



المركز السوري للإعلام وحرية التعبير

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Syrian Center for Media and Freedom of Expression

Shadow Armies



SHADOW ARMIES

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INTRODUCTION

The recruitment of Syrians to fight outside Syria is an understudied aspect of the foreign intervention in the Syrian conflict where Russia and Turkey are the two intervening states most responsible for this practice. Also, private military and security companies, operating with the knowledge of both states, are greatly involved in the recruitment, transportation, and training of Syrian fighters for conflicts outside Syria.

The legal framework governing the practice of recruiting fighters for foreign conflicts is varied and fragmented, considering the various experiences of the recruits, their roles in combat and non-combat missions, and their motivations for recruitment. This report aims to present the findings of the Syrian Center for Media and Freedom of Expression (SCM) on the recruitment and deployment of Syrian fighters to the Nagorno-Karabakh conflict in 2020 as well as the ongoing Libyan armed conflict. The findings are based on a number of interviews with former fighters and recruits, in addition to investigative reports issued by the Violations Documentation Center in Syria (VDC) of the SCM. This report briefly presents a number of the relevant international legal frameworks that may apply, depending on the documented circumstances, but further research and analysis is required to classify the groups of Syrian fighters and identify the international laws applicable to their activities in the different conflicts.

More importantly, the report submits a few factual observations. Both Turkey and Russia recruited Syrian fighters to support combat and security missions in the Nagorno-Karabakh conflict in 2020 and the armed conflict in Libya. The Turkish forces relied largely on the Syrian National Army (SNA) to meet quotas of fighters for both conflicts. The SNA sometimes offered compensation which fighters did not receive, while other fighters were told they would serve in administrative roles only to find themselves placed in combat roles.

Syrians recruited to fight on the Russian-supported side of both conflicts describe a recruitment process involving a Russian private military corporation - the Wagner Group - and facilitated by the Syrian intelligence apparatus at governorate and local level. Allegations of Russian and Turkish recruitment of children also merit further investigation.

The report concludes with a set of recommendations for all competent actors responsible for addressing the issues identified herein.

On October 8, 2021, the Special Envoy and Head of the UN Support Mission in Libya, Ján Kubiš, announced the signing of an action plan by the 5+5 Joint Military Commission, requiring the withdrawal of all mercenaries, foreign fighters, and foreign forces from Libya.¹ The role of foreign fighters has recently gained significant attention in the context of armed conflicts in Libya, Nagorno-Karabakh, and elsewhere. Fighters recruited in Syria and deployed in conflicts abroad are central to this growing practice, but the nature of their recruitment and possible exploitation by foreign and local actors remains under examination. This report aims to contribute to the understanding of this important issue by presenting findings based on interviews and investigations conducted by the Violations Documentation Center in Syria of the SCM, and to present recommendations to all competent actors who deal with the herein specified matters.

¹ United Nations Support Mission in Libya (UNSMIL), United Nations Welcomes the JMC's Signing of the Action Plan for the Withdrawal of Mercenaries, Foreign Fighters and Foreign Forces, 8 October 2021, available at <https://unsmil.unmissions.org/united-nations-welcomes-jmc%E2%80%99s-signing-action-plan-withdrawal-mercenaries-foreign-fighters-and>.

CHAPTER I: LEGAL FRAMEWORK



This report uses the catch-all term of “foreign fighters” rather than the strict legal definition of “mercenaries” under the Additional Protocol I (AP I) to the Geneva Conventions and the 1989 International Convention against the Recruitment, Use, Financing and Training of Mercenaries (UN Convention on Mercenaries), both of which have a number of requirements to consider fighters as mercenaries. While many of the Syrian fighters may technically meet the legal definition of mercenaries, there is still insufficient information about the circumstances surrounding their recruitment to decisively make a characterization that broadly include the Syria fighters.²

In addition to the framework of mercenarism, the proliferation of private military and security companies that play a key role in recruiting and deploying Syrian fighters outside Syria is also tackled here. However, for being relatively nascent on the international level, no legal jurisprudence has yet drafted a comprehensive definition of those companies and their members. And no legal instrument has yet created a binding legal framework applicable specifically to private military and security companies. Although the category may not capture the scope or varied experiences of the Syrian or foreign fighters examined here,³ this report highlights the role of private military and security companies in both the Libya and Nagorno-Karabakh conflicts, where relevant.

2 The law applicable to particular fighters and units may answer the following questions: Were the fighters in fact promised compensation in excess of what similarly ranked soldiers would earn? Were they recruited by the armed forces of a party to the conflict or by a private military company? Were they directly involved in hostilities? To what extent were they incorporated into the armed forces of the host country or sending country?

3 The International Committee of the Red Cross, together with 13 states, drafted the “Montreux Document,” a consolidation of pre-existing International Humanitarian Law, International Human Rights Law, norms, and guidance relevant to individuals, companies, and states that engage with PMSCs (private military and security companies). The Document consolidates a short list of principles and legal frameworks, which may apply to the conduct of Syrian foreign fighters examined in this report. Further, the document prescribes a “toolkit,” recommendations, and other guidance for states to regulate the use of PMSCs. The prescriptions are likewise valuable for states involved in the recruitment and deployment of Syrian foreign fighters. Relevant recommendations are incorporated into the section of recommendations below.

A. Framework of Mercenarism

The International Humanitarian Law (IHL) defines who qualifies as a “mercenary” and sets out how to be treated in captivity.⁴ Mercenarism may be prohibited under certain treaties or national legislations as discussed below. Article 47 of the AP I defines a “mercenary” as:

A mercenary is any person who:

- (a) is specially recruited locally or abroad in order to fight in an armed conflict.
- (b) does, in fact, take direct part in the hostilities.
- (c) is motivated to take part in the hostilities essentially by the desire for private gain and, in fact, is promised, by or on behalf of a Party to the conflict, a material compensation substantially in excess of that promised or paid to combatants of similar ranks and functions in the armed forces of that Party.
- (d) is neither a national of a Party to the conflict nor a resident of a territory controlled by a Party to the conflict.
- (e) is not a member of the armed forces of a Party to the conflict.
- (f) has not been sent by a state which is not a Party to the conflict on official duty as a member of its armed forces.⁵

Two international conventions aimed to outlaw mercenarism as such: the afore-mentioned UN Convention on Mercenaries –potentially relevant to the use of Syrian fighters in Libya– and the 1977 Convention of Elimination of Mercenarism in Africa (AU Convention on Mercenarism in Africa). Libya⁶ ratified the UN Convention on Mercenaries in September 2000 and the AU Convention on Mercenaries⁷ in May 2005. The UN Convention on Mercenaries was also acceded to by Azerbaijan⁸ in December 1997, Syria⁹ in 2008 (with reservations), and Armenia¹⁰ on November 23, 2020 (with reservations).¹¹

The UN Convention on Mercenaries adopted the AP I definition of a “mercenary” and added a slightly different definition applicable in situations other than armed conflicts.¹² It also makes direct participation in hostilities or participation in an act of violence a prohibited offense.¹³

4 Captured mercenaries are denied Prisoner of War status and may be prosecuted for crimes under domestic law.

5 Protocol Additional to the Geneva Conventions of 12 August 1949, in relation to the Protection of Victims of International Armed Conflicts, June 8, 1977, 1125 U.N.T.S.

6 International Convention Against the Recruitment, Use, Financing and Training of Mercenaries. United Nation. 1989 December. http://bit.ly/2W4M_WOK

7 [A/HRC/48/83](http://bit.ly/2W4M_WOK) p 25

8 Ibid

9 Ibid

10 Ibid

11 Armenia’s accession, which came into effect thirty days after accession per Art. 19 (2) of the convention became effective after the end of the armed conflict, which ended by a ceasefire agreement on November 10, 2020.

12 Article I of the Convention also provides an alternative definition of a mercenary potentially encompassing those “recruited for the purposes of participating in a concerted act of violence aimed at overthrowing a government or otherwise undermining the constitutional order of a state or undermining the territorial integrity of a state.” In this case, a mercenary is someone who participates or attempts to participate in hostilities or a concerted act of violence and who “(a) is motivated to take part essentially by the desire for significant private gain, and is prompted by the promise or payment of material compensation; (b) is neither a national nor a resident of the state against which such an act is direct; (c) has not been sent by a state on official duty; and (d) is not a member of the armed forces of the state on which territory the action is undertaken.”

13 UN Convention on Mercenaries, Art. 3(1).

Meanwhile, the AU Convention on Mercenarism in Africa requires direct participation.¹⁴ Both conventions also expand the offense of mercenarism to those who recruit, use, finance, train, or otherwise support mercenaries.¹⁵

B. Other Potentially Applicable Law

Certain principles of the IHL and Customary International Law may also apply depending on the nature of the conflict, the involvement of foreign fighters in hostilities, the degree of foreign fighters' incorporation into a party's armed forces, and other factors. Further, under Customary International Law, states neutral to a conflict are obliged to prevent forming groups of fighters or opening recruiting agencies on their lands to assist belligerents in another conflict.¹⁶ All states are also generally prohibited from interfering in the territorial integrity and political independence of other states.¹⁷ Considering potentially significant differences between the conflicts and the need for additional reporting, this analysis falls outside the scope of this report.¹⁸

States may also be bound to obligations under the International Human Rights Law "to take appropriate measures or to exercise due diligence to prevent, punish, investigate or redress the harm caused by the acts of private military companies or their personnel that violate human rights."¹⁹ Finally, states have an obligation to comply with the UN Security Council Resolutions, including Resolutions 2570 (2021) and 2671 (2021), which demand the cessation of all support for armed mercenary personnel, order full compliance with the 2020 Libyan Ceasefire Agreement, which calls for the withdrawal of all foreign fighters and imposes an embargo on Libya.²⁰

14 AU Convention on Mercenarism in Africa, Art.1 (b) ("does in fact take a direct part in hostilities").

15 UN Convention on Mercenaries, Art. 2 ("Any person who recruits, uses, finances or trains mercenaries, as defined in Article 1 of the present Convention, commits an offense for the purposes of the present Convention"); AU Convention on Mercenarism in Africa, Art. 1 defines the commission of mercenarism to include the acts of "any individual, group or association, representative of a state or the state itself with the aim of opposing the territorial integrity of another state...(a) finances, assists, equips, trains, promotes, supports or in any manner employs bands of mercenaries; (b) enlists, enrolls [sic] or tries to enroll [sic] in the said bands; [or] (c) allows the activities mentioned in paragraph (a) to be carried out [in territories or places under its control].").

16 Hague Convention V (1907), Art. 4 ("corps of combatants cannot be formed nor recruiting agencies opened on the territory of a neutral Power to assist the belligerents").

17 UN Charter, Art. 2 (4) ("All members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the purposes of the United Nations").

18 The 2020 conflict between Azerbaijan and Armenia over Nagorno-Karabakh has been characterized as an international armed conflict, whereas the Fact-Finding Mission in Libya determined the conflict to be a non-international armed conflict. See Melanie O'Brien, *Nagorno-Karabakh Conflict: Shortage of Specifics Complicates Search for Solutions*, JUST SECURITY, 21 October 2020, available at [Nagorno-Karabakh Conflict: Shortage of Specifics Complicates Search for Solutions - Just Security](#); OHCHR, Report of the Independent Fact-Finding Mission on Libya, A/HRC/48/83, 1 October 2021, Annex II, para. 2.

19

General Comment No. 31 [80] -The Nature of the General Legal Obligation Imposed on States Parties to the Covenant- Adopted on 29 March 2004 (2187th meeting)

20 UN Security Council Resolution 2570 (2021) adopted on 16 April 2021, S/RES/2570 (2021); UN Security Council Resolution 2571 (2021), adopted on 16 April 2021, S/RES/2571 (2021).

Chapter II: SYRIAN FOREIGN FIGHTERS

A. Syrian Fighters Sent to Libya



(1) General Context of the Conflict

The UN-recognized Government of National Accord (GNA), based in Tripoli, is led by Fayez al-Sarraj, and supported primarily by Turkey, Qatar, and Italy. The Libyan National Army (LNA), led by General Haftar and the Tobruk Government, is supported by Russia, Egypt, the UAE, and Saudi Arabia. The armed conflict in Libya escalated when General Khalifa Haftar, based in eastern Libya and backed by Egypt and the UAE, launched a 14-month offensive against Tripoli. The campaign ground to a halt when Turkey increased military support to the UN-backed government with “hundreds of [Turkish] troops and thousands of Syrian mercenaries.”²¹ Russia, Turkey, and private military contractors used by both states have facilitated the transportation of an estimated 20,000 foreign fighters, not all of them Syrians, to opposing sides of the Libyan conflict since at least 2016.²² At the time, the Syrian Observatory for Human Rights (SOHR) estimated that 4,750 Syrian “mercenaries” were fighting in Libya.²³

Russia and Turkey participated in October 2020 negotiations that resulted in a tenuous ceasefire. The ceasefire agreement called for the withdrawal of foreign fighters within 90 days, but by the time the parties and interested states met in Berlin in June 2021, Turkish- and Russian-backed Syrian fighters were still present in the country.²⁴ Turkey reportedly transported new Syrian fighters to Libya in April 2021, when an additional 300 Turkish-backed

21 Geir Moulson, Libya conference sees hope on elections, foreign forces, AP, 23 June 2021, available at <https://apnews.com/article/united-nations-africa-libya-germany-middle-east-701ce0053da34482e746e70681b7d1fc>.

22 Sam Magdy, UN: 20,000 foreign fighters in Libya are a ‘serious crisis’, AP, 2 December 2020, available at <https://apnews.com/article/africa-libya-elections-north-africa-united-nations-faa14b50c17d2a462e755bd6e31f0709>.

23 Syrian Observatory for Human Rights, “Do Not Come to Libya...We Want to Return...Turkey Fooled Us”: Syrian Mercenaries Regret Joining War in Libya, 29 March 2020.

24 Geir Moulson, Libya conference sees hope on elections, foreign forces, AP, 23 June 2021.

fighters arrived in the country.²⁵ Negotiating parties at the June 2021 meeting in Berlin, including Russia and Turkey, released a communication calling for a gradual withdrawal of foreign intervening forces.²⁶ The status of actual withdrawal remains unclear. Fighting de-escalated for much of 2021 but escalated before the presidential elections that took place in May 2021.²⁷

In its October 2021 report, the Fact-Finding Mission for Libya noted that Syrian foreign fighters were engaged in combat operations in support of the GNA and that “Turkish nationals were actively involved in their deployment to Libya.”²⁸ The Chair of the Fact-Finding Mission also added that “all parties to the conflicts, including third States, foreign fighters and mercenaries, have violated the International Humanitarian Law, in particular the principles of proportionality and distinction, and some have also committed war crimes.”²⁹

(2) Turkish Recruitment of Syrian Fighters

Turkey sent hundreds of Syrian fighters into Libya for the first time in January 2020.³⁰ Fighters were reportedly recruited from the ranks of Syrian opposition fighters, primarily from Syria’s northern provinces, to fight alongside the Libyan National Government against General Haftar’s forces in eastern Libya.

i. The Turkish Role and Use of Intermediaries

Since the recruitment of Syrian fighters end of 2019, Turkey has primarily relied on the Syrian National Army (SNA), which is the Turkish-supported coalition of armed Syrian opposition groups active in northern Syria. Within the SNA, Syrian Turkmen-majority factions, including the Sultan Murad Brigade, were relied on for the bulk of the recruitment. The Suleiman Shah Brigade—fighters of which were sometimes known as “al-Amshat,” in recognition of the group’s leader, Abu Amsha—reportedly constituted a second key pillar of the Syrian fighters in Libya.

By the second year of Turkey’s interference in Libya, recruitment was expanded beyond the SNA. Individual Syrians unaffiliated with organized armed groups were also transported to Libya to participate in combat in exchange for monthly salaries, the possibility of Turkish or Libyan citizenship, and other incentives.

One SNA-affiliated group, the al-Majd Corps, had fighters fighting in Libya, but when directly

25 USAFRICOM J22T, response to DoD OIG request for information, 20.2 NWA Supp 3, 17 April 2020 (cited in Lead Inspector General Report to the United States Congress, Jan 1, 202–Mar 31, 2020).

26 Geir Moulson, *Libya conference sees hope on elections, foreign forces*, AP, 23 June 2021.

27 Ahmed Elumami, *Worst Tripoli fighting in a year shows limits of Libya peace push*, 3 September 2021, available at <https://www.reuters.com/world/africa/worst-tripoli-fighting-year-shows-limits-libya-peace-push-2021-09-03/>.

28 OHCHR, *Report of the Independent Fact-Finding Mission on Libya*, A/HRC/48/83, 1 October 2021, para. 46.

29 OHCHR, *All Parties to the Conflict in Libya, including Third States, Foreign Fighters and Mercenaries, Have Violated International Humanitarian Law, and Some Have Also Committed War Crimes*, Chair of Fact-Finding Mission on Libya Tells Human Rights Council, 7 October 2021, available at <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27625&LangID=E>.

30 Bethan McKernan and Hussein Akoush, *Exclusive: 2,000 Syrian fighters deployed to Libya to support government*, THE GUARDIAN, 15 January 2020, available at <https://www.theguardian.com/world/2020/jan/15/exclusive-2000-syrian-troops-deployed-to-libya-to-support-regime>.

contacted by SCM researchers, the leader of al-Majd Corps denied that any of the group's fighters had been sent abroad to Libya or Azerbaijan, stating, "We do not have any fighters in Libya or Azerbaijan, we have not participated in any military action outside the Syrian territory, and we have not been asked to send any fighters [abroad]" .

Yamen Taljo, the Field Commander of al-Majd Corps near Misrata Airport, where dozens of the group's fighters were reportedly based, refused to respond to SCM's communications,³¹ while information obtained by SCM's researchers confirms the presence of dozens of members of the Corps in the vicinity of Misrata Airport.

The al-Mutassim Squad, a constituent group of al-Hamza Brigade, which also falls under the SNA umbrella, similarly provided fighters to Libya. SCM's researchers contacted the media officer of the group, who acknowledged earlier deployments of fighters to Libya but proceeded to claim, "We no longer have any presence outside Syria; our only goal is to fight the Syrian government forces and pro-government groups."

ii. Financial Promises & Other Incentives

Based on VDC - SCM interviews, the promise of significant financial compensation was the primary reason for fighters to choose to travel to Libya. A secondary motive often cited was the promise of Libyan citizenship. One former fighter, J.M., told VDC that fighters were promised \$800 to \$1,500 per month salary for the duration of their deployment, and a \$40,000 payment to the family in case of death. According to J.M., the "Syrian Free Police" officers, from Turkish- and opposition-held areas of Syria, were promised and given the Libyan citizenship.³²

Others were promised greater compensation but paid much less. One witness told VDC he was promised \$4,500 per month, providing \$2,500 would be deducted in exchange for food, water, cigarettes, and accommodation. Many fighters agreed that their families would be paid a portion of their agreed compensation. In this witness' case, however, the designated recipient in Syria was not paid the agreed-to amount.³³

Another former fighter, M.E., explained that many Syrians saw people they know returning from Libya so well-compensated that they could avoid having to join Syrian armed groups upon their return. As M.E. put it, "People in need hoped to go to fight [in Libya] for a few months, just to make money that would allow them to return and live a decent life."³⁴

Some fighters claimed they travelled to Libya by promises that were later unfulfilled. Others, though, were deployed into combat roles despite volunteering for only administrative or basic security roles.

31 Yamen Taljo- A telephone interview by the SCM researcher on October 23, 2020.

32 Record Number -SCM_VDC_OPR_W/S_21-0017- 1.

33 Record Number -SCM_VDC_OPR_W/S_21-0017- 2.

34 Record Number -SCM_VDC_OPR_W/S_21-0017 - interview by the SCM researcher on October 17, 2021.

SCM spoke to one former fighter of the Samarkand Brigade—one of the formations engaged in combat operations in Libya—who described deceitful tactics by the brigade command to make them travel to Libya:

“The decision to mobilize the brigade was initially made in secret [...] and was based on orders by the Turkish intelligence to the brigade’s command, represented by Zaher Ma’rouf. At first, some of the brigade’s fighters refused to go to Libya despite the great temptations that were offered. Then brigade commanders expelled some of those who refused to go to Libya.”³⁵

The fighter also described how fighters and their families were expelled from their Brigade-provided homes in Afrin, Syria, for refusing to be deployed to Libya.

iii. Mechanism of Recruitment

According to former fighters interviewed by VDC, the Turkish authorities delegate most of the recruitment and registration of fighters to the Syrian National Army. SNA factions recruit and register the names of fighters who agree to travel to Libya, by name and phone number. Once a certain quota of fighters is met, the names are submitted to the Turkish authorities. One source claimed that the Turkish authorities vet fighters within a week. In July 2020, Turkey implemented a ban on the recruitment of children and the elderly, according to a source. Prior to this, children and elderly people were able to register for deployment to Libya since the onset of registration in November 2019. Once approved, a group of fighters is given a departure date and time, typically departing from the Sultan Murad Brigade stronghold at the Hawar/Kilis border crossing.

Former fighters told VDC that no written contracts were signed; all agreements were verbal.³⁶ Some groups reported being under pressure by Turkish military liaison officers to meet the recruitment quotas. “Ahrar al-Sharqiya” group was under pressure to send certain numbers (the nomination of 25 names was requested). However, the group’s lack of response caused tensions between the two sides, and the Turkish side threatened to halt payment of salaries for the fighters.³⁷

35 A telephone interview by the SCM researcher in November 2020.

36 Record Number -SCM_VDC_OPR_W/S_21-0017 -interview by the SCM researcher on October 17, 2021.

37 Record Number -SCM_VDC_OPR_W/S_21-0017 -interview by the SCM researcher on October 17, 2021.

iv. Transportation to Libya & Missions Assigned upon Arrival

According to sources interviewed by the VDC, the HR offices of each faction (mostly under the SNA umbrella) collect the names of fighters who agree to go to Libya. The names then are submitted to the Military Liaison Officer in the Turkish Ministry of Defense. Those approved by the Liaison Officer are told to arrive at the Hawar/Kilis crossing on a specified date and time. Fighters are then transported by bus to Ankara through Gaziantep, before traveling by the Turkish military aircrafts to Libya.

Sometimes, fighters are organized into traveling groups at the faction stronghold in Syria before crossing the Hawar/Kilis border crossing accompanied by Turkish intelligence personnel. Nearly all interviewed fighters said they crossed into Turkey through the Hawar/Kilis border crossing. Many first stopped at the stronghold near Afrin in north Aleppo, where all SNA factions have strongholds there.

One fighter said he agreed to join the fight in Libya with the Suleiman Shah Brigade at the stronghold near Afrin. He then waited five hours at the border crossing until 150 young men were gathered—the seemingly requested quota at the time. Members of Suleiman Shah Brigade then drove the men through Antakya to Gaziantep Military Airport, where they boarded a Turkish military aircraft that flew them to a civilian airport in Ankara, Turkey.³⁸

Another fighter from the SNA-affiliated Division of al-Hamza told VDC that he crossed from the Hawar/Kilis border crossing in northern Aleppo, then was transported by bus to Gaziantep to depart on a civilian aircraft. The fighter claimed that Haftar's forces had targeted a military plane carrying one of his friends, so fighters at that time flew to Libya on civilian aircrafts instead.

Multiple sources reported that fighters arrived in Libya to Turkish military bases prepared to receive them. The bases contained military dormitories and meeting and training areas. Turkish officers communicated with fighters through Syrian interpreters proficient in Turkish. Upon arrival in those bases, fighters were deployed based on assignments before being transported to active front lines by military vehicles.

One fighter told the VDC that he was transported to Mitiga International Airport just outside Tripoli on a civilian plane and then housed in a stronghold in the Equestrian Club of Tripoli. There, he received orders that his missions would involve combat to take control of Tripoli Airport. He was told that no Turkish officers would participate in combat operations and that the Turkish role was limited to transporting fighters and providing them with weapons, equipment, and training. Many of the fighters interviewed by the VDC claimed that their missions immediately involved combat operations against Khalifa Haftar's forces.

One fighter also claimed to be based at Tripoli Airport, which he described as a Turkish military base. Another fighter deployed to the city of Benghazi said that his unit was tasked with guarding facilities and that the Turkish army was "not involved in hostilities."³⁹

38 Record Number -SCM_VDC_OPR_W/S_21-0017-1 interview by the SCM researcher on October 17, 2021.

39 Record Number -SCM_VDC_OPR_W/S_21-0017- 1

(3) Russian Recruitment of Syrian Fighters

i. Russian Role and Use of Intermediaries

The degree to which Russian individuals were directly involved in the recruitment of Syrian fighters varied by region.

Through its conducted interviews, SCM concluded that the Russian military police had carried out direct recruitment operations in Deraa and parts of southern Syria, beginning in December 2019.⁴⁰ In other areas, local Syrian intermediaries—primarily Syrian intelligence directorates and delegated recruiters—conducted recruitment with the “support” of the Russian military contractor - the Wagner Group.⁴¹

The Violations Documentation Center in Syria reported that the first provinces in which the Russian recruitment began were Deir ez-Zor in the east, and Daraa and Quneitra in the south, where Wagner representatives directly coordinated with the head of the Military Intelligence Division, Brigadier General Louay al-Ali, to organize the recruitment of fighters through intermediaries in the Quneitra province. In al-Sanamayn, a small city in Daraa province, the army and military intelligence officials coordinated the local recruitment with Russian support. Wassim Qasim al-Zarqan, who was the commander of the “Burkan Houran Brigade”, which is one of the armed opposition formations, and later joined the Military Security Branch after the settlement and formed local forces working for the security forces in Daraa province, largely participated in the recruitment process. Also, coordination took place with Alaa Jamal al-Labbad, a commander of another local group linked to the military intelligence.⁴²

In Deir ez-Zor, the Russian military police took over the task of recruiting fighters to fight in Libya, and the Russian military police stations in the cities of Deir ez-Zor and al-Mayadin turned into offices for recruiting mercenaries, where the person willing to fight is registered through intermediaries, who are usually commanders of the “National Defense” militias, such as Taysir al-Dahir⁴³, Mahmoud Abdel Aziz, commander of “al-Hassan Militia” in Mahkan, Abdel Hadi al-Lafi in the countryside of al-Mayadin, and Firas al-Iraqiya in Deir ez-Zor. Recruits are asked to bring a recommendation letter from a person associated with one of the intelligence departments. They are then transferred to the Russian Hmeimim military base and given an “external mission card.”

According to Suwayda 24 News Agency, the Syrian National Youth Party (SNYP) began recruiting Syrians in Suwayda province to fight on behalf of the Russians in January 2020. The SNYP was reportedly supported by the Wagner Group. Suwayda 24 reported its possession of audio recordings and other documents showing SNYP branch leader Shibli al-Shaer leading the recruitment campaign, enticing young people to fight in Libya under the Wagner Group in exchange for quashing criminal records and granting pardons for dodging conscription.

40 Record Number- SCM_VDC_OPR_W/S_20-0007 interview by the SCM researcher on October 23, 2020

41 Ahmed al-Majareesh. “The Sons of Dera’a to Libya and 6,000 USD for those Buried There!” (Arabic), HORAN FREE LEAGUE, 1 July 2020, available at <https://www.horanfree.com/?p=6214>.

42 Record Number -SCM_VDC_OPR_W/S_21-0007

43 Al-Dahir and a Russian General were killed in a mine explosion in August 2020.

ii. Financial Promises & Other Incentives

Some recruits were reportedly offered a choice between a 3-month contract to guard Russian military facilities in Libya for \$1,000 per month or a 1-year contract for \$2,000 per month. According to a recruit interviewed by VDC,⁴⁴ Syrians with remaining compulsory military service could be enlisted under the command of the Syrian Army's 217 Division, so time spent in Libya would count toward the compulsory service requirement.

VDC documented at least one incident⁴⁵ when Syrian fighters discovered that their missions were different in degree or type of combat from what was described in their contracts. In April 2020, recruits arriving at the 18 Battalion stronghold refused to deploy in Libya and returned home when they discovered they were going to fight alongside General Haftar's forces.

VDC also interviewed a taxi driver in Suwayda province who was paid by commission for recruiting young male passengers. He claimed to have information from recruits who returned to Syria from Libya on leave. He said they were granted a leave every four months, and they were given the option of guarding oil fields for \$1,000 per month or volunteering for combat missions for approximately \$4,000 per month.⁴⁶ In Deraa, a Russian intermediary based at the 9th Division Command Center in al-Sanamayn executed contracts of recruited fighters.

iii. Travel to Libya, Locations of Deployment, and Military Tasks Assigned

Russian-backed fighters appear to have taken various routes to eastern Libya.⁴⁷ A number of fighters were flown out from Hmeimim air base. Others traveled from Damascus on Cham Wings airlines. According to several fighters, the Wagner Group trained most of the recruited fighters. Both combat and guarding missions were reportedly under the supervision of the Wagner Group.

The first group of 90 Syrian fighters reportedly traveled to eastern Libya to protect the oil installations on April 12, 2020. Most of those fighters were contracted to be paid \$1,000 per month, with additional compensation of \$25,000 to the families of those injured or killed on duty. These fighters were reportedly trained by the Wagner Group.

In June 2020, 80 Syrian fighters arrived at a Russian training camp in Homs, before being transferred through Hmeimim airport to Cairo, then transported by the Egyptian Intelligence to al-Jouf oil fields in eastern Libya.⁴⁸ Upon arrival, fighters were informed that they would only be paid \$300 per month to guard the Russian-controlled oil installations, not the promised \$1,000 per month. Other reports suggested fighters were flown directly to Libya on Russian

44 Record Number -SCM_VDC_OPR_W/S_21-0001- 1

45 Record Number -SCM_VDC_OPR_W/S_21-0017- 1

46 Interview with Louay A., Record Number- SCM_VDC_OPR_W/S_20-0001 - interview by the SCM researcher on September 10, 2020.

47 Libyan army officials claimed that Russian cargo planes unloaded Syrian fighters at Sirte Airport on October 3, 2020.

48 Record Number- SCM_VDC_OPR_W/S_20-0007 on October 22, 2020. Record Number -SCM_VDC_OPR_W/S_20-0002.

cargoplanes.⁴⁹

SCM also received documents showing the direct involvement of al-Sayyad Company, which advertises itself as a protection and security company, in the transfer of Syrian fighters to Libya.⁵⁰ SCM believes the head of the company, Fawaz Mikhail Gerges, to be one of the most prominent Syrians responsible for the recruitment of Syrian fighters to fight abroad.⁵¹

iv. Local Reaction

After about four months of the Russian recruitment of Syrians to fight in Libya, several groups in Deraa province issued a statement denouncing the recruitment of young men from their area to fight abroad. The statement, issued on April 26, 2020, called for rejecting the Deraa Military Intelligence recruitment of young men on behalf of the Russians:

“We warn our deceived children, the people of chivalry and valor, to reject such calls, as the first purpose of which is to empty Horan of its youth for the enemy to take control of it, wreak havoc, and turn our youth into delirious hitmen”⁵²

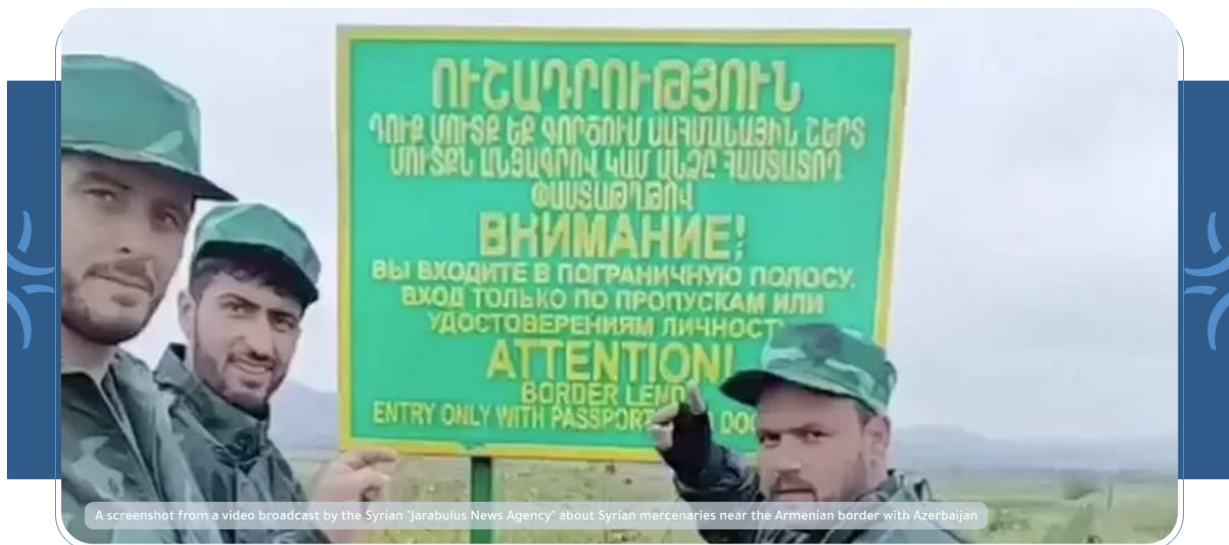
49 Libyan army officials claimed that Russian cargo planes unloaded Syrian fighters at Sirte airport on October 3, 2020. Open Sources - File No: SCM_VDC_OPR_W/S_20-0001

50 Al-Sayyad Company is based in al-Suqaylabiyah, Hama and registered under Syrian commercial register number 9765 on March 17, 2017.

51 Raghad al-Haj, “Leaked Documents Reveal the Regime’s Role in Sending Fighters to Libya ... learn the Contract Terms, and Who is Fawaz Mikhail Gerges?” (Arabic), 24 June 2020, available at: <https://www.mwrid.com/%D9%88%D8%AB%D8%A7%D8%A6%D9%82-%D9%85%D8%B3%D8%B1%D8%A8%D8%A9-%D8%AA%D9%83%D8%B4%D9%81-%D8%AF%D9%88%D8%B1-%D8%A7%D9%84%D9%86%D8%B8%D8%A7%D9%85-%D9%81%D9%8A-%D8%A5%D8%B1%D8%B3%D8%A7%D9%84-%D8%A7%D9%84/>.

52 “Statement of Denial” (Arabic), dated 26 April 2020, uploaded November 2020, available at <https://scm.bz/wp-content/uploads/2020/11/%D8%A8%D9%8A%D8%A7%D9%86-%D9%81%D8%B9%D8%A7%D9%84%D9%8A%D8%A7%D8%AA-%D8%AD%D9%88%D8%B1%D8%A7%D9%86.jpg>.

B. Syrian Fighters Sent to Nagorno-Karabakh



(1) General Context of the Conflict

On September 27, 2020, Azerbaijan launched a major military offensive against the Armenian-controlled region of Nagorno-Karabakh.⁵³ There had been short military escalations since the 1990s, most recently in 2016⁵⁴, then a Russian-brokered ceasefire on November 10, 2020, ended the war after six weeks of armed conflict. Azerbaijan largely succeeded in its objective, obtaining control over a substantial part of the Nagorno-Karabakh region and surrounding districts, all of which were previously held by Armenia.⁵⁵

At the time, Azerbaijani officials denied the use of mercenaries or foreign fighters in the conflict.⁵⁶ International investigators and Syrian monitoring groups proved the presence of Syria foreign fighters on both sides of the conflict based on social media analysis and open-source investigations. One analyst, Elizabeth Tsurkov, described the use of Syrian fighters as “cannon fodder,” adding that they are desperately poor “so they are willing to go and risk their lives.”⁵⁷ Another military analyst, Michael Kaufman, head of the Russia Program at the CAN Military Research Center, believes Syrian fighters were used to reduce citizen casualties among the armed forces of the warring parties.⁵⁸

53 Ed Butler, The Syrian mercenaries used as ‘cannon fodder in Nagorno-Karabakh’, BBC, 10 December 2020, available at <https://www.bbc.com/news/stories-55238803>.

54 International Crisis Group, The Nagorno-Karabakh Conflict: A Visual Explainer, 8 January 2021, available at <https://www.crisisgroup.org/content/nagorno-karabakh-conflict-visual-explainer>.

55 International Crisis Group, The Nagorno-Karabakh Conflict: A Visual Explainer, 8 January 2021, available at <https://www.crisisgroup.org/content/nagorno-karabakh-conflict-visual-explainer>.

56 In October 2020, Azerbaijan President Ilham Aliyev told FRANCE 24, “We don’t have Syrian mercenaries”. France 24, Video: ‘We don’t have Syrian mercenaries’: Ilham Aliyev speaks to France 24, 15 October 2020, available at <https://www.france24.com/en/video/20201015-we-don-t-have-syrian-mercenaries-ilham-aliyev-speaks-to-france-24>. The Turkish Ambassador to London, Umit Yalcin, responded to a BBC inquiry about Turkish-backed foreign fighters being used in the conflict, claiming “of course [the] claims are baseless.” Ed Butler, The Syrian mercenaries used as ‘cannon fodder in Nagorno-Karabakh’, BBC, 10 December 2020, available at <https://www.bbc.com/news/stories-55238803>.

57 Ed Butler, The Syrian mercenaries used as ‘cannon fodder in Nagorno-Karabakh’, BBC, 10 December 2020, available at <https://www.bbc.com/news/stories-55238803>.

58 Ed Butler, The Syrian mercenaries used as ‘cannon fodder in Nagorno-Karabakh’, BBC, 10 December 2020, available at <https://www.bbc.com/news/stories-55238803>.

Turkish-backed Syrian fighters primarily deployed along the southern flank of the Azeri advance, an area of relatively intense fighting and high casualties.⁵⁹ Human rights reports estimated that more than 500 Syrian fighters had been killed by December 2020.⁶⁰

(2) Turkish Recruitment of Syrian Fighters

In September 2020, the same month of Azerbaijan's offensive into Nagorno-Karabakh, Turkey began recruiting Syrian fighters to be transferred to Azerbaijan to fight alongside the Azerbaijani government against Armenia in the disputed Karabakh region.⁶¹

VDC interviews and public reports at the time confirm that many of the Turkish-recruited Syrian fighters applied for deployment through Syrian armed groups organized under the Turkish-backed SNA.⁶² Those who knew they were volunteering for deployment to Azerbaijan (some signed up to go to Libya but were redirected to Azerbaijan) were offered approximately \$2,000 per month.⁶³ In total, around 1,500 to 2,000 Syrian men were reportedly recruited by Turkey to fight in Azerbaijan. Those fighters traveled to the conflict zone on Turkish military aircrafts.⁶⁴ reports estimated that more than 500 Syrian fighters were killed in the conflict.⁶⁵

VDC reported that, earlier in August 2020, the Turkish Ministry of Defense requested that the SNA nominates fighters to travel to Azerbaijan to engage in combat against the Armenian government forces. The SNA command ordered two of its largest constituent armed groups—the Sultan Murad Brigade and al-Hamza Division—to provide a list of names.⁶⁶ Al-Majd Corps also provided fighters. Like with its recruitment of Syrian fighters to Libya, Turkey appears to have preferred fighters from the Syrian Turkmen-dominated formations.

According to VDC reporting, the Turkish Ministry of Defense requested an initial group of 450 fighters and 50 officers. The SNA provided the requested fighters and officers, who traveled to Gaziantep airport, then were transported to Turkish military bases along the Aras River near the Azerbaijan-Iran border. There, those officers and fighters were reportedly placed “under the command of the Turkish army.”⁶⁷

59 Ed Butler, The Syrian mercenaries used as 'cannon fodder in Nagorno-Karabakh', BBC, 10 December 2020, available at <https://www.bbc.com/news/stories-55238803>.

60 Syrian Observatory for Human Rights, Death toll of mercenaries in Azerbaijan is higher than that in Libya, while Syrian fighters given varying payment, December 3, 2020, available at <https://www.syriahr.com/en/194516/>.

61 [Mercenaries in and around the Nagorno-Karabakh conflict zone must be withdrawn - UN experts | OHCHR](#)

62 Ed Butler, The Syrian mercenaries used as 'cannon fodder in Nagorno-Karabakh', BBC, 10 December 2020, available at <https://www.bbc.com/news/stories-55238803>.

63 Record Number -SCM_VDC_OPR_W/S_21-0017- 1.

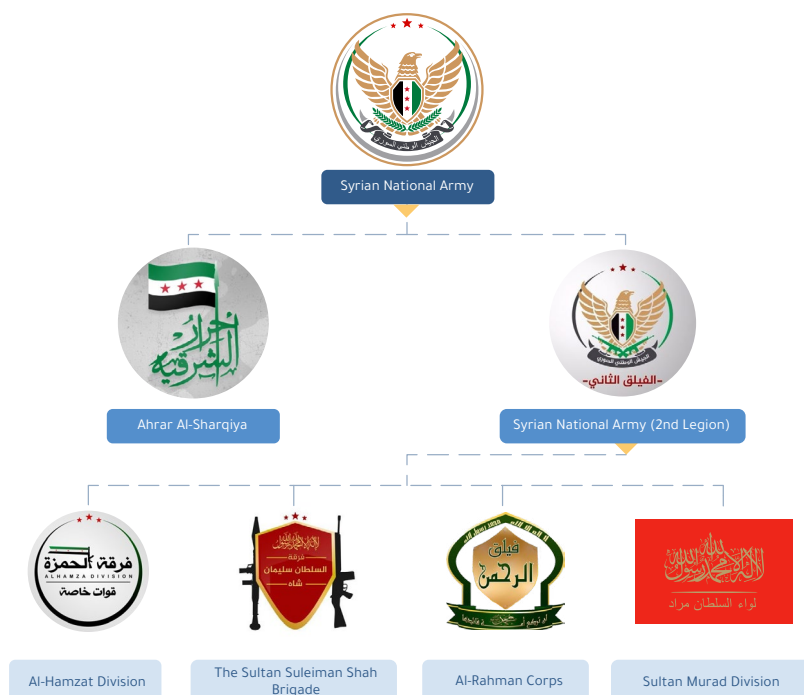
64 Ed Butler, The Syrian mercenaries used as 'cannon fodder in Nagorno-Karabakh', BBC, 10 December 2020, available at <https://www.bbc.com/news/stories-55238803>.

65 Syrian Observatory for Human Rights, Death toll of mercenaries in Azerbaijan is higher than that in Libya, while Syrian fighters given varying payment, 3 December 2020, available at <https://www.syriahr.com/en/194516/>.

66 Record Number -SCM_VDC_OPR_W/S_21-0017, October 17, 2021.

67 Record Number -SCM_VDC_OPR_W/S_21-0017, October 17, 2021.

The largest proportion of them were from the following Syrian armed groups:



Group/Faction	Affiliated Coalition
Al-Rahman Corps	Syrian National Army (2 nd Legion)
The Sultan Suleiman Shah Brigade	Syrian National Army (2 nd Legion)
Sultan Murad Division	Syrian National Army (2 nd Legion)
Ahrar Al-Sharqiya	Syrian National Army
Al-Hamzat Division	Syrian National Army (2 nd Legion)

i. Financial Promises & Other Incentives

Turkey and the SNA also recruited Syrian civilians who were not at the time affiliated with the SNA or other armed groups. Former fighters interviewed by the VDC all said they were motivated to sign up primarily due to the promised financial compensation. SNA-affiliated groups reportedly offered the recruits \$800 to \$1,400 per month, with promised compensation to families of \$75,000 in case of death.

ii. Unkept Promises

By the time of their arrival in Azerbaijan, Syrian fighters were told several times that their tasks were changed. Before departure, a number of recruits were told that they would guard the Turkish military bases in Azerbaijan, then were later told they would be “guarding the border with the Turkish army,” and then they would “fight next to the Turkish army in Azerbaijan.”⁶⁸ Only upon their arrival in Azerbaijan did many recruits discover that they would be engaging in direct combat alone, without the Turkish army.⁶⁹

Some fighters reported being incentivized to capture weapons, ammunition, and other equipment during the battles and handing it over to the Turkish military.⁷⁰

iii. Timeline

On September 29, 2020, the first group of Turkey-recruited Syrian fighters engaged in combat against the Armenian forces. Three deaths were reported that day.⁷¹ The frequency and intensity of the fight escalated rapidly. Within one week, at least nine other Syrian fighters were killed in combat.⁷²

On October 1, 2020, the Turkish Ministry of Defense requested additional 700 Syrian fighters. Interest among Syrian fighters was apparently greater than the Turkish recruiters anticipated. The SNA provided the names of 1,400 fighters. The Turkish Ministry of Defense approved them all and arranged their transport by bus from Gaziantep to Ankara and then by military aircrafts to the Turkish camp in Azerbaijan.⁷³

iv. Poor Treatment of Fighters

A former SNA fighter, who was based in the Turkish camp in Azerbaijan, described to SCM the very poor treatment the Syrian fighters received. He claimed fighters were charged excessive amounts for rent, food, and supplies and were prevented from traveling to the nearby cities to purchase more affordable resources.⁷⁴

In late September 2020, an online video was published of Syrian fighters in Azerbaijan striking against the poor conditions under the Turkish command. In the video, fighters claimed their

68 Record Number -SCM_VDC_OPR_W/S_21-0017- 1.

69 Record Number -SCM_VDC_OPR_W/S_21-0017.

70 Record Number -SCM_VDC_OPR_W/S_21-0017.

71 Those killed included 41-year-old Muhammad Shaalan Abd al-Razzaq from al-Atareb, 32-year-old Hussein Talha from Anjara in Aleppo countryside, and 24-year-old Mahmoud Najjar from Marea in Aleppo countryside - VDC Database.

72 The list of the nine dead Syrians includes 22-year-old Abd al-Hanan al-Abd al-Razzaq from the countryside of Aleppo; 34-year-old Captain Kinan Farzat from Ar-Rastan in Homs countryside; 35-year-old Yasser Farzat from Rastan in Homs countryside; 20-year-old Bilal al-Taybani from Homs countryside; 33-year-old Walid al-Ashtar from Rastan in Homs countryside; 29-year-old Muhammad Khaled al-Shihna from Maarat al-Numan in Idlib countryside; 31-year-old Hassan Abu Qasim al-Zaghloul from al-Hajar al-Aswad in Damascus countryside; 28-year-old Ahmed Firas Lahlah from al-Rastan in the countryside of Homs; and 25-year-old Ibrahim Ahmed Jumaa from Ar-Rastan in Homs countryside. Another testimony obtained by the VDC claimed that, “According to the latest statistics, the number of Syrians killed was 54, and the National Army Command is trying to hide their names, especially after the statements of the Turkish President and his VP in which they deny that Turkey sent Syrian fighters to Azerbaijan”. VDC Database.

73 VDC reporter in Turkey; about the recruitment mechanism.

74 Record Number -SCM_VDC_OPR_W/S_21-0017.

protest involved more than 500 Syrian fighters brought to Azerbaijan under false promises, including promised compensation of \$2,000 per month which was never paid. The fighters were sent back to Syria due to the protest, although some were reportedly imprisoned in Azerbaijan or Syria due to the protest.⁷⁵ Not all Syrian fighters said they were put in combat positions, as a number of them claimed they only guarded military garages for three months before returning safely to Syria.⁷⁶

(3) Russian Recruitment of Syrian Fighters

Russia's recruitment of Syrian fighters to support the Armenian forces in the conflict was reportedly organized "in collusion with the Syrian government."⁷⁷ Recruits were mostly brought from Homs and Deir ez-Zor provinces by the Syrian 5th Legion. At least five military transfers of Syrian fighters were organized by Russia.⁷⁸ Some Syrian fighters reportedly enlisted to fight in Libya and were unexpectedly re-routed to Nagorno-Karabakh. Separate from the Russia-organized recruitment and transfer of fighters, some Syrian Armenians traveled from Beirut to enlist as voluntary fighters in support of the Armenian army.⁷⁹

Unlike Turkey, the Russian Air Force and Military Police transported fighters directly from Syria to the conflict zone. Russian military planes transported some fighters out of Syria through the Hmeimim Military air base directly to Erebuni, Armenia. Other fighters flew from Damascus International Airport to Armenia on Cham Wings airlines.⁸⁰

In some ways, Russian-recruited Syrian fighters were superficially incorporated into the Armenian military campaign. Those who first arrived in Yerevan, the Armenian capital, were given Armenian Army uniforms and Armenian flags to hold. A number of them reported being posted at guard installations and asked to translate intercepted Arabic communications from "Syrian mercenary fighters recruited by Turkey." Those fighters reported being compensated about \$1,500 per month for two months of work.⁸¹

Other fighters were placed in more dangerous combat positions along the frontlines. Syrians for Truth and Justice recorded the death of 10 Syrian fighters recruited by Russia during that period, with at least 40 others wounded.⁸² Bodies of killed Syrian fighters were flown back to Homs Military Hospital and Tartous Military Hospital on Russian aircrafts returning to the Hmeimim air base.⁸³

75 Ed Butler, 'The Syrian mercenaries used as 'cannon fodder in Nagorno-Karabakh'', BBC, 10 December 2020, available at <https://www.bbc.com/news/stories-55238803>.

76 Syrians for Truth & Justice, 'Russia Recruits Syrian Fighters to Armenia', March 2021, p.10, available at <https://stj-sy.org/wp-content/uploads/2020/12/Russia-Recruits-Syrian-Fighters-to-Armenia-1.pdf>.

77 [Russia Recruits Syrian Fighters to Armenia](#)

78 Record Number -SCM_VDC_OPR_W/S_21-0017- 1.

79 Record Number -SCM_VDC_OPR_W/S_20-0003.

80 Syrians for Truth & Justice, 'Russia Recruits Syrian Fighters to Armenia', March 2021, p.8, available at <https://stj-sy.org/wp-content/uploads/2020/12/Russia-Recruits-Syrian-Fighters-to-Armenia-1.pdf>.

81 Record Number- SCM_VDC_OPR_W/S_20-0003

82 Syrians for Truth & Justice, 'Russia Recruits Syrian Fighters to Armenia', March 2021, p.3, available at <https://stj-sy.org/wp-content/uploads/2020/12/Russia-Recruits-Syrian-Fighters-to-Armenia-1.pdf>.

83 Syrians for Truth & Justice, 'Russia Recruits Syrian Fighters to Armenia', March 2021, p.9, available at <https://stj-sy.org/wp-content/uploads/2020/12/Russia-Recruits-Syrian-Fighters-to-Armenia-1.pdf>.

C. Potential Recruitment of Syrian Fighters in Other Conflicts



The winding down of conflicts in Libya and Nagorno-Karabakh does not appear to have tempered the Russian and Turkish ambitions to recruit Syrian fighters to be sent to conflicts abroad.

In December 2020, unconfirmed reports said that Russia had been recruiting Syrian fighters to “guard oil installations” in Venezuela, promising generous salaries.⁸⁴

During the withdrawal of the US forces from Afghanistan in 2021, emerging reports said that Turkey volunteered to take over security of the Kabul Airport⁸⁵. Before giving⁸⁶ this mission up in August 2021, in June 2021, SNA factions were reportedly told by Turkish representatives to prepare for the deployment of 2,000 to 2,600 Syrian fighters to Afghanistan.⁸⁷ According to reports, Turkey—now more “image savvy”—planned to recruit Syrians using written contracts with private Turkish security companies. The fighters reportedly would receive \$2,000-3,000 monthly.

On 30 March 2022, the BBC⁸⁸ reported that Russia claimed enlisting some 16,000 recruits from the Middle East to fight with its forces in Ukraine. The social media in Syria was flooded with requests for people to join the Russian troops for salaries up to \$7,000.

Furthermore, officials of the European intelligence and Ukrainian military intelligence, echoing a claim by the Syrian Observatory for Human Rights, claim that 40,000 Syrians were enlisted to fight alongside Russia. Those who went to fight get a salary ranging between \$600 and \$3,000, depending on the rank and experience⁸⁹.

84 Record Number -SCM_VDC_OPR_W/S_20-0008.

85 [‘Turkey determined to run Kabul airport despite Taliban advances’ | Daily Sabah](#)

86 [Turkey drops Kabul airport plans but will assist if Taliban ask -sources | Reuters](#)

87 Fehim Tastekin, Will Turkey use Syrian mercenaries in Kabul?, AL-MONITOR, 12 July, 2021 available at [Will Turkey use Syrian mercenaries in Kabul? - Al-Monitor: The Pulse of the Middle East](#).

88 <https://www.bbc.com/news/av/world-middle-east-60931180>

89 [Syrians join Russian ranks in Ukraine as Putin calls in Assad’s debt | Russia | The Guardian](#)

Chapter III: RECOMMENDATIONS

A. To the Syrian Government

- * Canceling Legislative Decree No. 55 that allows the licensing of companies for protection and private guarding services and approving a new law that controls the work of those companies, the presence of their personnel, and legal registration, and that stipulates training their members on IHL and human rights, as an essential condition for obtaining a registration certificate.
- * Allowing the “group working on the issue of the use of mercenaries and foreign fighters⁹⁰” to visit Syria and facilitate its work by permitting review of the records of the Ministries of Interior and Defense, including aviation records. This will allow the group to study and identify the sources and methods of recruitment and transportation, and to identify those responsible for the use of mercenaries and foreign fighters, as well as the human rights impact of military and security companies. This would hopefully lead to criminal and civil accountability by redress.
- * Issuing a general confession whereby the Syrian government and the parties accomplice in the recruitment and use of mercenaries and foreign fighters, including military and security companies, acknowledge the violations committed and the damage caused to civilians as a result of their work; comprehensively apologizing to all victims; and referring the perpetrators to criminal justice as a sole entry point to begin the transitional justice process at the national level.
- * Abiding by the resolutions of the Security Council and the General Assembly, as well as their contractual obligations; immediate ceasing of all acts of violence that cause human suffering in Syria; effectively initiating the political transition process in accordance with the UN Security Council Resolution 2254 of 2015; forming a transitional governing body with national consensus to end fighting and conflict; and instituting a transitional phase during which a referendum on the constitution, legislative elections, and presidential elections are held in preparation for the transition of power to elected constitutional institutions.
- * Accepting and facilitating independent and impartial investigations into the cases detailed in this report wherever credible information is available regarding the occurrence of gross violations of human rights.
- * Cooperating fully with international committees and observers in investigating all alleged crimes covered by IHL, as well as violations and breaches of the International Human Rights Law and relevant decisions of the International Security Council.

90 [Working Group on the use of mercenaries](#)

B. To the Syrian Opposition

- * Announcing a clear and direct condemnation of the recruitment of mercenaries; issuing an apology to the Libyan people and the Armenian people acknowledging the involvement of a number of armed factions in the recruitment operations; and holding the responsible actors accountable by referring them to the military courts set up by the Ministry of Defense of the Syrian Interim Government.
- * Emphasizing that the Syrian national identity is tied to the values of pluralism, freedom, and equality, and that Syria is a state of free and equal citizens, in which there is no place for majorities or minorities based on religious or sectarian identities and the collective rights of all components of the Kurds, Arabs, Syrians, Assyrians, Turkmen, Armenians, and others are respected.

C. To the United Nations and Competent International Organizations

- * **The United Nations:** Intensifying the efforts to finalize an international convention that establishes a unified and comprehensive definition of mercenaries, criminalizes their activity, financing, and use in combat, training or recruitment, and regulates the legal status of employees of private military and security companies. The current situation violates the principles of justice by granting the members of those companies, who are illegal fighters, the protection prescribed to civilians in armed conflicts despite their involvement in those conflicts.
- * **The International Law Committee of the United Nations General Assembly, the International Committee of the Red Cross:** Cooperating with states that are parties to the Geneva Conventions to review the content of Article 47 of the AP I, and add a provision criminalizing the use of mercenaries, not just denying them the status of a prisoner of war with the protection that follows; reformulating the six conditions that narrowed the definition of mercenaries to include only certain cases; and including an article in the Additional Protocol II in relation to the prohibition of the use of mercenaries, like Appendix I.
- * **The UN Security Council:** Emphasizing the comprehensive ban on the supply of arms and fighters to any of the parties to the conflict in Syria; adopting individual sanctions against those responsible for the continuation of the Syrian government's gross violations of human rights, the rules of international law, and previous Security Council resolutions; and activating the implementation of Resolution 2139-2014 to impose sanctions on individuals in the Syrian army and government who are responsible for the non-compliance with the resolution.
- * **INTERPOL:** Including the work of private security companies, which do not declare their affiliation with any military institution, under its area of jurisdiction in order to protect the international security; providing expertise and technical assistance; enhancing the capacity of justice agencies, analyzing data and information related to the work of companies; and putting forth innovative approaches and mechanisms to fight and prevent traditional or modern crimes committed by their members, to ensure that the work of such companies does not result in crimes or cover-ups.

- * **The Independent International Commission of Inquiry on Syria (COI) and the International, Impartial, and Independent Mechanism for Syria (IIIM):** Cooperating and coordinating with Syrian human rights bodies and documentation centers to carry out a comprehensive survey documenting the crimes committed by mercenary militias, security companies, and military companies; scrutinizing all visual materials circulated about those groups' members and operations; and recommending placing those involved on the wanted list, in preparation for their trial before judicial bodies.

D. To the International Community

- * Seeking out international mechanisms and task forces that hold accountable and take judicial or institutional action against military and civilian leaders involved in the conflict; focusing in particular on international human rights mechanisms, most notably the UN Human Rights Council, to which individuals can report violations of mercenaries and security and military companies operating in Syria.
- * **International Donors:** Making contributions and financing structural activities with a direct, permanent, and comprehensive impact on the economy and standard of living in Syria; contributing to stability and increasing the sustainable production to rehabilitate the basic agricultural infrastructure and support services; designing programs aimed at increasing self-reliance in societies recovering from years of war; and providing protection against financial exploitation that leads to involvement in mercenary groups and other illegal activities.

E. To the Turkish Government

- * Emphasizing the unity of Syria, the independence of its lands, and the cohesion of its social and demographic fabric.
- * Standing at an equal distance from all Syrians; respecting the ties of history, geography, and common culture that bring people of the region together; and adhering to the rule of good neighborliness and common interests, without discrimination or preference of any of the components.
- * Assuming, as an occupying authority, its responsibilities regarding the security of civilians in areas where Turkey controls their fundamental rights and freedoms and protecting those civilians from any form of coercion by the Turkish army, its affiliates, or groups operating under its supervision.
- * Taking full responsibility for the crime of recruiting mercenaries and foreign fighters.
- * Immediately returning all Syrian fighters abroad, and taking all necessary measures to ensure that mercenary activities are not repeated.
- * Addressing the phenomenon of impunity within the Turkish army and security forces, as well as their affiliated groups.

F. To the Government of the Russian Federation

- * Declaring the scope and duration of military operations, as well as the extent of their commitment to the stated goal of intervening in Syria to fight the terrorist organization of the Islamic State.
- * Stating the nature of its relationship with the military companies operating in Syria and its responsibility for Russian fighters in the ranks of those companies.
- * Committing to rebuilding what was destroyed by those companies and the Russian war machine.
- * Holding the perpetrators of such destruction accountable, compensating the victims financially and morally, and apologizing to the victims publicly.

G. To the Syrian Civil Society

- * Consolidating the legal efforts to support victims who submit individual complaints of violations committed by all parties to the conflict to the Special Procedures of the Human Rights Council; using the legal process to pressure the parties to stop violence and hold perpetrators accountable.
- * Promoting volunteer work and programs that seek to build a civil culture that respects citizenship and equality and relies on respect for human rights in a broad sense.
- * Working to attract young people in accordance with their economic and social interests and providing them with the tools to help them defend those interests to be able to bring about real social change that emphasizes development and respect for human rights, and to protect them from the effects of living or engaging in violence.

