

Armed groups agree on Codes of Conduct to respect International Humanitarian Law and human rights

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Last May, 54 brigades of the secular oppositional Free Syrian Army (FSA), who are operating in the South of Syria under the name 'Southern Front' have discussed, drafted and agreed on a Code of Conduct that promises to respect principles of International Humanitarian Law and human rights. The code of conduct can be found (in Arabic) here: <http://www.all4syria.info/Archive/152139> . An English version is attached to this policy letter.

The Code of Conduct consists of two documents: 'The Pledge of the Syrian Revolutionaries from the Battlefields', in which the commanders formulate their responsibilities towards civilians, in reference with international norms, and "The Principles of Syrian Revolutionaries", in which they mention their main aims and principles in their struggle with the regime of Bashar al-Assad.

These statements represent an important move by the commanders of different armed groups, under the loose umbrella of FSA, towards unification among secular opposition groups. After three years of fighting, political interference by the world's superpowers, and bitter mutual competition for funds and other resources, the process of voicing common aims, principles and responsibilities presents a new opportunity for constructive cooperation, hopefully resulting in improvements in the local security situation for civilians in their areas of operation.

The fact that these statements have been agreed on unanimously, means that it is an important commitment, which the commanders chose to undertake proactively, without any political pressure from foreign powers. In addition, it creates an important reference to international law and human rights that enable a more constructive monitoring on their operations. Last but not least, the process leading up to this Code of Conduct points towards a strong group dynamic, which could result in pressure applied on any commander, brigade or fighter that is accused of violating the code and thereby endangering the credibility of the entire FSA alliance.

However, the declaration does not mention, or promises to limit, the use of weapons systems that are prohibited under international humanitarian law (like landmines and cluster munitions) and who currently have a big impact on the security of civilians in Syria. Inclusion of commitments to stop using these weapons would be a good step forward in abiding by international humanitarian rights' standards, as this would limit civilian casualties and destruction.

In addition, we call for a monitoring and enforcement mechanism to actively ensure that the principles reflected in this statement will be implemented in day-to-day operations. Consequently, this should also include an accountability mechanism, in which violations of the code by either commanders or lower-ranked fighters will be addressed and followed by clear defined consequences and retribution after a transparent process.

Recently, other blocs of armed groups in Syria have decided to put down their intentions in similar Codes of Conduct or Codes of Ethics as well. In the North of Syria, Islamist armed groups have published common basic principles of their own, while FSA-related groups in the North are also engaged in a process of negotiating common statements, and might join the Code of Conduct of the Southern FSA groups at a later moment. These processes point to an increasing debate and reflection on the basic principles of the revolution and how to unite groups that have drifted away from each other in the course of the war.

PAX and Etana believe that when these declarations are genuine proactive steps, initiated and lead by local commanders themselves, they could be a positive contribution to civilians' security and combating lawlessness inside Syria, because reflects the willingness among armed groups to actively commit to international humanitarian law standards, and to operating more transparently, in order to prove that they are responsive to the needs of the local population in their operational areas, as well as the international community.

PAX and Etana recommend that the countries that constitute the Friends of Syria explicitly welcome this and other codes of conduct, as important steps towards respect for human rights and international humanitarian law in Syria.

Etana is a Syrian civil society organization, founded in 2001 to promote the vision of an inclusive, participatory society and government in Syria.

PAX is a Dutch peacebuilding NGO, previously known as IKV Pax Christi, working with civil society activists in conflict areas, including Syria, Lebanon, Iraq and Israel/Palestine.

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The Pledge of the Syrian Revolutionaries from the Battlefields

The need to resort to armed conflict resulted directly from the violent repression of an Assad regime that remains unwilling to adopt meaningful reforms that genuinely respond to the legitimate demands of the Syrian people. Sadly, those peaceful demands were answered with bullets and tanks. To defend our lives and the lives of our loved ones, to protect our dignity and secure a brighter future for our country, we had no choice but to respond in kind to the regime's actions.

Yet, it is clear to those of us who defend the people of the Syrian revolution as they continue to strive toward freedom that our actions are accompanied by responsibilities. Therefore, from the battlefields of our homeland, we announce our unconditional commitment to international law and legislation and our unconditional commitment to respect for human rights.

We herewith dedicate ourselves to the following responsibilities:

- Providing decent treatment to all persons not involved directly in military actions, including those who defected from the army, and all who are unable to bear arms due to disability, illness, detention or other reasons. We will not discriminate according to religion, political affiliation, gender or any other factor.
- Illegal assaults of any nature are strictly forbidden, particularly those that relate to killing (regardless of method), brutal treatment and torture.
- Under no circumstances will we resort to the taking of hostages.
- Actions that disrespect or violate the dignity of people are strictly forbidden.
- We recognize that legally established courts which follow international law are the only bodies sanctioned to apply justice. No form of punishment will be advanced unless it has been mandated by such courts.
- We resolve to care for the wounded and sick without applying any form of discrimination.
- Collective punishment is strictly forbidden.

- Attacks against civilians are strictly forbidden, as is terrorizing or otherwise compelling civilians to abandon their homelands.
- The destruction of public properties and infrastructure elements that civilians depend on for survival is strictly forbidden.
- The destruction, damage or theft of any private or public properties is strictly forbidden.
- Assaulting or terrorizing civilians in any way is strictly forbidden.
- We are obligated to facilitate relief efforts and humanitarian work. Accordingly, we will protect humanitarian and relief workers operating in territories under our control.
- We are obligated to protect all religious buildings and places, and all historical monuments and sites, regardless of the religion or sect to which they pertain.
- We will protect journalists and people affiliated with humanitarian and relief organizations operating in territories under our control.
- We are obligated to investigate all complaints regarding violations of human rights. It is our duty to take all necessary measures to prevent similar violations and to initiate legal action against those responsible for such violations.

As we are duty bound to protect the principles of the Syrian revolution and the responsibilities noted above, which derive from the extant body of Humanitarian Law, every fighter participating in the Syrian revolution is considered to have acknowledged that commitment. Further, we are committed in our respect for the rules of international human rights law and other applicable international norms, even if they are not mentioned specifically in this text.

The Principles of Syrian Revolutionaries

We, the signatories to this document, commit ourselves to the following principles in order to save our country. After seeking God's assistance in this endeavor, we will all do our best to end as quickly as possible the tragedy our people and our country are experiencing. We will also ensure freedom for all Syrian detainees and guarantee the return of all Syrian refugees to their homes. We take these actions in the hope that they will contribute to building a better future for Syria and its citizens.

The following principles will guide our every effort. Thus, we dedicate ourselves to:

- Overthrowing the despotic regime in Syria and achieving justice for all Syrians
- Establishing a state in which the rights and responsibilities of our fellow Syrians are defined according to the qualities of equity and fairness and the maxims recognized for the protection of human rights
- Enabling our fellow Syrians to establish a free, democratic state of law that respects and fulfills Syrians' dreams of freedom and decency