. I was screaming the whole time and asking them to stop.."*

Other detainees described how they were held in cells with fellow prisoners who were dying of their torture injuries or illness. In one case, a detainee was held for two days with what he believed to be a dead body. "Abu al-Najem" described what happened to him when he was held in the secret underground cells of Gharz Central Prison in July and August of 2011.

"One night I was placed in a solitary confinement cell with what looked like a corpse. I did not realize that at the beginning, as the cell was quite dark. I thought that someone was lying by my side so I stretched my hand to touch him and that is when I discovered that it was a plastic bag with a zip with what I assume was a corpse inside it. I was kept there for what I thought maybe two days."

Some of the most horrifying accounts were those of sexual brutality:

"Tayseer" described an account shared with him while held at an Air Force Intelligence branch in Damascus. *"One young man in the cell with me [said he] was confronted with a glass bottle with a broken top. They told him, 'Either you sit on it or we put it into you'. He did what they ordered."*

At the time of our researchers' visit, the Syrian military had launched its assault against neighborhoods in the city of Homs. Though our latest report has focused specifically on torture, Amnesty International also received testimony concerning the shelling of civilian areas; the shooting of live ammunition at peaceful protesters and others; extrajudicial executions; the burning and looting of houses; arbitrary arrests; the targeting of medical professionals; the denial of medical treatment to injured protesters and others; and enforced disappearances.

The state's security forces are responsible for the overwhelming majority of human rights abuses alleged to have been committed during the crisis. There have, however, been increasing reports of abuses committed by members of armed opposition groups, including the kidnapping and killing of individuals apparently targeted because they were outspoken about their support of the government or were members of the armed gangs known as shabiha. Relatives of these individuals have also been targeted. The shabiha are believed to operate on behalf of, or with the acquiescence of, of state forces. Amnesty International is investigating

these reports. We condemn without reservation serious abuses by armed groups, including deliberate attacks against civilians, indiscriminate and disproportionate attacks, torture and other ill-treatment, hostage-taking, and the killing of captives.

The actions of the Syrian security forces have already been widely condemned by many members of the international community, but this has done nothing to stem the tide of repression. On February 4, 2012, China and the Russian Federation vetoed an already weak UN Security Council resolution aimed at ending the violence in Syria. The double veto was a shockingly callous betrayal of the people of Syria. Following the veto, there was an escalation in the use of force by the Syrian authorities against several residential areas of Homs. The Syrian government seems to have interpreted the veto as a green light to crush opposition in Syria by any means.

Amnesty International's recommendations:

In response to the crimes against humanity being committed in Syria, Amnesty International has asked the UN Security Council to impose an arms embargo on Syria; freeze the assets of President Bashar al-Assad, his close associates, and others involved in ordering or perpetrating serious human rights abuses; and refer the situation in Syria to the Prosecutor of the International Criminal Court (ICC).

The US government can play an important role in advancing these goals by publicly endorsing and calling for the referral of the situation in Syria to the ICC. The US government has already moved from abstaining in 2005 on a similar effort regarding Sudan, to supporting such a move one year ago in the case of Libya. Now is the time for the US government to take the next step and proactively call for referral of the situation in Syria to the ICC.

Such an effort should be pursued alongside the demand that the governments of Russia, China and other countries with influence over Syria use their clout to stop the use of heavy weaponry in residential areas and immediately give humanitarian agencies full and unhindered access to affected areas. We have also asked the Russian government to immediately stop arms transfers to Syria, because the arms could be used to further commit grave human rights violations. Last week's UN Security Council Presidential Statement is a potentially positive step, but the Council needs to back its words with action.

In light of the worsening human rights situation in Syria and the influx of refugees from Syria to neighboring countries, we also ask all governments, including the United States, not to return to Syria those Syrian nationals and others who have fled abroad to escape from the violence. The international community should make it easier for people in Syria to flee the violence and should protect them from the long-reach of Syrian government agents. In our October 2011 report, *The Long Reach of the Mukhabaraat*, Amnesty International documented cases in which Syrian activists living in Europe, North America, and South America said they faced intimidation from Syrian embassy officials and others apparently because of their activities in solidarity with the pro-reform movement in Syria. In February of this year, Amnesty International's Syria campaigner Maha Abu Shama was told directly by a refugee near the Syrian border, "We are a bit scared to give you information as we don't know if you would tip off the Syrian authorities." Outside of Syria's borders, Syrian refugees and activists alike remain deeply concerned about Syrian government surveillance, intimidation, and retribution.

For the long-term, we demand accountability for the victims of the conflict. We commend the UN Human Rights Council (HRC) for extending the mandate of its independent international commission of inquiry on the Syrian Arab Republic. We hope that the work of the HRC independent commission can later be used in the eventual prosecution of those responsible for crimes under international law and other gross violations of human rights. We urge the international community to pressure Syria to grant the commission of inquiry access to the country – and to afford access to other international human rights monitors such as Amnesty International.

We also call on the UN to ensure that any UN mission to supervise an end to armed violence in Syria must include as part of its work the monitoring and reporting of human rights violations and abuses, including crimes against humanity. On Wednesday, March 21st, the UN Security Council endorsed, in a Presidential

statement, the “six-point plan” proposed by Kofi Annan, Joint Special Envoy for the United Nations and the Arab League on Syria.

Amnesty International is calling on Mr. Annan, the UN Security Council and the Arab League to ensure that any UN mission deployed to the country included human rights monitors who would be able to pass vital information to investigators, including at the independent international Commission of Inquiry on Syria. We must also warn that many of the commitments in the “six-point plan” were similar to those that the Syrian government had agreed with the Arab League in late 2011. Arab League monitors later concluded that the Syrian government had failed to implement genuinely its commitments.

Finally, we urge members of the international community to accept a shared responsibility to establish joint investigation and prosecution teams to investigate crimes against humanity and other crimes under international law committed in Syria. International law and standards permit, and, in some cases, require states to exercise jurisdiction over persons suspected of certain grave crimes under international law – including torture, enforced disappearances, extrajudicial executions, war crimes, genocide and crimes against humanity – no matter where such crimes were committed, even if they took place in the territory of another state, involved suspects or victims who are not nationals of the state or posed no direct threat to the state’s own particular security interests. Particularly in light of the failure of the UN Security Council so far to refer the situation to the ICC, such efforts will send a strong message that there will be no safe haven for those responsible for abuses in Syria, and will improve the effectiveness of investigation and the chances of arrest. These national procedures must be done in fair trials and without recourse to the death penalty.

To build global support for these goals, we are campaigning around the world to stop the violence in Syria and demand accountability for the victims. Our advocacy efforts have been conducted through the UN and at the country level, via our professional advocates and grassroots activists. Here in the U.S., Amnesty International USA members successfully targeted the embassies of India, South Africa, and Brazil with some 90,000 letters to compel them to support action in the Security Council to stop the violence in Syria. Amnesty International activists have contacted the Russian government 70,000 times to urge it to use its influence with Syria to end the violence. Worldwide, Amnesty International members have taken action hundreds of thousands of times, including holding vigils, rallies and other public events to voice their outrage and demand respect for human rights in Syria.

These efforts have been enhanced by our *Eyes on Syria* project, located at EyesonSyria.org. *Eyes on Syria* is an interactive mapping platform that documents human rights violations that have been committed in the context of the popular uprising. *Eyes on Syria* also acts as a demonstration of international solidarity with peaceful protesters in Syria, providing a platform that tracks global activism in support of the protesters’ demands for basic human rights. The platform provides a means of connection, mapping out and amplifying local activism. *Eyes on Syria* has helped Amnesty International generate hundreds of thousands of signatures calling for an end to the bloodshed in Syria.

The crushing violence of the government of Syria is destroying the hopes of the Syrian people for human rights and political reform. At a time when other Middle Eastern and North African countries are making profound political changes, the government of Syria has chosen to respond in an utterly ruthless manner to smash the legitimate hopes and aspirations of the Syrian people. It is shocking that the governments of the Russian Federation and China have allowed crimes against humanity to continue by obstructing action in the UN Security Council. The time has come for global leaders to behave responsibly – not as enablers of violence that has brutally cut short the lives of thousands of Syrians.

Mr. ELLISON: Thank you, Ms. Nossel.

And now, Mr. Tabler of the Washington Institute for Near East Policy.

ANDREW TABLER, NEXT GENERATION FELLOW, WASHINGTON INSTITUTE FOR NEAR EAST POLICY

Mr. TABLER: Mr. Chairman, thank you very much for the opportunity to testify before the Tom Lantos Human Rights Commission on the Assad regime's brutal year-long crackdown on Syria's pro-democracy protesters.

Throughout the years as a journalist and analyst based in Damascus, I have followed Tom Lantos' often critical words on the Assad regime's policies with great interest, and I am pleased to see that the commission continues his good work to this day at a key time in the Syrian uprising.

I have been asked today to provide testimony based on my recent trip to Antakya, southern Turkey, and northern Lebanon last month, where I met with Syrian refugees and oppositionists based in both countries. With the help of the Turkish authorities, who have done a solid job of taking care of Syrians fleeing to their country, I was able to enter the refugee camp at Yayladagi, one of the seven Syrian camps near the Turkish/Syrian frontier in Turkey's Hatay province.

The Yayladagi camp, which once was a tobacco factory, hosts around 2,000 residents in makeshift tents, each warmed with an electric heater provided by the Turkish Red Crescent. The residents seem well taken care of, and the Turkish control concerning entry and exit to the camp was complete.

The residents I interviewed hailed from communities along the Syrian coast, the ancestral homeland of the Alawites, the minority that dominates the Syrian regime, or the conservative Idlib province. Like most, if not all, Syrian refugees in Turkey, they were Sunni; all those I interviewed were a mix of ethnic Arabs and Turkomans. All shared with me harrowing stories of their plight against regime forces in Syria, including in many cases having to flee in the wake of attacks by shabbiha, armed gangs primarily of Alawites who terrorize Sunni villagers throughout the Syrian coast and beyond.

Others from Idlib, all of whom had already spent up to a decade of their lives imprisoned under the Assad regime following the 1982 crackdown, spoke of the regime's brutal raid into their community of Jisr al-Shugur and their families' hurried exit across the border to Turkey for safety. None imagined returning to Syria unless the Assad regime collapses, and no one I met believed that would happen, sooner or later, without force.

The real story of what is going on with Syrian refugees in Hatay province happens outside the camps, however, Hatay is officially disputed territory between Turkey and Syria, and people there are a mix of Sunnis, Alawites, and Turkmen. While the area was ceded to Turkey in 1939, large families still straddle the border. Thousands of refugees who have elected to leave the camps did not return to Syria; they stayed in Hatay with family. More fortunate Syrians who fled the fighting simply rent apartments in and

around Antakya. To their credit, Turkey has turned a benevolent blind eye to Syrians whose visas probably expired months ago.

Like those refugees in the camps, Syrians in Hatay just try to get through the day as best they can. But there are others who are acting on the notion that Assad will not go without force. Members of the Free Syrian Army, an organization formed last June by military deserters, an organization formed last June by Colonel Riad al-Asaad -- excuse me -- a military deserter who resides in what was referred to as the "soldiers' camp" at Ayadin, have watched the horror going on across the border in Syria for months. Like civilian refugees residing in Hatay, they are outraged at the Assad regime's brutal suppression of the Syrian uprising.

They communicate with fellow deserters via phones, iPhones and similar smart phones, using the Turkish cell phone network, and via the voiceover IP program Skype. For those in Turkey, there is little more they can do other than monitor movements and activities of regime forces in Syria and give advice on where residents of villages or cities, where they should flee.

Like civilian refugees I met in Hatay, FSA members wondered why the international community had not done more to protect Syrians from what they consider one of the most brutal regimes in the world with the worst human rights record. I tried to respond with what we hear in the news about the strength of Syria's air defenses or the fear of setting off civil war or aiding al-Qaeda.

They scoffed at my answers. "Doesn't the United States have the strongest military in the world?" one asked. "Don't you pay taxes for a reason?" another said. "Does it matter if people die in an uprising or a civil war?" another asked. And last, but not least, "Just because some of us are pious Muslims and have beards doesn't make us al-Qaeda. You lived in this area, and you know that."

That doesn't mean that there are not some things to worry about, especially in poor and conservative Idlib province. There is some evidence of Islamist groups operating there that share U.S. short-term interest of bringing down the Assad regime, but not our long-term interest in helping foster a secular post-Assad Syria. But they do not -- and I have to emphasize "do not" -- make up anything close to the majority of the Syrian opposition that I have met. Given the diversity of sects in Syria, and the divisions in the Sunni community as well, it is far from clear to me how much traction Islamic extremist groups really have throughout the country.

The Assad regime is keen to keep Syrians from fleeing the fighting, as refugee flows would trigger an external intervention by Turkey. Today Turkey estimates about 17,000 refugees are within its borders from Syria. There are surely far more that we don't know about.

The day we left Antakya, we began to receive news that the Assad regime was laying mines on the foot trails leading into Hatay, an admonition that the regime was

preparing to move its onslaught north into Hama and Idlib governorate from the central city of Homs. To find out what is going on in Homs, one need only visit northern Lebanon, where the thousands of Syrian refugees have moved out of the pocket from Wadi Khaled, where they were last year, into the Sunni hinterland north and east of the Lebanese coastal town of Tripoli and into the Beqa Valley.

Mr. ELLISON: Could you wrap up your testimony, Mr. Tabler?

Mr. TABLER: Sure.

When folks in Washington ask my overall impression of my visit to southern Turkey and northern Lebanon, I often say it felt akin to the storyline of the 1990s film "Twister". The year-long uprising in Syria is like a tornado with two forces swirling around each other, a tyrannical minority-dominated regime with a 42-year proven history of being unable to reform on one side, and an opposition chiseled out of a country that boasts one of, if not the youngest, populations in the Middle East outside of the Palestinian territories. These two forces can't mix. You can feel the tension on Syria's borders as this political tempest continues to churn, killing thousands and displacing many more. I see no sign that this conflict will settle down anytime soon.

Mr. ELLISON: Thank you.

Mr. TABLER: Thank you very much.
[The statement of Mr. Tabler follows:]

Mr. Chairman:

Thank you for the opportunity to testify before the Tom Lantos Human Rights Commission on the Assad regime's brutal year-long crackdown on Syria's pro-democracy protestors. Throughout years as a journalist and analyst based in Damascus, I followed Tom Lantos's often-critical words on the Assad regime's policies with great interest. I'm pleased to see the commission continues his good work at a key time in the Syrian uprising.

My testimony today is based on a recent trip to Antakya, southern Turkey, and northern Lebanon last month, where I met with Syrian refugees and oppositionists based in both countries. With the help of the Turkish authorities, who have done a solid job of taking care of Syrians fleeing to their country, I was able to enter the refugee camp at Yayladagi, one of seven Syrian refugee camps near the Turkish-Syrian frontier in Turkey's Hatay province. The Yayladagi camp, which once was a tobacco factory, hosted around 4,500 residents in makeshift tents, each warmed with an electric heater provided by the Turkish Red Crescent. The residents seemed well taken care of, and Turkish control over entry and exit to the camp was complete.

The residents I interviewed hailed from either communities along the Syrian coast -- the ancestral homeland of the Alawites, the minority that dominates the Syrian regime -- or the conservative Idlib province. Like most if not all Syrian refugees in Turkey, they were Sunni; all those I interviewed were a mix of ethnic Arabs and Turkmens. All shared with me harrowing stories of their plight against regime forces in Syria, including in many cases having to flee in the wake of attacks by shabbiha -- armed gangs primarily of Alawites who terrorize Sunni villagers throughout the Syrian coast. Others from Idlib -- all of whom had already spent up to a decade of their lives imprisoned under the Assad regime -- spoke of the regime's brutal raid into their community of Jisr al-Shughour and their hurried exit across the border to

Turkey for safety. None imagined returning to Syria unless the Assad regime collapses. And no one I met believed that would happen -- sooner or later -- without force.

The real story of what is going on with Syrian refugees in Hatay province happens outside the camps. Hatay is officially disputed territory between Turkey and Syria, and people there are a mix of Sunnis, Alawites, and Turkmens. While the area was ceded to Turkey in 1939, large families still straddle the border. Thousands of refugees who have elected to leave the camps did not return to Syria; they stayed in Hatay with family. More fortunate Syrians who fled the fighting simply rent apartments in and around Antakya. To its credit, Turkey has turned a benevolent blind eye to Syrians whose visas probably expired months ago.

Like those refugees in the camps, Syrians in Hatay just try to get through the day as best they can. But there are others who are acting on the notion that Assad will not go without force. Members of the Free Syrian Army -- an organization formed last June by Col. Riad al-Asaad, a military deserter who resides in what is referred to as the "soldiers" camp at Ayadin -- have watched the horror going on across the border in Syria for months. Like civilian refugees residing in Hatay, they are outraged at the Assad regime's brutal suppression of the Syrian uprising. They communicate with fellow deserters via iPhones and similar smart phones using the Turkish cell phone network (Turkish network coverage extends well over the border into Syria) and via voiceover-IP program Skype. For those in Turkey, there is little more that they can do other than monitor movements and activities of regime forces in Syria and give advice on when residents of villages or cities should flee.

Like civilian refugees I met in Hatay, FSA members wondered why the international community had not done more to protect Syrians from a brutal regime with one of the worst human rights records in the world. I tried to respond with what we hear in the news about the strength of Syria's air defenses, or the fear of setting off civil war or aiding al-Qaeda. They scoffed at my answers. "Doesn't the United States have the strongest military in the world?" one asked. "Does it matter if people die in an uprising or a civil war?" asked another. And last but not least: "Just because some of us are pious Muslims and have beards doesn't make us al-Qaeda -- you lived in Syria, you know that."

That doesn't mean there are not some things to worry about, especially in poor and conservative Idlib province. There is some evidence of Islamist groups operating there that share America's short-term interest of bringing down the Assad regime but not our long-term interest in helping to foster a secular post-Assad Syria. But they do not make up anything close to the majority of the opposition. Given the diversity of sects in Syria -- and divisions in the Sunni community as well -- it is far from clear how much traction Islamist extremist groups would have in the country.

The Assad regime is keen to keep Syrians from fleeing the fighting, as refugee flows could trigger an external intervention by Turkey. The day we left Antakya, we began to receive news that the regime was laying mines on the foot trails leading into Hatay -- an admonition that it was preparing to move its onslaught north into Hama and Idlib governorate from the central Syrian city of Homs. To find out what's going on in Homs, one need only visit northern Lebanon, where thousands of Syrian refugees have moved out of the pocket at Wadi Khaled into the Sunni hinterland north and east of the Lebanese coastal town of Tripoli and in the Beqa Valley. In Lebanon there are no formal refugee camps -- those fleeing the fighting have to make it on their own.

As in Hatay, most Syrian refugees in Syria are Sunni. They continue to flee the country due to shabbiha operations aimed at terrorizing Sunni villages around Homs, where the sectarian map is as diverse as that in Lebanon. Over the last year, shabbiha forces have moved into hundreds of Sunni villages, where they threaten, shoot, and kidnap residents who protest against the regime or support the uprising as a whole. Like Syrian refugees in Turkey, many had smart phones and digital cameras with photos or video clips of the destruction of their homes by shabbiha and regime forces.

During my visit to northern Lebanon, the Assad regime was in the midst of trying to clear and hold Bab Amr, a neighborhood of Homs where deserters from the military who had refused orders to shoot protestors had fled. The Syrian military knew better than to send more military units into the city -- soldiers in regular

army units, a majority of whom are Sunni like the residents of Bab Amr, often run away when faced with the dilemma of killing a fellow Syrian. And the military only has so many elite units, which are dominated by Alawites and other minorities, and which it needs to put down the uprising elsewhere. Instead, the regime resorted to shelling and rocketing Bab Amr for nearly a month, driving more refugees into Lebanon and driving up death tolls to an alltime high in February of around 1,800 persons. The onslaught also took the life of American journalist Marie Colvin.

Eventually, the regime's forces moved into Bab Amr and Homs to "clear" the area of armed oppositionists, once again driving up death tolls. And as expected in the days following my return to Washington, the regime's "killing machine" marched north into Hama and Idlib, sowing a path of death and destruction. But much to Assad's chagrin, the regime's forces are unable to completely "hold" and secure those areas -- as clearly demonstrated by the videos coming out of Syria on a daily basis. When folks in Washington ask my overall impression of my visit to southern Turkey and northern Lebanon, I often say it felt like tracking a tornado in the storyline of the 1990s film "Twister." The yearlong uprising in Syria is a tempest with two forces swirling around each other -- a tyrannical minority-dominated regime with a forty-two-year history of not being able to reform, and an opposition chiseled out of a country that boasts perhaps the youngest population in the Middle East outside the Palestinian territories. You can feel the tension on Syria's borders as the political tempest continues to churn, killing thousands and displacing many more. I see no sign this will settle down anytime soon.

Where the situation in Syria differs from the "Twister" story is that it's possible to curtail and eventually stop the crisis if action is taken sooner rather than later. As the last year has shown, that will take much more than sanctions and diplomacy. The Obama administration is currently exploring all its options, including everything from military force to support for the opposition within Syria. I commend this effort. But I think it's completely fair to say this exploration of options has come far too late if the United States wants Bashar al-Assad to step aside anytime soon. Short of more robust action, including support for the opposition within Syria, the crisis will likely last for years to come.

Mr. ELLISON: Thank you.

And now, Professor Radwan Ziadeh, Kennedy School of Government, Harvard University.

Professor?

RADWAN ZIADEH, VISITING SCHOLAR, KENNEDY SCHOOL OF GOVERNMENT, HARVARD UNIVERSITY

Mr. ZIADEH: Mr. Chairman McGovern and other distinguished members of the commission, thank you very much for holding this very important hearing at a time when the human rights situation in Syria has become more dire than ever, and thank you for giving me this opportunity to testify.

Let me start, actually, with a personal story. I am very pleased, actually, to have the invitation of the leadership of Congressman Keith Ellison. I did for the first time with Congressman Ellison in 2007 when I came here to the tour by the Esna group.

When I returned to Syria, I received a postcard from Mr. Congressman Ellison. I have been interrogated for three days in the headquarters of the Syrian intelligence in Damascus by receiving the postcard from the Congressman.

I think it is important to mention this case because the violations of the human rights in Syria actually started, and it has been widespread and systematic, years before, actually, the uprising started. What we have today, actually, it is the first time, actually, the international community and the world is watching what is going on in Syria in the largest scale, systematic and widespread killing.

I will not repeat, actually, what Maria and Suzanne mentioned about the human rights abuses, but I am here just actually to give insights. Myself, as a Syrian, we are actually shocked about everyday news about what is going on in my country.

Yesterday, actually, I did receive a list of 55 physicians and doctors who have been actually killed since last year. Twelve of them -- 12 of them -- have actually been tortured until they died. One of them actually, who was a colleague of mine from Homs - - he is named Jamal Fatwa -- he has been detained on August 14th and he is delivered to his family after two weeks later and died.

And one of the cases that actually gets less attention from the media, who was actually Dr. Abdulrazak Jbeiro, who is actually the head of the Red Cross in Idlib, he has been actually detained and tortured.

This is a case of actually none of those who engaged even in peaceful protest, none of those actually who engaged in armed opposition. Rather, then, actually they are charged with helping the injured and wounded people. And this is why the Assad regime refused to give any assistance or even to open hospitals or medical centers for any of the wounded people or protesters.

Let me emphasize here two issues which actually are important. We are very thankful, of course, for the Ambassador Ford's words about the importance of the accountability for Syria. Syria has witnessed, actually, one of the most horrific human rights abuses in the eighties where actually more than 25,000 have been killed. And after 30 years, we are still talking about an estimate number. Nobody knows exactly about the exact number who have been killed in the eighties.

And this is why I give you the sense that this regime can continue the killings without any sense or any feelings of the accountability, because they have a strong feeling of their immunity. It is important for the United States and all others in the country who push, actually, for the international criminal call to open investigation about the ongoing crimes against humanity carried out in Syria.

The UN Human Rights Council had four sessions on Syria, and every time had strong resolutions. The last one described the crisis in Syria as a manmade humanitarian crisis and asked, actually, for the International Criminal Court to open investigation in Syria. But because of the opposition of Russia and China, still, actually, the Security Council was unable to refer the crimes against humanity to the International Criminal Court. This is why it is important for the United States and other countries to look for ways how to make these crimes against humanity accountable.

And the United States should play, also, a leading role in helping Syrians in their noble struggle toward freedom and democracy. This is why the U.S. should facilitate and support the deployment of humanitarian agencies to Syria to make aid available to the people with support of the UN.

With the international community to escalate against Assad through establishing the International Coalition of Friends of Syria, we will have the second meeting in Istanbul next Sunday. But let me emphasize at this conference it should not be considering about the humanitarian assistance because this has been, actually, an issue. The Syrian revolution, when it started, started for dignity, the human rights, and democracy, not for getting money from the international community or getting money from the world.

This is why I conclude it is important, actually, for the United States and others in the international community to help to establish a humanitarian safe haven or safe areas to protect the civilians and facilitate emergency aid. Without getting such area, the Assad regime will not allow for any humanitarian or food assistance to get in the areas who are in need.

What the United Nations mentioned, there is more than 320,000 who have been displaced within Syria. This is why they ask for, actually, open investigations about the area of the population of Palmyra**105100, where actually all the population who are displaced went to Damascus or to the Damascus suburbs.

It is important for the United States now to recognize that forbidding the peaceful resolution or peaceful solutions or such words is far away from the ground on Syria. The ground in Syria has become a humanitarian disaster, and the United States should look for ways to both actions and to implement actions to stop the killings that are actually encouraged by the Assad regime every day.

Thank you very much.

[The statement of Mr. Ziadeh follows:]

Chairman McGovern and other distinguished members of the Commission, thank you for holding this very important hearing at a time when the human rights situation in Syria has become more dire than ever, and thank you for giving me this opportunity to testify.

Over the course of the past year, the perpetration of human rights abuses by the regime in Syria has increased exponentially and has also spread geographically throughout the country. Indeed, before the start of the Syrian revolution in March 2011, there were frequent abuses of human rights by the regime in order to target political opponents and quash dissent. But when the popular revolution began to challenge Bashar al-Assad's control, the regime steadily increased its brutality. The surge in intensity of the crackdown is corroborated by the fact that the number of deaths doubled between December and January. Amnesty International states that "the scale of torture and other ill-treatment in Syria has risen to a level not witnessed for years and is reminiscent of the dark era of the 1970s and 1980s."

A recent report issued by Human Rights Watch finds that armed opposition groups have been committing human rights abuses, including kidnappings, torture, and executions aimed at shabiha and security forces. The Syrian National Council unequivocally condemns any violations of human rights committed by armed opposition groups, and urges the Free Syria Army and any other unaffiliated groups to immediately cease any such violations and to uphold international human rights standards in every aspect of conduct and engagement. The leadership of the SNC recognizes that no sustainable, just peace can be reached in Syria so long as human rights abuses are being committed.

As the most recent report by the United Nations Independent International Commission of Inquiry on the Syrian Arab Republic states, the abuses committed by armed opposition groups are “not comparable in scale and organization to those carried out by the State. Amnesty International has also published a comprehensive study of torture, which found that “people caught up in the massive wave of arrests in the wake of the Syrian uprising have been thrust into a nightmarish world of systemic torture,” a torture which has been not only systematic but also widespread. The most recent report by the UN Independent Commission of Inquiry asserts that there was knowledge of and control over the orders given to commit human rights abuses at the highest levels of leadership, in some cases implicating President Bashar al-Assad as well as high ranking security officials. The UN Report writes that “orders to commit such violations originated from policies and directives issued at the highest levels of the armed forces and the Government. The perpetration of crimes against humanity has by and large been intentional and coordinated. The UN Report also found that “most crimes against humanity and gross human rights violations were carried out in complex operations that involved the entire security apparatus, and therefore would have required superior directives.” In order to minimize dissent and defections, the military has systematically scrambled and reorganized deployments “when orders to commit crimes were received.”

The most recent brutal assaults have been carried out by elite units of the army closest to the leadership. In addition to official military operations, state officials, in cooperation with elite businessmen, have hired and organized groups of shabiha, who “were strategically employed to commit crimes against humanity and other gross violations.” Often, members of the shabiha dress in plain clothes, complicating the rules of engagement for armed opposition groups while also making it difficult to hold those responsible for violations accountable.

The recent UN report also finds that “large-scale operations conducted in different governorates” often involved similar modus operandi, “which suggests that they were based on uniform directives from the State.” For instance, over the last several months the army conducted similar operations in at least four governorates wherein the military surrounded entire neighborhoods where anti-government forces were present, and then proceeded to shell “these residential areas with heavy weapons, with complete disregard for potential civilian casualties,” the most glaring examples being the government assaults on Homs and Hama.

According to the Independent Commission, high and mid-ranking military officials at times gave “explicit orders to commit crimes,” including to “shoot at unarmed protestors, kill soldiers who refused to obey such orders, arrest persons without cause, mistreat detained persons and attack civilian neighborhoods with indiscriminate tank and machine gun fire. Officers shot unarmed protestors, including children, as well as medical doctors, ambulance drivers, and mourners at funerals” in multiple cities. The UN report states that “furthermore, military officers and commanders of security forces often stationed their units at checkpoints and other strategic locations in urban areas so that other units could attack neighborhoods to loot homes and arrest residents. In addition, security force commanders managed detention centers throughout the country where prisoners were subjected to torture, sexual assaults and other inhumane acts.” Amnesty International’s recent report entitled “I Wanted to Die” documents “31 methods of torture or other ill-treatment by security forces, army and pro-government armed shabiha gangs, described by witnesses or victims to Amnesty International researchers in Jordan in February 2012.”

The UN report states that “military commanders and civilian superiors may reasonably be suspected of responsibility for crimes against humanity,” and that the President himself has publicly revealed his knowledge of the events documented by the Independent Commission’s first report. In fact, “some officers who directly participated in crimes against humanity were promoted or commended.” In an attempt to

restore the wall of fear that has been cracked by the revolution, the government has targeted the families of victims of state crimes, forcing them to sign “declarations attributing responsibility to armed groups before they would allow the body of the person killed to be released.” This blatant attempt to cover up crimes against humanity reveals the state of utter corruption under which the regime functions. In order to influence public opinion both inside Syria and abroad, pro-state media has obscured violations or attributed them to armed opposition groups. The structure of the state encourages impunity for those who have committed such crimes against humanity, and the UN report finds that the Syrian judiciary is, in its current state, incapable of addressing these crimes “committed on the basis of State policy.”

These systematic atrocities committed by the state by no means give license to armed opposition groups to violate human rights. The Syrian National Council urges all opposition groups to uphold and respect the standards of international human rights and international law. The dire situation on the ground coupled with a lack of adequate technology, tools, and capability has made communication, command, and control more challenging, and the Free Syria Army has said that its “commanders in the field currently made their own rules of engagement in accordance with the training received in the Syrian Armed Forces.” In order to halt this cycle, the leadership of the Free Syria Army has “requested guidance in shaping rules of engagement consistent” with human rights and international law.

In the wake of such violence, there is certainly a risk that communities or individuals will be targeted in reprisal. The UN report found that “some armed civilians in Homs, including armed civilians belonging to the FSA, sought to exact blood revenge for abuses by killing family members of security personnel or *Shabbiha*.” The FSA leadership and local coordinating committee in Homs “denounced such collective reprisals and tried to contain them.” The opposition, both the SNC and the FSA, recognize that such reprisals, and any violation of human rights or international law, jeopardize the prospects for a lasting peace in future free Syria, and they run counter to our goals and ideals. The opposition is entirely committed to upholding justice and human rights in Syria, even under such extreme conditions, and has repeatedly planned for transitional justice.

The violence combined with a worsening socioeconomic situation has created a humanitarian crisis in the country, and “meeting basic needs to sustain everyday life has become increasingly difficult for the population at large. The continuation of the crisis carries the risk of radicalizing the population, deepening inter-communal tensions and eroding the fabric of society.” Everyday that this violence and impasse continue, the fabric of Syrian society unravels, jeopardizing the freedom and right to livelihood the Syrian people deserve.

As the UN report suggests, the only way to end the violence and reach a sustainable, just peace for the Syrian people is to begin a dialogue “leading to a negotiated settlement that effectively ensures the human rights of all people in the country.” While this revolution and the crackdown have escalated and amplified the level of human rights violations committed in Syria, I have dedicated my life’s work to documenting and calling for reform of the systems that allow and even encourage the abuse of human rights. The state apparatus is rife with practices and institutions that obstruct and actively violate human rights, and a comprehensive reform process must be undertaken. As the UN report states, the crimes against humanity have been committed “within a system of impunity;” therefore, “profound structural reforms in the political, justice, and security sectors are necessary to break the culture of impunity and to deliver justice to the victims.”

In order to achieve reform, reconciliation, and accountability, we must begin an “urgent, inclusive political dialogue bringing together the Government, opposition and anti-Government actors to negotiate an end to the violence, to ensure respect for human rights and to address the legitimate demands of the Syrian people. A contact group composed of States with diverse positions on the situation in the Syrian Arab Republic should be established to initiate a process leading to such a political dialogue. An international peace conference should be convened as soon as possible to facilitate this process.” In the meantime, as the report contends, we must ensure transparent and thorough monitoring of the human rights situation in Syria in order to facilitate justice and accountability.

So long as violence continues, the opposition pledges to respect human rights in the interests of a future free Syria. The opposition is committed to fostering an open, inclusive dialogue in which reparations and “effective remedies” can be provided for victims and reconciliation and accountability can be reached. Indeed, the international stalemate on what to do about Syria has effectively emboldened the regime while disheartening those calling for respect of human rights. The recent report by the UN Independent Commission, as well as a Presidential Statement from the Security Council endorsing envoy Kofi Annan’s six-point plan “to bring an end to all violence and human rights violations, secure humanitarian access and facilitate a Syrian-led political transition to a democratic, plural political system,” are very positive steps forward and indicate growing support from the international community. Despite the plan’s call for a ceasefire, however, government assaults and subsequent clashes have ensued, further highlighting the need for increased international monitoring and assistance.¹

Mr. ELLISON: Thank you.

And now, we have about 10 minutes for questions. We do have to give up the room at 11:00.

Congressman McGovern?

Mr. McGOVERN: Let me ask all my questions at once, and I hope you can answer them briefly; I’m not sure.

But, for both Ms. McFarland and Ms. Nossel, what are the prospects for International Criminal Court indictments of Syrian leaders responsible for war crimes and crimes against humanity? And how do you think the ICC indictments would affect the situation on the ground in Syria. And the other thing I wanted to ask you is, how high up the chain of command in Syria does the responsibility for the worst atrocities lie? I mean, do you think that President Assad himself is responsible for the decisions to shell civilian areas indiscriminately and torture huge numbers of detainees and use civilians as a human shield, and carry out the gross abuses of human rights?

Mr. Tabler, do you think U.S. military involvement would be necessary to establish secure humanitarian safe areas inside of Syria? And what would be the risk of creating such an area?

And, Mr. Ziadeh, in your written testimony you stated that the Syrian opposition has planned for transitional justice after the Assad regime is overthrown. What do these plans consist of and how does the opposition plan to deal with Assad officials and hold people accountable for abuses, if it takes power?

So, why don't we begin with Ms. McFarland and work our way down?

¹ UN Security Council Presidential Statement, 21 March 2012

<http://www.un.org/News/Press/docs//2012/sc10583.doc.htm>

UN Independent International Commission of Inquiry Report, 22 February 2012

http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session19/A-HRC-19-69_en.pdf

Ms. McFARLAND: Sure. Very briefly, on the ICC question, it would require a referral from the Security Council. So, it is going to be difficult to get there because of Russia and China blocking it.

I think an ICC referral would have an impact on Syria, perhaps not on Assad himself, but on people around him who might be encouraged to either not follow orders or defect. This is one reason why we think it is important that, even if an ICC referral from the Security Council is difficult to achieve, countries should publicly call for it. France has already done so. We think the U.S. should do so as well.

In terms of how high up the chain of command it goes, we came out with a report in December, "By All Means Necessary," that had interviews with 63 defectors that talked about a number of people high up the chain of command who we believed were responsible for giving orders directly. In addition to that, of course, command responsibility applies all the way up.

Ms. NOSSEL: Just very briefly, I think what we saw in terms of the escalation of violence after the Russian and Chinese veto was a signal that that veto and opposition/obstructionism has emboldened the regime. I think, on the flip side, that were there international unity behind an ICC referral, that that would be catalytic and powerful and could help accelerate the process of defections that we talked about earlier.

I also agree that, if the U.S. were able to come out publicly on the side of an ICC referral, that would capture notice. Obviously, it would be an unprecedented step. The U.S. did support the referral in the case of Libya. And so, there has been a progression here. This would be a next step that really would capture attention and make a difference.

Mr. TABLER: Mr. McGovern, I think your question is specifically targeted toward the creation of safe havens or similar kinds of buffer zones inside of Syria. There has been a lot of talk about Turkey and its willingness or not to carve out such a buffer zone inside of Syrian territory. And there is a history of Turkey doing this, of course, in Iraq.

According to my understanding of the discussions about this, there are unilateral moves that Turkey can make, but, ultimately, in the end, the creation of such a safe haven, they would not go in alone. I mean, it would require American involvement.

Now what that American involvement would look like would depend, of course, on the scenario. And here, we are talking about creating such a pocket would require some sort of air cover. Or even, for example, if a no-fly zone were set up first, that, by definition, would require an air element.

That would likely require knocking out part of Syria's air defense system, if not throughout the entire country, in that particular area. I would imagine that would have to

include American involvement in one way, shape, or form. So, yes, U.S. military would be involved in such an operation.

There are a number of other suggestions which have been put out there by various powers, including I think the latest one is -- you are seeing now the emergence of some language on humanitarian access, which is kind of a blending of a lot of conversations which were carried out by the French concerning a humanitarian corridor into Syria. That also could involve some sort of U.S. military action. But, again, I think it is quite early to exactly spell that out, as we don't know what kind of scenario would set this intervention off.

Mr. ZIADEH: Thank you.

First, let me start, actually, by assuring condemnation of the human rights violations, even that conducted by armed groups affiliated to the FSA. The FSA and the SNC both actually issued statements and stated very clearly: we are actually very cooperative with the Commission of Inquiry about all the human rights violations.

I am just back from Geneva last week, and we met with the UN Human Rights Council and the Commission of Inquiry and the High Commission of Human Rights, and assuring that we are condemning all the human rights violations and we are fully cooperative with any investigation about these individual human rights violations.

For the ICC involvement, if you allow me, actually, to comment on that, it is required, the Security Council referral, but there is another case, actually, where actually the General Assembly, the General Assembly of the UN, can make like other cases. But it has happened for four establishments of the ICC, that they can actually ask for an international court.

Regarding the transitional justice issue, being an expert on the transitional justice issue in other countries, we actually are establishing the Truth and Reconciliation Commission on Syria. That has five steps.

The first one, actually, establishing truth-telling, because all actually who lost their sons or daughters or their beloved one, they have actually the right to know exactly who is responsible in all of these crimes and all of these killings.

The second step, actually, by having a domestic court, and if that will be difficult, maybe go to an international mechanism.

Third, actually, by building a Reconciliation Commission between all different ethnic and religious groups. And let me emphasize that there is no civil war in Syria. The Assad regime has been repeating, actually, this term, along with the Russian officials, not to encourage any international community. It will be civil war if the international community continues to be reluctant to take any actions. This is why we

always repeat the international community responsibility to act to prevent the civil war, rather than to manage the civil war afterwards.

The last thing, actually, for all the demands of the Syrian opposition, no one is actually calling for U.S. troops on the ground. What we are actually asking for, to have a safe zone, safe havens, to allow for humanitarian assistance. And that is required, of course, from other previous cases in Bosnia to have a limited no-fly zone above a designated area. This is, of course, now essential for the humanitarian assistance of the Syrian people.

Thank you.

Mr. ELLISON: We are right about at our time of 11 o'clock, when they wanted the room back. Perhaps I could ask just a few very quick questions.

One quick question is, is there any way to get China and Russia onboard on the issue of human rights in Syria? Are they a lost cause? What do they want? What would get them to join with the international community?

Yes, sir?

Mr. ZIADEH: I have been in Russia twice for a discussion. The last time was actually with the Minister of Foreign Affairs Lavarov himself. I mentioned this issue, that the Russians, they supported actually the referral to the International Criminal Court on Libya, on Gaddafi. Why are they actually reluctant to do the same on Syria? But they still believe that, what is going on in Syria, it is committed by the armed gangs and other issues. They are far actually only from the facts on the ground.

This is why I have a sense that the Russians will not be on the board at all. What we have to think about is, how can we move beyond the Security Council, if the Security Council was unable -- and I don't think that it will be able to do any actions on Syria.

Mr. ELLISON: Mr. Tabler, or anyone, have you got any views on this issue?

Ms. McFARLAND: Yes, I don't think it is a lost cause or that we should treat it as a lost cause. I think the continued drumbeat has brought them around to the point where they accepted and went along with the presidential statement last week, and the continued revelations, the spotlight, I think, also, voices from outside of the West, from the region, and other powers around the world who have shifted their own positions over the last year, were initially opposed to the various UN actions, as those countries have shifted. The more that they can apply pressure and be a voice directly to Beijing and Moscow in person and prioritize it within those relationships, I think that is certainly worth pursuing.

Mr. TABLER: Just to add to that, I think that the Russians and the Chinese have bought onto Kofi Annan's six-point plan, which the Assad regime accepted today,

because that plan, it deals with the humanitarian situation inside the country. But it also, most importantly, does not talk about an end game in terms of President Assad stepping aside at the end of this transition.

So, in many ways, it deals with the symptom of the disease in Syria of these two forces swirling around each other, but it doesn't really deal with the disease itself that is being generated by the Assad regime's crackdown. I think that is because of a couple of reasons, I mean besides what we have talked about here today.

The Russians are important in all of this, or have been sort of subtly until now -- this is outside and this is sort of in the background -- because the Russians have assets inside of the Syrian military. Our current policy is to try to induce a coup, so to speak, in the Syrian regime to get Alawite generals and the military to expel Assad.

The problem is that the Russians clearly see that those Alawite generals, until now, are not breaking because the situation on the ground does not dictate that. Now, if the situation changes over time, I think you will see the Russian position changing on that as well, as they try to protect their long-term interests inside of Syria.

Mr. ELLISON: And I guess my last question is, one of the things that we have heard coming from the al-Assad regime is that they are protecting minorities, that they are trying to make sure that there is no big takeover and abuse of civil and human rights by the Sunni majority. Can you all shed any light on this issue? Are they legitimately holding sectorian forces away from each other? How would you describe this line of argument? And also add in there, is there any realistic fear that the Allawi minority would be in jeopardy if the regime were to fall?

Mr. ZIADEH: From the day one, actually, the Assad regime started to send the messages to the Alawite community that, if the Assad regime falls, there will be massacre after that, but that doesn't work actually because of the Christian Alawite and all other Syrians who actually supported the uprising, because they are calling for dignity and human rights.

What we had, as an example, yesterday the Assad security forces, they attack actually the Virgin Church, which is actually one of the holiest churches in the Sardenya**110521 area. The regime has no actually tolerance for any kind of actions against even that coming from the Christian community or other communities, even though the regime has no history with dealing with the ethnic and different groups, by the good example of the Kurdish community, who have actually been discriminated by the Assad militia or the Assad regime in the last 30 years.

But the regime policy right now, actually, is to divide and rule. They are trying to say that this is protecting the minorities, but there are Christians that have been killed by the Assad regime. There have been Alawite and there has been Druze that have been killed by the Assad militia and shabbiha. We call the thugs the shabbiha.

This is why we have been seeing in the last few months more involvement of the minorities in peaceful demonstrations, like the area in Selamia**110622, where actually there is in Selamia**110623 As-Suwayda where the Druze are concentrated.

And now the Syrians cross all the six ethnic groups. They do believe that this is the time for them to build a new democracy in Syria. Syria in the forties and the fifties had democratic institutions, and this is time to rebuild it again.

Mr. ELLISON: Anyone else before we wrap up?

Ms. McFARLAND: Yes.

Mr. ELLISON: Yes?

Ms. McFARLAND: First, just to say it is rather grotesque for a government that is killing civilians by the thousands through indiscriminate shelling to say that it is doing so to protect civilians.

But, that being said, we have documented some cases of opposite force abuses. In a few of those, there seemed to a sectarian element.

I think that the international community has to be careful, as it makes plans going forward, to prevent any kind of sectarian violence and situations similar to what happened in Libya, where you have seen revenge killings and that sort of action. It is very important that the U.S. be realistic about this and be careful in its planning in advance, as well as the Syrian National Council and opposition forces as they talk about this.

Mr. ELLISON: If there are no further comments to be made, with the thanks of the Tom Lantos Human Rights Commission, we offer our sincere appreciation to all of you and everyone who is assembled today, and everyone listening and who may view this.

We will continue to work on human rights all over the world, including Syria.

With that, we will close this hearing.

Thank you.

[Whereupon, at 11:08 a.m., the meeting was adjourned.]

APPENDIX

MATERIAL SUBMITTED FOR THE HEARING RECORD



**Tom Lantos Human Rights Commission (TLHRC)
Hearing**

The Human Rights Crisis in Syria

Tuesday, March 27, 2012

9:30 AM – 11:00 AM

Rayburn B-318

Please join the Tom Lantos Human Rights Commission for a hearing on the human rights crisis in Syria.

Since March 2011, growing numbers of anti-government protests in Syria have been met with a brutal crackdown by the Syrian government, including widespread killings, torture, and indiscriminate shelling of cities. More than 8,000 people have been killed, and over 200,000 people have been displaced. The Syrian government is even using landmines as a deadly tactic to prevent civilians from escaping.

This hearing will examine the systemic and grave human rights abuses by the Syrian government, and the impact of those abuses on the Syrian people.

The following witnesses will testify:

Panel I

- Robert Ford, U.S. Ambassador to Syria

Panel II

- Maria McFarland, Deputy Washington Director, Human Rights Watch
- Suzanne Nossel, Executive Director, Amnesty International USA
- Andrew Tabler, Next Generation Fellow, Washington Institute for Near East Policy
- Radwan Ziadeh, Visiting Scholar, Kennedy School of Government at Harvard University

If you have any questions, please contact the Tom Lantos Human Rights Commission at 202-225-3599 or tlhrc@mail.house.gov.

James P. McGovern
Member of Congress
Co-Chair, TLHRC

Frank R. Wolf
Member of Congress
Co-Chair, TLHRC

Statement of Rep. Keith Ellison
Tom Lantos Human Rights Commission Hearing
“The Human Rights Crisis in Syria”
B-318 Rayburn HOB –Tuesday, March 27, 2012 – 09:30-11:00 AM

Good Morning. I first want to extend my gratitude to Congressmen Jim McGovern and Frank Wolf for agreeing to hold this hearing. The House of Representatives has not given enough time and attention to the ongoing crisis in Syria, so I am incredibly thankful to the chairmen for shining a light on this issue.

Before I begin, I want to applaud President Obama and Homeland Security Secretary Janet Napolitano for extending Temporary Protected Status to Syrian nationals on Friday. It would have been cruel to send these individuals into a warzone. We were right to aid them in their time of need. I commend the Administration for its compassionate leadership on this issue.

I also want to express my gratitude to our incredible witnesses. Ambassador Ford, your presence here today means a lot. Your presence in Syria meant a lot, too. Your willingness to put yourself in harm’s way to demonstrate American support for the Syrian people makes you a model ambassador. Thank you for your advocacy, bravery and continued leadership on this issue. You make all Americans proud.

I also want to thank our human rights experts on the second panel. Maria McFarland, Suzanne Nossel, Andrew Tabler, Radwan Ziadeh – your attention to the gross human rights violations and ongoing humanitarian crisis in Syria has been indispensable. My sincere thanks to each of you for your dogged efforts to inform policymakers in Washington and around the world.

Even before the democratic uprising began, we saw the capacity of Bashar Al-Assad’s government to commit grave human rights abuses. The students in Daraa dared to echo the slogan that toppled governments in Tunisia and Egypt: “The people want to bring down the regime.” Those students were only 10 to 15 years old...they were *children*. But that didn’t stop the police from arresting them and pulling out their fingernails.

The Syrian government has not been so forgiving since that time one year ago. Last June I went to the House floor to tell the story of Hamza Al-Khatib, the 13 year-old who was arrested during a protest near Daraa. He was held for a month before his tortured body was returned to his parents, mutilated in ways that I cannot mention here. Again, the regime’s message was clear: if you dare speak out against us, we will kill you in the worst possible ways.

The machinery of the Syrian regime has now killed more than 8,000 people. They show no sign of letting up. Indeed, the momentum seems to be on their side, as Russian ships and Iranian planes continue to restock the regime’s arms and supplies. Despite the media

blackout, the world is aware of the grave human rights violations inside Syria because of the people's tenacity to get the stories out, and because of the work many of today's witnesses do to gather, document and amplify them.

In order to support the Syrian people's democratic aspirations and condemn Bashar Al-Assad's brutal and ongoing human rights violations, I introduced a House resolution highlighting these issues. I will continue to whip support for the resolution, H. Res. 549, so that Syria remains a priority for this Congress.

To the panelists today, thank you again for helping us turn Congress' attention toward Syria. As we learn more about the human rights situation inside Syria over the last year, I hope you will also provide your assessment of how we can best protect human rights in Syria going forward. I look forward to hearing your testimony.