

# Iran's Crimes in the Syrian Conflict: A Need for Documentation and Accountability

By Malik al-Abdeh and Lars Hauch  
Policy Brief Series No. 154 (2024)

## 1. Iran's Dual Role: Facilitator and Perpetrator of Core International Crimes in Syria

Iran's public outcry over crimes against humanity and war crimes against civilians in Gaza exemplifies the hypocrisy that pervades international politics.<sup>1</sup> This is especially glaring to Syrians, hundreds of thousands of whom have been killed in a war facilitated and conducted to a considerable degree by Tehran. Addressing the International Court of Justice ('ICJ') in February 2024, Reza Najafi, Iran's deputy foreign minister for legal and international affairs, extensively cited international law and the Statute of the International Criminal Court – which Iran itself has not ratified.<sup>2</sup> Targeting supporters of Israel's war in Gaza, Najafi argued that when a party breaches international law, third states have three main obligations: non-assistance, non-recognition and cooperation to end such violations. Yet, Iran did the exact opposite in Syria, rushing to the aid of Bashar Assad in 2011 to suppress popular protests with deadly force.

The exact number of lives claimed by the Syrian conflict remains uncertain. The United Nations ('UN') stopped counting in 2014 at 191,000 due to the chaotic conditions on the ground, which made verifying information difficult to assess with any accuracy.<sup>3</sup> In 2022, the UN Human Rights Office estimated that 306,887 civilians had been killed since 2011, not including indirect deaths and the fate of more than 100,000 missing persons.<sup>4</sup>

Wording matters: it is not the *conflict* itself that claims lives, but human perpetrators who kill and order the killing of others. There is often a gap between public perceptions of these crimes and the reality of who is responsible. The so-called Islamic State, for instance, used violence as a form of strategic communication, burning itself into the global consciousness through brutal acts like public beheadings and burning of prisoners of war while still alive. Yet, according to statistics from the Syrian Network for Human Rights and the Violations Documentation Center in Syria, the Islamic State is responsible for only about two per cent of civilian deaths in Syria.<sup>5</sup> Syrian armed opposition groups and

the jihādīst group Hayat Tahrir al-Sham (formerly known as Jabhat al-Nusra) combined account for just about two per cent; Russia around 3 per cent. The Assad regime and its Iranian ally are responsible for nearly 87 per cent of civilian deaths. They employed all means at their disposal: siege and starvation, arrest and torture, mortar fire, artillery, rockets, airstrikes and chemical weapons.

Despite this staggering toll, Iran's role has received limited public attention. The fact that the statistics do not distinguish between Assad's and Iranian forces hints at why: Iran is so deeply embedded in Assad's Syria, including within Syrian army units, that it is easy to miss the forest for the trees. The Assad regime's over 300 chemical weapons attacks<sup>6</sup> and 80,000 barrel bombs<sup>7</sup> dropped on Syrian neighborhoods, and Russia's notorious double-tap airstrikes on bakeries and medical facilities, grabbed the headlines more easily. Meanwhile, Iran, which provided massive credit lines, oil deliveries, and military and intelligence advisors who brought in surveillance and other equipment that made Assad's war machine more efficient, was a major facilitator of these crimes. But Iran was – and remains – not just a facilitator, but also a direct perpetrator, with boots on the ground and command over tens of thousands of Islamic Revolutionary Guard Corps ('IRGC')-affiliated militiamen and other forces, including Lebanese Hezbollah, who have carried much of the heavy fighting on behalf of Assad. Iran's presence is so deeply woven into the fabric of the Syrian state and society that some Syrian observers describe the country as an 'Iranian colony'.

For accountability efforts today and in preparation for a future transitional justice process that aims to reconcile Syria's war-torn society, it is crucial to have a clear understanding of Iran's crimes and its multi-layered presence on political, military, social and religious levels.

## 2. Enmeshed in All Sectors: The Evolution of Iran's Intervention in Syria

Barely 24 hours after Syrian rebels finally surrendered the eastern districts of Aleppo following a devastating siege in December 2016, Qassem Soleimani, the late commander of the IRGC's Quds Force, was seen touring the ruins of his latest conquest.<sup>8</sup> Throughout 2016, Soleimani had overseen operations to encircle eastern Aleppo, cutting off supply lines for an estimated 8,000 rebels and 275,000 trapped civilians. He then commanded the final ground assault, spearheaded by a mix of foreign militias that were formed by Iran, including fighters from Syria, Lebanon, Iraq, Afghanistan and Pakistan, in what would become

<sup>1</sup> See Yusra Asif, "Iran addresses the ICJ on Israeli occupation of Palestinian territories", *Al Arabiya*, 22 February 2024.

<sup>2</sup> See "Oral Statement of the Islamic Republic of Iran at the ICJ", in ICJ, *Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, Verbatim record, 22 February 2024, no. 2024/9, pp. 18 ff. (<https://www.legal-tools.org/doc/024368gj/>).

<sup>3</sup> See John Heilprin, "UN: Death toll from Syrian civil war tops 191,000", *AP News*, 22 August 2014.

<sup>4</sup> See Office of the UN High Commissioner for Human Rights, "UN Syria Commission of Inquiry: Member States must seize moment to establish mechanism for missing persons", Press Release, 17 June 2022.

<sup>5</sup> See Syrian Network for Human Rights, "Civilian Death Toll", 30 August 2024. See also Violations Documentation Center in Syria, "Monthly Statistical Report on Casualties in Syria", March 2020.

<sup>6</sup> See Tobias Schneider and Theresa Lütkefend, "Nowhere to Hide: The Logic of Chemical Weapons Use in Syria", Global Public Policy Institute, February 2019.

<sup>7</sup> See Syrian Network for Human Rights, "In Nine Years, the Syrian Regime Has Dropped Nearly 82,000 Barrel Bombs, Killing 11,087 Civilians, Including 1,821 Children", 15 April 2021.

<sup>8</sup> See Heshmat Alavi, "Why did Iran publish images of their general Qassem Soleimani in Aleppo?", *Al Arabiya*, 25 December 2016.

the most significant battle of the Syrian war, destroying a considerable portion of UNESCO-protected Ancient Aleppo. Four years of fighting in Aleppo claimed the lives of thousands of civilians and displaced hundreds of thousands.<sup>9</sup> This is one of many reasons why celebrating Syrians handed out sweet pastries in the streets after Soleimani was killed by a United States ('US') drone strike in Baghdad in January 2020 – and after Hezbollah leader Hassan Nasrallah was killed by Israeli air strikes on 27 September 2024.<sup>10</sup>

The alliance between Iran and Syria dates back to the Iranian revolution in 1979, when both nations shared common enemies. For Syria, the Camp David Accords of that year, which saw Egypt making peace with Israel, coupled with the rival Baath Party in Iraq vying for pan-Arab leadership, underscored the need for new allies. For Iran's newly established regime, an Arab ally like Syria was more than welcome. Less than a year after the revolution, Iran was at war with Iraq, and the alliance with Hafiz Assad helped to provide much-needed military assistance to Iran while also aiding it in its machinations in Lebanon. Since then, Iran has progressively sought to deepen its influence in Syria, a process much accelerated under Bashar Assad who was less able or willing to limit the extent of Iran's cultural, political and economic penetration of his country.

When the wave of Arab Spring protests reached Syria in March 2011, the IRGC already had boots on the ground and was positioned to suppress what Iran viewed as a direct threat to its hegemony in the Levant. In 2012, Iran helped transform the Popular Committees – a network of local militias created by the Syrian *al-Mukhabarat* through the Baath Party members – into the National Defence Forces ('NDF'). Early on, these forces committed massacres and other crimes, including acts of sexual violence, against civilians who were occasionally handed over by the Syrian Arab Army ('SAA') to the NDF in a sinister scheme of distributing roles and responsibilities in terrorizing the Syrian people.<sup>11</sup> Iran provided guidance, training and arms to some NDF units, but the large number of Sunnis within the NDF resisted Iran's attempts to push conversion to *Shi'ism* and integrate them formally into the Axis of Resistance, Iran's regional proxy network.<sup>12</sup> Over time, the NDF aligned more closely with Russia, and while Iran retained some influence, it quickly decided to establish a more ideologically committed militia: the Local Defence Forces ('LDF').

Formed in Aleppo province in 2012, the LDF expanded throughout Syria, with factions like the Nubl and Zahra'a Regiment – named after two *Shi'ah*-majority towns northwest of Aleppo city – becoming particularly powerful. Despite the LDF being under Iranian command, the Assad regime accepted service in the LDF as equivalent to compulsory military service in the SAA, highlighting the blurred lines between formal state institutions and Iranian-controlled entities.<sup>13</sup> The LDF's success as an Iranian project was bolstered by the direct support of Hezbollah, Iran's most powerful proxy, which entered Syria in 2012 with thousands of well-trained fighters. Hezbollah played a key role in combat operations, propping up the struggling SAA, and building Iran's extensive militia network.<sup>14</sup>

This network was not only sectarian but increasingly multinational. *Shi'ah* militias from Iraq answered Iran's call, and entirely foreign militias such as the Afghan Fatemiyoun Brigade and the Pakistani Zainabiyoun Brigade were formed, drawing on *Shi'ah* minorities abroad. These brigades, numbering between 15,000 and 20,000 men, provided

<sup>9</sup> Due to the scale of the fighting and a lack of monitors, no conclusive data is available.

<sup>10</sup> See "Syrians in Idlib celebrate Qassem Soleimani's death with sweets and cakes", *Middle East Eye*, 3 January 2020.

<sup>11</sup> Information gathered as part of the authors' support for war crimes investigation initiatives.

<sup>12</sup> See Gregory Waters and Kayla Koontz, "'Shabiha Forever': Assad's Creation, Control, and Use of Militias Since 2011", *Harmon Center for Contemporary Studies*, November 2023.

<sup>13</sup> *Ibid.*

<sup>14</sup> See Seth G. Jones and Maxwell B. Markusen, "The Escalating Conflict with Hezbollah in Syria", Center for Strategic and International Studies, 1 June 2018.

much of the cannon fodder Iran required in what had become a grinding war of attrition with the armed opposition.<sup>15</sup>

In more recent years, Iran's military activities have been complemented by cultural, religious and charity initiatives, often directly implemented by the same militias. Hard power projected through the militias, combined with soft power through social engagement, highlights how Iran diversified its presence in Syria to ensure resilience under any future scenario.<sup>16</sup> In turn, soft power initiatives helped in recruiting new volunteers into the militias and the founding of centres of local support, especially in rural Homs, Aleppo and Deir Ezzor.

With this setup in place, Iran played a critical role on nearly all frontlines in Syria, and its involvement was strategic from the start. Before Russia's intervention in 2015, Iran was instrumental in enforcing starve-or-surrender sieges in key areas near the Lebanese border, around Damascus, and in the coastal regions further north. Rebel-held neighborhoods and towns were besieged to the point of famine, with civilians dying from hunger, forcing rebels into individual surrender deals that often resulted in forced displacements and acts of revenge by Iranian units that entered these conquered areas.<sup>17</sup> Iranian officers were frequently present during these negotiations, sometimes even ordering *al-Mukhabarat* officers to leave the room, especially when the negotiations involved besieged *Shi'ah* communities or hostages held by rebels who understood the extent of Iran's influence.<sup>18</sup>

A notable example is the evacuation of the rebel-held Old City of Homs in 2014, which was decisively influenced by direct negotiations between Ahrar al-Sham, a prominent *Islami* group at the time, and Iranian officers. Ahrar al-Sham had taken hostages from the *Shi'ah*-majority towns of Nubl and Zahra, whose release was a priority for Iran. To secure their release, Iranian officers pressured the Assad regime into making concessions, allowing the encircled rebels to withdraw to northern Homs province. Following the successful evacuation, Ahrar al-Sham released some of the hostages and opened a corridor for aid to reach the besieged *Shi'ah* towns.<sup>19</sup>

Despite Iran's heavy support for Assad, the rebellion proved persistent and evolved into a fully internationalized civil war by 2015. That spring, Turkey and Qatar resolved internal disputes and backed the rebel coalition Jaysh al-Fatah ('Army of Conquest'), which captured the north-western province of Idlib and threatened the regime's core areas of support along Syria's coast. Rebels of the US-backed Southern Front coalition meanwhile captured the strategic town of Busra al-Sham near the Jordanian border, advanced on the provincial capital of Daraa, and eyed marching further towards the Syrian capital.<sup>20</sup> On top of that, the Islamic State seized large swathes of central Syria and the north and east, after being expelled by rebels from the north-west. Assad's position was increasingly precarious, which was partly intentional, given his tacit support for the rise of the Islamic State that he had figured (correctly) would divide the opposition and prompt a more decisive intervention on his behalf.<sup>21</sup>

<sup>15</sup> For more information on the Fatemiyoun Brigade, including excerpts of a manuscript of a former member that was obtained by the authors, see Lars Hauch, "Understanding the Fatemiyoun Division: Life Through the Eyes of a Militia Member", *Middle East Institute*, 22 March 2019.

<sup>16</sup> See, for example, the detailed statement from the Syrian Women's Political Movement, "Aspects of Iranian Presence in Syria", 11 March 2024. For further information on Iran's activities in eastern Syria, which has become a center of Iranian influence, see Omar Abu Layla, "Iran's Evolving Strategy in Eastern Syria", *Fikra Forum*, 18 July 2024.

<sup>17</sup> See Independent International Commission of Inquiry on the Syrian Arab Republic, "Sieges as a weapon of war: encircle, starve, surrender, evacuate", 29 May 2018 (<https://www.legal-tools.org/doc/b3a9a2/>).

<sup>18</sup> Interview with key informant, October 2021.

<sup>19</sup> For further case studies of Iranian involvement in local negotiations, see Lars Hauch and Malik al-Abdeh, "A safe, calm and neutral environment in northwest Syria: From transition to transformation", *International Alert*, November 2021.

<sup>20</sup> See Aron Lund, "The Battle for Daraa", in *Diwan*, Carnegie Endowment for International Peace, 25 June 2015.

<sup>21</sup> See Matthew Levitt, "The Assad Regime's Business Model for Supporting the Islamic State", in *Lawfare*, September 2021.

Assad's desired intervention came following the signing of the Iran nuclear agreement, known as the Joint Comprehensive Plan of Action ('JCPOA') on 14 July 2015 in Vienna.<sup>22</sup> Less than two weeks later, Qassem Soleimani reportedly flew to Moscow to solidify an Iranian-Russian alliance that would secure Assad's survival and protect Tehran's and Moscow's interests in Syria.<sup>23</sup> Soon after, Russia began constructing a major airbase south-east of Latakia, and, on 30 September 2015, the Russian air force began bombing opposition-held areas. Meanwhile, Iran increased its involvement by deploying more forces, including units from the IRGC and the regular army, amounting to an estimated 15,000 troops.

This distribution of roles marked a turning point in the war. Russia focused on air power and logistical support, deploying only 5,000 troops, while Iran, already deeply integrated with Assad's forces, provided the necessary manpower on the ground.<sup>24</sup> This pro-Assad coalition was effective enough to push back the rebels, who were hampered by internal divisions and a lack of international support. However, significant breakthroughs against key rebel strongholds in the south, around Damascus, and in the north-west, as well as against the Islamic State, remained elusive, reflecting the desolate condition of Assad's army. To create diplomatic cover to overcome these challenges on the ground, the pro-Assad coalition replicated its familiar model of sieges and individual surrender deals on a nationwide scale. This approach was formalized through the Astana process between Russia, Iran and Turkey, which designated major rebel-held areas as "de-escalation zones" under the guarantorship of the Astana powers.<sup>25</sup> Officially, the initiative aimed to de-escalate violence, improve humanitarian access, combat Islamic State, and create conditions conducive to advancing the political process in line with UN Security Council Resolution 2254 (2015) that called for a political transition including free and fair elections.<sup>26</sup> In practice, however, the pro-Assad coalition used this respite to seize as much rebel-held territory as possible as well as Islamic State-held territory to forestall progress by the US-backed Syrian Democratic Forces.

Iran played a critical role in this plan, with allied Shi'ah militias in Iraq operating under the umbrella of the Popular Mobilization Forces, advancing from the Iraqi side of the border. Iranian militias in Syria soon met their counterparts at the border town of Qaim, an area that remains an Iranian stronghold at the time of writing. Following this, the coalition reduced the de-escalation zones – excluding Idlib that was protected by Turkish forces – one by one. The assault was particularly brutal in East Ghouta, a densely populated suburb of Damascus with over 250,000 inhabitants. In June 2018, just over one month after East Ghouta's rebels surrendered, the UN's Independent International Commission of Inquiry reported that indiscriminate bombing, starvation and denial of medical care amounted to war crimes and crimes against humanity.<sup>27</sup> The final assault on East Ghouta saw the use of chemical

weapons, incendiary munitions, and was followed by field executions and systematic detentions of thousands of civilians. Some 1,700 people were killed, 5,000 injured, and 158,000 displaced, leaving only 18 per cent of the area's pre-war population.<sup>28</sup>

Since large-scale fighting wound down after the crushing of three out of four de-escalation zones by summer of 2018, Iran then played a major role in helping Assad govern territory that mostly resembled a patchwork of Syrian *al-Mukhabarat*, various militias and criminal gangs, and IRGC-affiliated militias extorting resources out of civilians who lacked the means to flee.<sup>29</sup> In all of this, Iran has been both a direct perpetrator and an enabler of the Assad regime and Russia.

Through the JCPOA negotiations, Iran provided crucial diplomatic cover for Assad at a time of heightened international focus on Syria, particularly after the chemical attacks on opposition-held suburbs of Damascus in August 2013. Iranian intelligence, strategic advice, tactical leadership and material support prevented the Assad regime from collapsing and continues to prop him up economically at the time of writing in October 2024. Estimates vary, but Iran's credit lines to Assad's regime are believed to total up to USD 50 billion, alongside a similar figure for Iran's own military expenses in Syria.<sup>30</sup> Iran expects returns on its investment, a prospect that spells further hardship for Syrian civilians.

### 3. Consequential Assessments: Iran's Regional Strategy Through Syria

When assessing the rationale behind Iran's intervention in Syria – an intervention that must be understood within the broader framework of Iran's foreign policy – political and expert debates tend to polarize around two seemingly irreconcilable positions. On one side are those who view Iran as a deliberate aggressor seeking to export the Islamic Revolution and establish a Shi'ah sphere of influence led by Tehran. From this vantage point, Iran's actions are seen as part of a broader attempt to re-establish a Persian empire in all but name.<sup>31</sup> Syria is critical in this strategy, providing Iran with access to the Mediterranean, a land bridge through Iraq to Hezbollah in Lebanon, and a frontline against the Israeli-occupied Golan Heights. Without Syria, the so-called 'Shia crescent' and the Axis of Resistance would be geographically incontinent, making it imperative for Iran to help Assad crush a predominantly Sunni (and anti-Iran) rebellion.

On the other side are those who interpret Iran's regional strategy, including its activities in Syria, as part of a broader 'forward defence' approach. With its limited conventional military capabilities, Iran uses asymmetric tactics to deter direct attacks on its own soil. From this perspective, Iran's network of proxies and influence across the Middle East is ultimately defensive, aimed at protecting the country from external threats posed by regional and international adversaries.<sup>32</sup> Policy

---

marked by war crimes, crimes against humanity", Press Release, 20 June 2018.

<sup>22</sup> See "The failure of Eastern Ghouta", *PAX*, 25 June 2018.

<sup>23</sup> For an example of recent power dynamics in the southern province of Daraa, see "Shadow wars", *Syria in Transition*, no. 6, November 2023. It should also be noted that Iran continues its efforts to gain control over militias and tribal formations, led by the IRGC and Hezbollah. For an example of how a tribe in Syria's north-east came under Hezbollah's influence, see "Rise and decline of Tayy", *Syria in Transition*, no. 10, March 2024.

<sup>24</sup> See "New estimates put Syria's debt to Iran at USD 50 billion", *The Syria Report*, 23 May 2023. Some estimates even suggest that Iran has spent more than USD 100 billion in the first seven years of the war alone. These figures are hard to verify, but for some further discussion, see Karam Shaar and Ali Fathollah-Nejad, "Iran's credit line to Syria: A well that never runs dry", *Atlantic Council*, 10 February 2020.

<sup>25</sup> See "What Trump will do in the Middle East: A conversation with Joel Rayburn", *Syria in Transition*, no. 6, March 2024. On the different interpretations of the Iranian doctrine of exporting the revolution, see also Bahram Navazeni, "Three Decades of Iran's Policy of Exporting the Islamic Revolution: Politics, Ends, and Means", in *American Journal of Islam and Society*, 2010, vol. 27, no. 1, pp. 136–148.

<sup>26</sup> See, for example, Till Schmidt, "Can the situation in the Middle East still be deescalated, Ali Vaez?", *Zentrum Liberale Moderne*, 15 August 2024.

<sup>22</sup> China, France, Germany, the Russian Federation, the United Kingdom and the US, with the High Representative of the European Union for Foreign Affairs and Security Policy, and the Islamic Republic of Iran, Joint Comprehensive Plan of Action, Vienna, 14 July 2015 (<https://www.legal-tools.org/doc/wk076w0b/>).

<sup>23</sup> See Laila Bassam and Tom Perry, "How Iranian general plotted out Syrian assault in Moscow", *Reuters*, 6 October 2015.

<sup>24</sup> See Nikita Smagin, "Moscow's Original 'Special Operation': Why Russia is staying in Syria", *Carnegie Politika*, 7 February 2023.

<sup>25</sup> Turkey only served as a guarantor for the zone in the northwest at its border. Given Israeli resistance to the southern de-escalation zone being under Iranian influence, the US took the nominal role of guarantor after a series of negotiations over the summer of 2017. Washington, however, did not take any action when the pro-Assad coalition attacked the southern zone a year later. For the memorandum on the creation of the de-escalation zones, see Islamic Republic of Iran, Russian Federation and Republic of Turkey, *Memorandum on the creation of de-escalation areas in the Syrian Arab Republic*, Astana, 4 May 2017 (<https://www.legal-tools.org/doc/pc09axq2/>).

<sup>26</sup> Resolution 2254 (2015), UN Doc. S/RES/2254 (2015), 18 December 2015 (<https://www.legal-tools.org/doc/c0addb/>).

<sup>27</sup> See Office of the UN High Commissioner for Human Rights, "UN Commission of Inquiry on Syria: The siege and recapture of eastern Ghouta

prescriptions vary accordingly. While advocates of the ‘aggressor’ view call for maximum pressure on Iran, those who accept the ‘forward defence’ argument tend to favour concessions to Iran – especially given the concern that depriving Iran of its deterrence capabilities might drive it towards going nuclear. This latter approach is designed to de-escalate tensions with Israel and the US, ideally leading to a stable regional balance of power resembling a ‘cold war’ that avoids broader conflict while allowing some containment of Iran’s more egregious designs.

For Syrians, the explanatory model for Iran’s behaviour that international actors subscribe to is highly consequential. Those who tacitly accept Iran’s ‘forward defence’ rationale tend to ignore or downplay Iran’s regional interventions, believing that appeasing Iran in places like Iraq, Syria, Lebanon and Yemen will prevent an escalatory cycle with Israel. Syria is thus seen primarily as a launching pad for potential Iranian attacks on Israel rather than a country with concerned citizens who do not want their country to be dominated by another country. This attempt of a balancing act sacrifices the interests of Syrians in favour of a flawed geopolitical chess game. Moreover, the assumption that a ‘cold war’ with Iran will lead to regional stability is flawed because Iran has consistently ignited and used regional conflicts – in Iraq, Yemen and especially Syria – as tools to extend and deepen its influence. There is no evidence to suggest that Iran would have scaled back its foreign interventions, even if a new nuclear deal were reached. In fact, following the 2015 JCPOA, Iran doubled down in Syria and Yemen with diabolical consequences for the civilians of those two countries.

The scale of Iran’s investment in the Syrian conflict – in terms of human resources, material support and financial backing – constitutes a profound commitment that has, in many ways, paid off. Tehran now wields significant influence over Syria’s future, has solidified the Axis of Resistance, and strengthened its strategic partnership with Russia. This collaboration extends beyond the Syrian conflict and now involves China, which offers Iran essential geopolitical and economic support against Western sanctions and the Western dominance of the international system.<sup>33</sup> Even more notably, despite its increased power in Syria, Iran has also managed to mend relations with key Arab states, most notably Saudi Arabia, that not long ago used military means to oppose Iranian expansion.

#### 4. Eluding Accountability: Barriers to Justice and Options to Act

From the perspective of Iranian strategists, the intervention in Syria can be regarded as a success. Its proxy Assad is still in power and controls most of the country. None of the key figures responsible for war crimes and crimes against humanity in Syria have been held accountable. That applies particularly to Iran, whose crimes in Syria largely fly under the radar of outside observers. Tehran has deeply embedded itself in Syria, to the point where some of its military units wear Syrian army uniforms and operate out of Syrian army bases. This level of infiltration makes it incredibly difficult for investigative bodies, such as the Independent International Commission of Inquiry on the Syrian Arab Republic (‘COI’) and the International, Impartial and Independent Mechanism, to grasp or document Iranian crimes properly.<sup>34</sup>

<sup>33</sup> See “How China, Russia and Iran are forging closer ties”, *The Economist*, 18 March 2024. On the co-operation and rivalry that characterizes the relations between the three countries, see also the edited conversation between Nicole Grajewski, Nader Habibi and Gary Samore, “Iran’s Eastward turn to Russia and China”, *Crown Conversations*, Crown Center for Middle East Studies, 20 May 2024.

<sup>34</sup> Monitoring and investigation are also undermined by the Assad regime,

International law does offer principles like ‘joint criminal enterprise’ to address criminal liability for those involved in common plans, even if they did not carry out all physical acts themselves. This is perhaps a useful lens to approach Iran’s role, not only as a direct perpetrator but as an enabler of Assad in the execution of their war crimes. However, whether accountability will ever materialize remains doubtful. With the UN Security Council deeply divided and the erosion of international law proceedings, especially in the context of the Gaza war, hopes for reform or real accountability are rather uncertain. Meanwhile, measures such as sanctions that are often marketed as accountability tools are means of political signaling at best.<sup>35</sup>

Given these constraints, documentation is crucial. Even through a comprehensive transitional justice process remains a distant hope, truth-seeking can proceed. Iran and Assad’s regime have, despite their differences and conflicts, in many respects merged into what seems like a monolith, and deconstructing this is essential for a potential reconciliation process between Syrians. Civil society organizations and human rights groups can drive this work while international investigating bodies must be encouraged to adopt unambiguous language in their reporting, including naming IRGC-affiliated militias and their chains of command.

Ultimately, however, effective accountability cannot be achieved as long as Iran holds a position of power in Syria. That can only change if Assad’s regime falls by force, or if there is a decisive shift away from Iran overseen by a transitional governing body under UN Security Council Resolution 2254 (2015).<sup>36</sup> A new authority in Damascus is needed with sufficient clout to challenge Iran’s influence, process Iran’s crimes, hold those in breach accountable, and reconcile Syria in a way where the reality of Iranian crimes has a place in the collective consciousness of the Syrian people. The US, if it chose to rally its traditional allies, has the means to advance the necessary political solution agreed on by the Council nine years ago through Resolution 2254. But as things stand, the sad reality is that regional and international heavyweights consider Syria a side-show and an arena for bargaining in the competition for power in the Middle East. That does not bode well for the ending of impunity for Iran’s crimes in Syria.

*Malik al-Abdeh and Lars Hauch are respectively Managing Director and Director of Research of Conflict Mediation Solutions (CMS).*

*ISBN: 978-82-8348-241-6.*

*TOAEP-PURL: <https://www.toaep.org/pbs-pdf/154-abdeh-hauch/>.*

*LTD-PURL: <https://www.legal-tools.org/doc/9i6vt2/>.*

*Date of publication: 23 October 2024.*

---

which has denied access for the COI and Office of the UN High Commissioner for Human Rights to complete their mandate.

<sup>35</sup> Qassem Soleimani, for instance, was sanctioned by the US already in May 2011 due to his support for the Assad regime. See US Department of the Treasury, “Administration Takes Additional Steps to Hold the Government of Syria Accountable for Violent Repression Against the Syrian People”, Press Release, 18 May 2011. Sanctions have also targeted senior advisor to the Iranian Supreme Leader Ali Akbar Velayati for his help in extending credit lines to the Assad regime, as well as senior IRGC figure Rostam Qasemi for his role in transporting crude oil to Syria. See *id.*, “Treasury Designates Supreme Leader of Iran’s Inner Circle Responsible for Advancing Regime’s Domestic and Foreign Oppression”, Press Release, 5 November 2019.

<sup>36</sup> See *supra* note 26.



**Torkel Opsahl Academic EPublisher (TOAEP)**

Via San Gallo 135r, 50129 Florence, Italy

URL: [www.toaep.org](http://www.toaep.org)



TOAEP reserves all rights to this publication in accordance with its copyright and licence policy at <https://toaep.org/copyright/>. Inquiries may be addressed to [info@toaep.org](mailto:info@toaep.org). TOAEP’s responsible Editor-in-Chief is Morten Bergsmo. You find all published issues in the Policy Brief Series at <https://www.toaep.org/pbs>. TOAEP (with its entire catalogue of publications) is a digital public good, as also certified by the Digital Public Goods Alliance.