



Report:

Online event on “A human rights approach to combat illicit trade: the case of Syria” 24 February 2022, 16:00-17:30

An orange event poster with a white border. At the top, it features logos for the Budapest Centre for Mass Atrocities Prevention, No Peace Without Justice, ES, and Sant'Anna School of Advanced Studies - Pisa. The central text reads: 'A HUMAN-RIGHTS APPROACH TO COMBAT ILLICIT TRADE: THE CASE OF SYRIA' followed by '24 FEBRUARY | 16:00 -17:30 (CET)'. On the right, there is a map of Syria and Iraq with a white circle around Syria. Below the map is a photograph of a large conference room with many people seated around a circular table. At the bottom right, the PMI Impact logo is visible. On the left side, there are sections for 'Co-Chairs' and 'Panel' with names and affiliations.

Co-Chairs:
Hussein Sabbagh,
Euro-Syrian Democratic Forum
Niccolò Figà-Talamanca,
No Peace Without Justice

Panel:
Hon. Fabio Massimo Castaldo,
Member of the EP Committee
on Foreign Affairs
Abdulbaset Sieda,
Syrian politician and academic;
former President of the Syrian
National Council
Naghah Ghadri, Human Rights
advocate and former Vice-
President of the Syrian National
Opposition Coalition
Luca Poltronieri Rossetti,
Sant'Anna School of Advanced
Studies
György Tatár,
Budapest Center for Mass
Atrocities Prevention

**A HUMAN-RIGHTS APPROACH TO
COMBAT ILLICIT TRADE:
THE CASE OF SYRIA**

24 FEBRUARY | 16:00 -17:30 (CET)

Register now at:
<https://bit.ly/illicitradesyria>

Simultaneous interpretation in
English and Arabic

PMI **Impact**

The event was organised by No Peace Without Justice in collaboration with the Euro-Syrian Democratic Forum, the Budapest Centre for Mass Atrocities Prevention and the Sant'Anna School of Advanced Studies and the support of PMI Impact.

Overview

Exacerbated by a complex and intertwined regional conflict, illicit trade flourishes in Syria, increasing criminal and terrorist profits, contributing to political instability and feeding mechanisms that favor impunity and fuel human suffering, ultimately prolonging the conflict. The conflict has determined the complete collapse of all socio-economic structures within Syria, compounded for the past two years by the spread of the COVID-19 pandemic, and the emergence of an unregulated and informal economic and trade system within Syria, which is fuelled on the one hand by the need to acquire financial and economic resources to feed the military operations but also on the will to gain and amass political power to avoid accountability and establish a system of impunity based on the “rule of might”. The massive level of violence witnessed in Syria for the past decade diverted the attention from the economic and trade interests of the warring parties.

While the international community has established various mechanisms, such as the UN Independent International Commission of Inquiry and the IIIM, to monitor and report the massive human rights violations perpetrated by all warring parties; the focus and attention on the economic and trade repercussions of the conflict have been mostly limited to the exploitation of antiquities, narcotics and sanctioned goods. Although countering international illicit trade is one of the most densely regulated area of international law, these instruments only have a sectoral approach and focus solely on the protection of the property rights of those who produce, sell or buy them. This approach risks leaving in the shadow the economic, social, political and humanitarian consequences of illicit trade.

This event will aim at highlighting how war economies and illicit trade have serious and tangible costs for human rights and for the erosion of the rule of law, increasing the suffering of civilians, contributing to political instability and feeding mechanisms that favor impunity and underline the need for a human-rights based approach to countering illicit trade and the effects of war economies on the affected populations. As the EU remains the biggest international donor in assistance for needs inside Syria, it is critical that European institutions develop a human rights approach to the challenges posed by the emergence of war economies and trafficking in conflict situations and look into the necessary tools and mechanisms for effectively addressing these challenges. It is also crucial that civil society and the private sector acquire an increased awareness on the nexus between illicit trade and human rights violations against individuals and communities as a basis for greater commitment to counteracting illicit trade.

Event summary

Participants

The Colloquium was co-chaired by **Niccolò Figà-Talamanca**, Secretary General of No Peace Without Justice, and **Hussein Sabbagh**, Secretary General of the Euro-Syrian Democratic Forum – and included **Hon. Fabio Massimo Castaldo**, Member of the EP

Committee on Foreign Affairs; **Abdulbaset Sieda**, Syrian politician and academic, former Vice-President of the Syrian National Council; **Luca Poltronieri Rossetti**, Sant'Anna School of Advanced Studies; **György Tatár**, Budapest Center for Mass Atrocities Prevention; **Mr. Mohamad Almrwah**, Syrian human rights activist and researcher; **Munaff Koman**, member of the Syrian Council for International Relations and researcher at the Omran Center for Strategic Studies.

Panel discussion

Mr. Sabbagh and **Mr. Figà-Talamanca** introduced the topic at hand. **Mr Sabbagh** stated that, in spite of the international community's increased attention in the topic of illicit trade in Syria and neighbouring countries, little light has been shed on monitoring violation of human rights where illicit trade happens. This is regrettable, as terrorist groups and armed factions have decreased the possibility to access vital goods for civilians, causing major threats to their lives.

Mr Figà-Talamanca highlighted that the main driver of the colloquium was to reflect on the crucial impact that illicit trade and war economies have on human rights, in situations of political instability and conflict. He stressed that this is not simply a question of smuggling, but a question of power dynamics within communities – and of who gets more (or less) powerful. Sometimes this power play happens within each “sides” of a conflict. Certain people have gained, irrespective of whether they were on the winning or losing sides. And it is civilians who are paying the price of this profit in their daily lives. **Mr Figà-Talamanca highlighted that the study presented today demonstrates the long-term consequences on the real life of civilians of the power dynamics, mafia-like collusion that crosses both sides. It examines the effect of illicit trade on people, oil and illicit substances, as well as ordinary goods – through networks of profiteers on all sides. Illicit trade has made people emerge based on who would be more ruthless on the civilians. This « natural selection through ruthlessness » has a terrible impact everywhere in the world.**

Hon. Fabio Massimo Castaldo stressed that the issue discussed is one of the most present and urgent today. It is crucial in many scenarios of war, and it represents an erosion of the rule of law. He expressed that it is crucial to link illicit trade to human rights. The Syrian crisis is not a traditional humanitarian crisis – it is one of unparalleled suffering and illicit trade contributes to political instability and increases the suffering of civilians. He reiterated that, although the link between illicit trade and human rights violations is crystal clear, it escapes the attention of the international community and of human rights advocates globally.

Hon. Castaldo mentioned that the EU is actively involved in this crisis as a donor and a provider of international aid to those affected. The EU raised €24.9 billion for relief efforts in Syria since 2011. However, there remains much more to be done to combat illicit trade in the region – and a human rights approach is a key part of the solution. He recalled that the European Parliament has been a very strong voice in calling out the human rights violations and calling for accountability for the Assad regime since the Arab Spring – and it has repeatedly called for impartial and credible investigations. He said that it is time for an effective EU action against impunity in Syria, and that this can only be done through the integration of human rights into the strategy.

He also mentioned that the end of the conflict can only be brought about through a Syrian-led and Syrian-owned political transition.

He said that the lack of cohesion and coherence of EU Member-States promotes the idea of an increasingly weak and ineffective Europe. EU foreign policy is greatly affected by the necessity to find unanimity, which in turn weakens its response to external affairs. He concluded his intervention by stating that more political and diplomatic unity is needed for Europe to prove a credible ally in fighting against human rights violation and impunity in Syria.

Mr. Sieda recalled that the current situation in Syria is crosscutting with other regions. For instance, the Lebanese experience is similar. There is no authority and no justice, no law, and no procedure in place in Lebanon right now, where *de facto* powers are imposing themselves. In Syria, several armed factions and groups control everything and everyone, and all of these entities commit violations on civilians. They even divide the profits between themselves. The living conditions for civilians are consequently very hard. There are food and living good shortages such as wheat and barley. The trade has a huge impact on livestock as well as on the agriculture.

Those who benefit from the trade are those with *de facto* power on the ground. They take the high profit but do not invest anything on services (such as infrastructures, electricity, water, education...) – which means that all of these are at the lowest levels in Syria.

He stressed that the issue of drugs is crucial, as it impacts Syria but also Jordan, Iraq and even Europe – because those who benefit from their dissemination are exporting it (through illegal but also legal ports). He said that in Syria, the economy is broken, and so are the infrastructures. Factions are controlling the illicit trade and benefitting from it, while the civilians are paying the price. In 2/3 weeks, we will enter the 12th year of people living in refugee camps. These people are still waiting but what is more painful now is that there is still no indication that there could be a solution.

Furthermore, as illustrated by the current situation in Ukraine, adopting a « step by step » approach with Assad like the EU has done with Putin will not work.

Luca Poltronieri Rossetti started by stating that a human rights-based approach to countering illicit trade is fundamental: and that human rights violations are a consequence of illicit trade, but in spite of this the international legal framework mostly focuses on the effect of illicit trade on goods, not on people. The paradigm must shift to integrate human rights in the fight against illicit trade.

The human rights lense allows us to see what fundamental human values illicit trade violates: life, adequate standard of living, environment, natural sources, licit market economy, etc. These values are protected in International Law and in the EU treaties – hence why it should be a priority for the EU. EU Member States also need to sensitise the public on the need to combat illicit trade.

A human-rights approach also enhances the legitimacy of mechanisms for accountability on regional and international level. It also makes it possible to effectively address the needs of victims, especially those from vulnerable groups, such as women and children.

To sum up, a human-rights approach to illicit trade will help design more effective responses from public and private actors across the globe. It is also beneficial to re-establish full confidence of the people in the rule of law and on licit market economies.

Mr. Rossetti mentioned that the EU Parliament is well equipped to fight illicit trade. It speaks for the voice of EU citizens who are interested in the situation. The EU plays a decisive role in promoting this human rights-approach, especially through the EU organs of promotion of human rights – this is a question of external protection of the EU values of human rights. Further efforts should include consultation and engagement with CSOs,

civilians, and refugees. The EU should also continue efforts of assistance and humanitarian aid to relieve the Syrian population.

Mr Rossetti concluded his intervention by stressing that International Law has something to offer in the fight against illicit trade, but only through the concerted efforts of all interested parties and actors.

Mr Tatár warned that recommendations need to be a tool for transforming reflexions because to state facts is not enough - we need to act. He gave an overview of the three levels of the recommendations developed, namely: the International community, Regional levels, and Syria.

He said that we need to end the war if we are to do anything about illicit trade and there is a need to renew efforts to find a diplomatic solution to ending it. Mr Tatár also underlined the importance of taking a human rights approach to illicit trade, and of establishing ways of monitoring the situation and reporting on the massive human rights violations in Syria. Those reports need to include the grave effects of illicit trade on human rights, the erosion of the rule of law, and political instability.

It's important that when international organisations prepare risk assessments, that illicit trade is included as an indicator.

He stated that when we provide humanitarian aid and assistance, and design development programs, we should focus on providing supply of livelihood goods to local people. Because of the specificities of the situation, we need to focus and tailor our actions to the local needs of people, which means that we should consult very regularly with civil society and pay special attention to women, who are greatly suffering in this conflict, and hear their perspectives and suggestions.

In this regard, EU policy should adopt a holistic approach and integrative manners and should enhance the views of local actors. Mr Tatár called for an update of the EU sanction regime, with a secondary sanction regime to fight illicit trade, and also called for meetings of committees and subcommittees of the European Parliament on the topic.

He stressed that these efforts should not only include institutions but should also focus on EU Member States, and concluded by giving three main recommendations:

- (1) It is necessary to take into account the principle of « do no harm » to a higher extent.
- (2) It is necessary to engage the private sector more, for a holistic approach.
- (3) It is necessary to set up mechanisms between foreign private companies and civil society.

Mr. Sabbagh briefly intervened to highlight that these efforts could only be done through more awareness raising and more advocacy from all actors. He stated that there is a need to involve every kind of power: political judicial and legislative.

Mr. Almrwah shed light on women's situation in Syria. He mentioned that over 10 000 women prisoners are currently held by the Assad regime. Women have been targeted from the beginning of the war in Syria. Recently, a volunteer of the Syrian Red Cross was arrested and held by the Syrian Army for helping people cross checkpoints. Similarly, a woman doctor was held 8 years in prison. An estimated 18 500 women were killed by the Assad regime or ISIS or SDF since the Arab Spring. Human rights violations against women in Syria are enormous. They span from recruitment, trafficking, to torturing and kidnapping. SDF recruit young girls and women into their forces. Daesh is forcing women to marry fighters.

Mr Almrwah called for the European Parliament to sanction those violation of fundamental rights.

Mr Koman highlighted the need to help those providing assistance to the most vulnerable, and to hold the Syrian regime accountable for its crimes. There is a need for a new approach to sanctions. International organisations have to break through this and force regimes to a political transition; the EU has to design a new mechanism with participation of the neighbouring countries. It is critical to limit the actions of the regime, which is acting in absolute impunity and violating the human rights of its people on a wide scale. He stated that the lack of accountability of the regime is the main problem regarding illicit trade in 2022. He concluded that Syria is becoming a major place for global corruption today.

Mr. Figà-Talamanca concluded the panel presentation by stating that although there are bombardments in Syria everyday, the eyes of the world have turned elsewhere. He, then, asked an open-ended question: *How do we undo the power dynamics that have created this situation and how do we prevent a normalisation of the regime and of the situation of its people?* The report and this event bring on a call for action that requires a wider one: to not accept the current situation in Syria as the new normal.

Discussion on action points:

Mr. Sabbagh said that there is a critical need to work from the report recommendations and in parallel, raise awareness about the situation. The focus should be on ending impunity of violators: because impunity is and remains a tool to stay in power. **Mr. Sieda** recalled that there are and were many actors in the Syrian conflict from its beginning. He said that the UN system is not functioning well and the international system as it stands now is unable to deal with the situation. He underlined the need to protect people wishing to return to their homes in Syria. CSOs all across the countries need to insure they are targeting people in need when acting in the refugee camps. Donors also have to check the specific needs of the population and tailor their response accordingly. **Mr. Tatár** highlighted the importance to follow up on all that has been recommended in this colloquium. We need to encourage the collection of documentation of the crimes and the context of illicit trade, because the international law obliges us to punish the perpetrator. We furthermore need to continue the supply of development and humanitarian aid in a specific, targeted way to the people in Syria.

Conclusions

The event provided an opportunity for panellists to explore the impact of illicit trade and war economies on the fundamental rights of the Syrian population. Overall, the event reiterated the need to go beyond the approach of illicit trade in terms of illicit goods and adopt an approach more focused on non-illicit trade objects such as water, yeast, flour and oil upon which much of the Syrian population depend for their livelihood. The panellists highlighted the need for the international community to adopt a more proactive response to the harmful consequences of illicit trade on fundamental rights. International actors should develop and strengthen efforts to monitor the situation, and to build advocacy regarding the phenomenon of illicit trade in Syria. These efforts should ultimately aim at ending impunity for the persistent and continuous human rights violation currently perpetrated by the different entities holding power across the country – and to ensure due compensation to the victims.