



AITCHISON COLLEGE

MODEL UNITED NATIONS CONFERENCE VI

Futuristic International Criminal Court

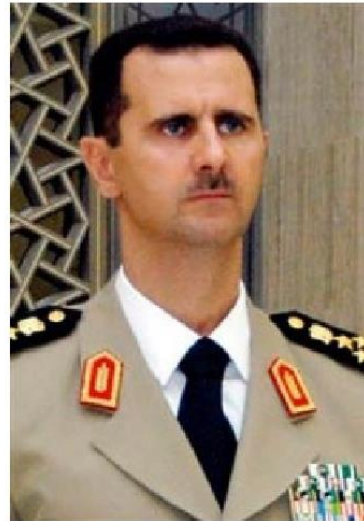


INDEPENDENT BODIES

The Trial of Bashar al-Assad



The International Criminal Court Building, The Hague, Netherlands.



Bashar Hafez al-Assad in full military regalia

After the death of his father, Hafez al-Assad, in June 2000, Bashar Hafez al-Assad became President of the Syrian Arab Republic in July of that year. Faced with a number of domestic and international crises from an unstable Syrian economy to a hostile relations with neighbouring Israel, Bashar neither wanted nor expected to be in charge of a nation numbering approximately 16.37 million people[1]. Fourteen years later, Bashar won a landslide victory in the Syrian presidential elections. Considered illegitimate by many[2], they served merely as a formality to validate years of Bashar's presidency as a ruthless strongman. In August 2013, Bashar was accused of chemical warfare, following a chemical weapons attack the likes of which had not been seen since the Iran-Iraq War. It is almost impossible to believe that this is the same thirty year old who once simply wished to be ophthalmologist.

As of June 2014, Syria is still in the midst of a bloody civil war, with no end in sight. Anywhere between 105,000 and 162,000 people are dead and at least 8000

of them are children[3]. Even journalists have not been spared. There is no doubt that both sides have been ruthless and innocents have paid for this in their own blood. The question remains: who is responsible for the carnage that was once the Syrian people?

In an attempt to find answers, the International Criminal Court has turned its sights to the most obvious candidate: Bashar al-Assad; President of Syria. With this in mind, the following Study Guide aims to fulfill three major purposes:

1. to provide an overview of the foundation and functions of the ICC;
2. to detail the life and career of Bashar al-Assad up to the present point in time (June 2014);
3. to set the stage for the capture and trial of Bashar al-Assad in the ICC;

This guide is intended only as a brief introduction to the ICC and Bashar al-Assad; by no means is it meant to encapsulate the depth or breadth of knowledge required by individual representatives. Delegates are strongly encouraged to carry out their own research on the topic as well as this guide serves merely to point delegates in the right direction. For those interested, extra information may be found in the resources cited in this article (which are indexed at the end of this article) and a specialized section for further reading.

Section 1: The International Criminal Court

The International Criminal Court was created on July 1, 2002 when the Rome Statute (drafted and signed July 17, 1998) came into force. The purpose of the creation of the court was simple: it would exist to try criminals whose crimes went beyond threatening the rights, freedoms or security of the people of one country or nation. It would try those criminals who presented a threat to humanity and civilization as a whole. It was postulated that such crimes were not limited by borders but affected people globally. Therefore, they could not be tried by the laws of any one jurisdiction or legal system. Instead, there was a need for a unique framework to investigate, prosecute and sentence these criminals. This framework is now the ICC.

As of April, 2014, there are 122 states parties to the ICC which have both signed and ratified or acceded to the Rome Statute. A further thirty-one countries have signed but not ratified the Rome Statute. Of these, three - USA, Israel and Sudan - have informed the Secretary General of the United Nations that they no longer intend to become states parties and are as such free of legal obligations to the ICC.

Exact knowledge of the working of the ICC will not be necessary. Trials in the ICC are time- and resource-consuming procedures that cannot be simulated entirely accurately at a Model United Nations conference. To this end, rules of procedure for our simulation of the ICC have been provided on the website as well. That said, a general understanding of how the ICC works - specifically how states parties interact with it and how it deals with potential cases presented to it - is strongly recommended. This information is given below, however, delegates are again reminded of the value of doing research on their own.

The ICC is governed in a democratic fashion by the Assembly of States Parties[4]. One representative of each of the states parties has a seat on the Assembly and has one vote. Sessions of the Assembly are generally open to the public while observer states and NGOs are allowed to be present. The Assembly is responsible for deciding the budget of the Court, providing management-

oversight for its organs and reviewing suggested amendments to the Rome Statutes. The Assembly meets annually in New York or the Hague (although if need be, special sessions of the assembly may be called).



Third Session of the Assembly of States Parties to the Rome Statute, ca. September 2004.

The most important function of the Assembly of States Parties is to elect the Judges and the Prosecutor of the Court. Judges are elected for nine-year terms and are not allowed to seek re-election. They must be nationals of one of the states parties of the ICC (however, for the purposes of this conference, we shall ignore this particular regulation). The selection of Judges is a complex process that ensures that no geographical area or legal system is under- or overrepresented. They are selected from two legal backgrounds: one class of Judges is required to have extensive experience in criminal law and litigation, while the other class is comprised of candidates with extensive experience in international and human rights law. The Assembly may also remove Judges and the Prosecutor for misconduct, although no Judge or prosecutor has been proceeded against to date.

Delegates are reminded that it is **not** the Assembly of States Parties that will be simulated in the FICC.

The International Criminal Court itself has four main organs (listed in order of relevance to this conference:

1. The Judicial Division;
2. The Office of the Prosecutor;
3. The Presidency; and
4. The Registry.

We will address them in reverse order. The registry is headed by the Registrar of the Court. Its purpose is to deal with non-judicial administrative matters, including but not limited to, arrangement for defense council, upkeep of the court building and management of the detention block the registry is overseen by the president.

The Presidency of the ICC comprises of the President, First Vice-President and Second Vice-President of the Court. They are elected by the Judges from amongst themselves for a maximum of two three-year terms. The Presidency is responsible for overseeing the Registry. It is also charged with the Court's public relations; it is their job to promote support for and awareness about the Court. Their additional duties will be detailed later.

The Office of the Prosecutor comprises of the Prosecutor of the ICC and at least one Deputy Prosecutor to assist him/her. The job of the Prosecutor of the Court is largely self-explanatory, however, it is necessary to note that the Office of the Prosecutor differs from the Court in one important way: in addition to its prosecutorial duties, it is also responsible (with, where possible, the cooperation of relevant local authorities) for investigating the criminal activities of those who are to be tried in the ICC.

The Office may even open up an investigation on its own (this is detailed later on in the guide). The Judicial Division of the ICC is the organ that concerns us most directly. It comprises of eighteen Judges, elected by the aforementioned Assembly who in turn elect the presidency from amongst themselves. It also has three subdivisions: Pretrial, Trial and Appeals.

The President is always a member of the Appeals division which has four other members, all of whom will hear any case presented to them. The divisions all elect division Presidents from amongst themselves. The duties of these division Presidents are purely administrative.

The Pretrial division consists of seven Judges. It is responsible for evidentiary hearings, ruling on admissibility, indicting criminals and issuing international arrest warrants. The Trial division has six judges and is responsible for determining the guilt of any criminal indicted by the

Pretrial division. It is also charged with sentencing these persons in cases where they are found to be guilty.

Decisions by both the Trial and Pretrial can be appealed to the appeals division. The Trial and Pretrial divisions are required to make "chambers" of three judges who are assigned cases that are to be heard. The creation of chambers and the assignment of cases to chambers is the responsibility of divisional Presidents. The exception to this process is the Appeals division where all its members are required to hear any cases brought before it.

Delegates, please note that we will not be adhering to these procedures exactly. The specific rules of procedure will be provided in a separate document on the website.

Now that we have dealt with the structure of the ICC, we shall address its jurisdiction. The ICC cannot try cases retroactively; any crimes committed before the signing of the Rome Statute are not within the Court's ambit. For crimes committed after that point, there are three ways through which the ICC acquires jurisdiction over a case.

1. The accused was a national of any state party to the Statute (or the state has accepted the jurisdiction of the ICC);
2. The crimes were committed in territories belonging to a state party to the Statute (or the state on whose territory these crimes were committed has accepted the jurisdiction of the ICC); or
3. The case has been referred to the ICC by the Security Council.

In the first two cases the state itself may petition the Court to open an investigation into the issue, or the Prosecutor's Office of the ICC may petition the Pretrial chamber of the Court for permission to open an investigation. The third case is only applicable to States that are States Party to the Rome Statute.

It is important to keep in mind that the ICC is a court of last resort. The Rome Statute specifies circumstances in which cases are inadmissible and any

exceptions. According to Article 17 of the Statute, a case is inadmissible if:

- A. The case is being investigated or prosecuted by a State which has jurisdiction over it,

unless the State is unwilling or unable genuinely to carry out the investigation or prosecution;

B. The case has been investigated by a State which has jurisdiction over it and the State has decided not to prosecute the person concerned, unless the decision resulted from the unwillingness or inability of the State genuinely to prosecute;

C. The person concerned has already been tried for conduct which is the subject of the complaint, and a trial by the Court is not permitted under article 20, paragraph 3;

D. The case is not of sufficient gravity to justify further action by the Court.[5]

Similarly, the legal doctrine of double jeopardy applies to the ICC as well. It cannot try someone for a crime that they have already been tried for, unless as specified by Article 20, paragraph 3 of the Statute, the proceedings in the other court(s):

A. Were for the purpose of shielding the person concerned from criminal responsibility for crimes within the jurisdiction of the Court; or

B. Otherwise were not conducted independently or impartially in accordance with the norms of due process recognized by international law and were conducted in a manner which, in the circumstances, was inconsistent with an intent to bring the person concerned to justice.[6]

The ICC is responsible for trying four main types of crime:

1. Genocide;
2. Crimes of War;
3. Crimes Against Humanity; and

4. Crimes of aggression (although the Court has no jurisdiction over these until 2017 at the earliest).

Genocide is an attempt to exterminate a religious, ethnic, national or racial group by a number of means. It is dealt with by Article 6 of the Rome Statute.

Crimes of war are serious violations of the laws and customs of war (*jus en bello*) which have existed in some form or the other for centuries, as concepts such as perfidy. The first formal codification of this was in the Hague conventions of 1899 and 1907. The modern concept of war crimes has been greatly influenced by the London Charter and the subsequent Nuremberg Trials. Article 8 of the Rome Statute details war crimes with reference to the Geneva conventions, specifically the Convention of 1949 and the Additional Protocol I.

Crimes against humanity, as defined by the Rome Statute Explanatory Memorandum "are particularly odious offenses in that they constitute a serious attack on human dignity or grave humiliation or a degradation of human beings." A more specific and detailed explanation can be found in Article 7 of the Statute. Only the crimes encompassed by the first three categories will be tried in this particular simulation of the ICC.

Perhaps the best known example of genocide is the Holocaust in Nazi Germany. Pictured here are the gates of the Auschwitz I extermination camp where approximately a million jews were put to the sword between 1942 and 1945. (Pictured Below)



Having dealt with the International Criminal Court, it is time to move on to the accused himself, Bashar Hafez al-Assad.

Section 2: The Life of Bashar al-Assad

For delegates' convenience, the following section is divided into three sections; Assad's early life, his presidency before the Syrian Civil War and his Presidency during said war. Please note that this guide is accurate to the June 10, 2014.

Beginnings (1965-2000)

Bashar al-Assad was born in Damascus, Syria, on 11 September, 1965 to Alawite parents, Anisa Makhoul and Hafez al-Assad. He was their third child, with siblings Bushra, Basel, Maher and Majd. Bashar grew up quite and reserved in the shadow of his more extroverted brother and his father's heir apparent, Basel. He received his high school education at the Franco-Arab al-Hurriyah School and graduated from there in 1982.

Bashar al-Assad, aged about 5 years old, undated.



Much of Bashar's later disposition for violence may be attributed to this period of his life. About his father, Hafez, Basel al-Assad has said "we saw father at home but he was so busy that three days could go by without us exchanging a word with him. We never had breakfast or dinner together, and I don't remember ever having lunch together as a family, or maybe we only did once or

twice when state affairs were involved. As a family, we used to spend a day or two in Latakia in the summer, but then too he used to work in the office and we didn't see much of him." [8] Moreover, Bashar was also a victim of domestic abuse at the hands of his sibling,

Basel. Syrian Vice President from 1984 to 2005, 'Abd al-Halim Khaddam, is reported to have said "His (Bashar's) brother Basel

bullied him as a child. His father never gave him as much attention as Basel."[9]

Both these aspects of Bashar's early life - namely a cruel brother and an almost perpetually absent father - are likely to have permanently reshaped Bashar's personality. They are often labelled by psychologists as "risk factors" i.e. those factors of a child's life that can lead to delinquency problems or a tendency toward violent behavior. It has been scientifically documented that if risk factors

outweigh "protective factors" or positive factors, juvenile behaviour becomes much more like

ly[10]. Examples to corroborate this are present throughout history, from Adolf Hitler to Saddam Hussein to Joseph Stalin, all of whom have had a history of either domestic abuse, absent fathers or both.



Hafez al-Assad with his family ca. 1970s

On the other hand, Bashar was also brought up in a lavish, extravagant and extremely protected environment, unlike Saddam, Hitler and Stalin. Indeed,

Bashar was once gifted a jet ski in 1982; a time when everyday goods like bananas and paper tissues were hard to find in Syria[11]. The issue, of course, is

whether a troubled childhood justifies Bashar's actions or simply explains one of the many reasons behind them. Notwithstanding, further research with regard to other aspects of Bashar's upbringing (such as family background), positive factors and risk factors is recommended.

Bashar continued his education by going on to study medicine at the University of Damascus, graduating as an ophthalmologist in 1988. He then began his residency as an army doctor at the Tishreen military hospital and in 1992, travelled to the Western Eye Hospital in London for postgraduate education. In 1994, Basel - whom his father had been grooming as

the future President of Syria - died unexpectedly in a car accident. Bashar was hastily called back home, leaving his education incomplete.

Hafez then took steps to secure his son's position as the future president and commander-in-chief. These steps are broadly divided along three lines. Firstly, Assad's control over the military was secured by sending him to the Military Academy at Homs in 1994, where he was accelerated through the ranks to become a colonel in January 1999. Side-by-side, an older generation of divisional commanders and officers were forced into retirement and replaced by a new generation of younger Alawite officers who were loyal to Bashar.

The second set of steps was to establish Bashar's political power and public image. He was made one of Hafez's political advisers; being appointed to chair a bureau that dealt with public complaints, citizens' affairs and corruption. This anti-corruption campaign resulted in the removal several officials (who also happened to be political rivals) but ignored the maladministration of senior members of the regime (who were loyal to the Assad family and did not threaten Bashar's political future). These measures were intended to foster public support by making Assad out to be someone concerned deeply with public welfare, as well as being a modernizer; to this end he was appointed head of the Syrian Computer Society, which had previously been headed by the late Basel.

Lastly, Hafez took steps to familiarize Bashar with the running of the country. When Bashar became more experienced as one of Hafez's advisors, he was trusted with greater responsibilities. In 1998, Bashar took charge of Syria's Lebanon File which had previously been handled by then Vice President, Abd al-Halim Khaddam, who held the dual distinctions of being both a Sunni in an almost exclusively Alawite government and being a major contender for the presidency. By doing so, Bashar was able to remove Khaddam as a mainstream contender and to establish a power base in Syria. He solidified his control by installing Emile Lahoud as President of Lebanon, and pushing out Rafic Hariri (then the prime minister) by refusing to back his campaign for re-election to premiership. The last straw was the removal of the de facto High Commissioner of Syria in Lebanon of many years, Ghazi Kanaan. He was replaced by Rustom Ghazali. As a result of these measures, Bashar was well placed to take over his fathers post as President of Syria upon his death in 2000.

Abdul Halim Khaddam, Vice-President of Syria from 1984 to 2005, and major detractor of Bashar al-Assad.

And yet, at the same time, he wasn't. Before his appointment, Bashar had been leading the life of a medical student and had no intention of beginning a political career. Indeed, of his later rise to presidency, Mona Yacoubian, a former State Department official who lived in Syria during Hafez al-Assad's reign says "There was almost a sense that he (Bashar) came to power reluctantly." Under such circumstances, it is hard to imagine the Syrian President transforming into a mass murderer. This, combined with his markedly more liberal, open-minded and modern views on running a country than his father, all cast doubt on the veracity of the allegations against him. Furthermore, Bashar was widely considered a weak president by the Syrian populace at the time of his appointment. Many called him *taweel wa habeel*: a derogatory Levantine term meaning "tall, bumbling doofus". Views on Bashar internationally and among the Syrian political elite were the same; many considered his worldviews lax and his decisions erratic and easily influenced.

Uri Lubrani, former coordinator of Israeli policy toward Lebanon, even predicted Bashar's demise. Lubrani was quoted as saying "Bashar has no chance at all of long-term survival in power because the generals in the Syrian army will never come to terms with this 'kid' ruling over them."

Keeping this in mind, two possibilities can be entertained with regard to Bashar and his actions. The first is that he committed the alleged crimes and ordered the strong crackdown on the Syrian rebels in order to cement his position as the country's figurehead and leave no doubt as to whether or not he was capable of taking strong action; reminiscent, in a way, of Zulfikar Ali Bhutto's execution as orchestrated by the despot, Gen. Zia-ul-Haq. The second is that Bashar's easily swayed personality allowed him to be manipulated by external forces. Evidence seems to support the latter likelihood. The fact of the matter was that Bashar didn't really threaten anyone. He was unlikely to challenge the senior leadership or the powerful vested interests of the country, nor did he profess any dangerous ideas. Syrian defence minister, Mustafa Tlass - a close friend of Hafez al-Assad - expressed the motive behind the decision of powerbrokers to accept Bashar, saying "With Assad's death, we began to think that either I or Vice President 'Abd al-Halim Khaddam were worthy of filling the shoes of the dead president.

However, in view of the fact that all of us were past seventy years of age, we were afraid of a situation in which every year we would have to change the country's leader, as had happened in the former Soviet Union. □ We reached the conclusion that Bashar was indeed worthy of succeeding his father; after all, that had been the will of his father, Hafez al-Assad, to whom Syria owes so much. After all, we were among his close friends. Bashar is a young, promising leader, and he can rely on our support."

Brothers Maher and Bashar, at the funeral of their father, Hafez June 13, 2000



Two people are thought to have exerted significant influence on Bashar, one of them being his mother, Anisa[16]. In some aspects of Arab Muslim culture, sons are not permitted to separate from their mother and hence mothers hold sway over a son's thinking and emotional life. Indeed, Anisa Makhoul is no exception, and it is widely speculated that she held considerable influence on government

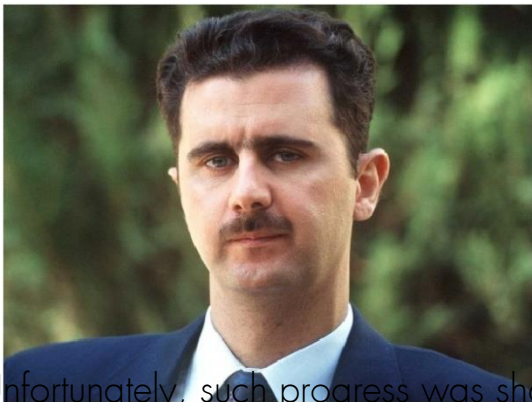
policy and her son's decisions up until she fled to the United Arab Emirates in 2013. The second person is Maher al-Assad, Bashar's brother and commander of the Republican Guard. He is known to be much more brutal than Bashar and has been described as moody, cruel and intellectually sharp. As the commander of the Republican Guard he has significant influence with his brother and is believed to be closely working with him in the ongoing battle to quell the rebellion, if not making a number of important military decisions himself, including, allegedly, the Ghouta attack.

Before the Storm (2000-2011)

Hours after Hafez al-Assad's death on June 10, 2000, Syria's parliament hastily passed a constitutional amendment lowering the minimum age for presidency from 40 to 34, so that Bashar could be eligible for the office. Eight days later, he became Secretary General of the ruling Ba'ath Party that later nominated him as its candidate for presidency and the commander-in-chief of the military; an appointment approved by the national legislature. The following month, running unopposed, Bashar al-Assad was chosen for a seven-year term as president of the Syrian Arab Republic in a public referendum. Almost as soon as he assumed office, he began to implement a number of reforms in lieu of his father's iron-fisted presidency.

In what later became known as the "Damascus Spring", political and social debate began to intensify as a result of Bashar's policies. These included allowing Syrians to host previously banned muntadayāt or salons/forums to discuss politics and ideas, providing internet

access to the Syrian people for the very first time, markedly reducing state control on the economy, releasing around 600 political prisoners and shutting down the infamous Mezzah prison (where numerous human rights violations and incidents of torture had been reported).



Unfortunately, such progress was short-lived. In January 2001, a group of Syrian activists and intellectuals - encouraged by Bashar's liberal policies - issued a declaration known as the Statement of 1000. They called for an end to martial law and emergency rule (that had been in place since 1963), the release of all remaining political prisoners and multi-party elections under the supervision of an independent judiciary. The government retaliated with force, beginning a campaign of harassment, intimidation and widespread arrests. For many international observers, it seemed that Bashar had lost the plot.

The crackdown after the Damascus Spring was a facet of Syrian governance that would continue, with varying intensity, for the remainder of Bashar's presidency. The Spring itself was also something that persisted beyond 2001, in spirit if not in name. Intellectuals again grew more outspoken in 2005 following the assassination of Lebanese prime minister Rafic Hariri and the release of the UN Mehlis Report that stopped just short of implicating regime officials in his

death, though it did show some degree of involvement. Again, Bashar struck back, expanding the use of travel bans in 2006, thereby preventing many dissidents from entering or leaving the country.

In the midst of such suppression of internal dissension, a presidential referendum was held in May, 2007 to confirm Bashar as the head of state for another seven years. Unsurprisingly, he won an overwhelming majority in a political process that many international analysts considered a sham[17]. In his second term, Bashar sought to mend relations with regional powers including Saudi Arabia and Turkey, while at the same time banning social media websites such as YouTube and Facebook at home. Human rights groups reported that political opponents of Bashar al-Assad were routinely tortured, imprisoned and killed[18]. This stagnation in the progressive change that many hoped Bashar would bring continued up until the beginning of the Arab Spring in 2010; a movement that would not only shape the Middle East, but the Syrian Arab Republic as well for many, many years to come.

Civil War (2011-2014)



Picture from Syrian Presidency's Instagram profile (28.6.13)

The same day, Bashar's troops patrol the ruined city of Homs

Protests against the Assad regime began as small demonstrations on 28 January, 2011 but soon escalated into large gatherings in Damascus and Aleppo on 15 March. Protesters demanded greater political representation, an end to the state of emergency and the reinstatement of civil rights. These demonstrations were among the largest to have ever taken place in Syria, and initially, Bashar gave in to them, stating in a speech that the protesters had legitimate demands[19]. He reshuffled his cabinet, promised national dialogue, new parliamentary elections and the abolition of Syria's emergency law and its Supreme State Security Court (both of which were being used to suppress political opposition). Aside from the end to emergency powers, not all of the promised changes came into effect. Instead, in May, the Syrian military began violent crackdowns in the city of Homs and the suburbs of Damascus, thereby drawing widespread criticism from the international community whose eyes were fixed firmly on the region since the start of the Arab Spring. When reports of massacres, torture and indiscriminate violence by government forces surfaced, many nations called for Bashar to step down, and some - including the United States and Canada - began imposing sanctions on Syria. The violence escalated quickly, with rebels taking up arms and occupying major cities mostly in the north of Syria but even in some parts of Damascus. Fighting between rebels and government forces occurred on an almost daily basis, with widespread casualties among both belligerents and innocent civilians. Buildings and infrastructure were severely damaged - in some cases, even razed to the

ground[20] - with military tactics such as barrel bombing by state troops and persistent shelling by rebel forces being used with reckless abandon. The situation became especially dire in 2012; so much so that in July of that year, the International Committee of the Red Cross officially declared Syria to be in a state of civil war with the nationwide death toll reported at 20, 000. The year also saw some of the bloodiest battles of the war, namely those of Damascus, Aleppo and Idlib. Even Bashar's inner circle was not spared when a bomb exploded inside a government building, killing Bashar's brother-in-law Assef Shawkat and the Defense

Minister, Daoud Rajiha. Various attempts were made at mediation by the Arab League and the United Nations but failed to achieve any substantial success.



Syrian soldiers take a break from battle in the al-Midan neighborhood
of Damascus, July 20, 2012

The Civil War soon grew into a proxy war; the United States, Turkey and Saudi Arabia aided the rebels while Russia, Iran and Hezbollah provided support to the Assad regime. During this time, Russia and China blocked all attempts at international military action in the United Nations. Slowly but surely, the rebel

forces gained ground and began to hem in government forces. By 2013, it seemed that Bashar's forces would fall and that he would have to abdicate; there were a number of desertions in the Syrian military, a number of high-ranking officials fled the country and the sound of gunfire could be heard even inside the Presidential Palace. Everything changed, however, in the early hours of 21 August, 2013 when the rebel-held area of Ghouta, just East of Damascus, was struck by two rockets containing the nerve gas sarin, asphyxiating

over 900 people. The blame for the attack was placed squarely on the shoulders Syrian military, who insisted that the attacks were actually carried out by rebels.

The incident resulted in severe international outcry and condemnation, especially when gruesome pictures of the those killed by the chemical weapon were released to the public. The attack also changed the tide of the battle with government forces managing to re-establish their control across the country soon after. Tensions were at an all time high and President Obama pushed to acquire approval from the United States Congress for military intervention into Syria.



Navi Pillay , the UNO's human rights chief, talks about war crime and crimes Against humanity in Syria, ca December 2013



Those dead in the Ghouta chemical attacks are prepared for burial.

Many feared the start of another World War if the air strikes the USA threatened to launch were carried out.

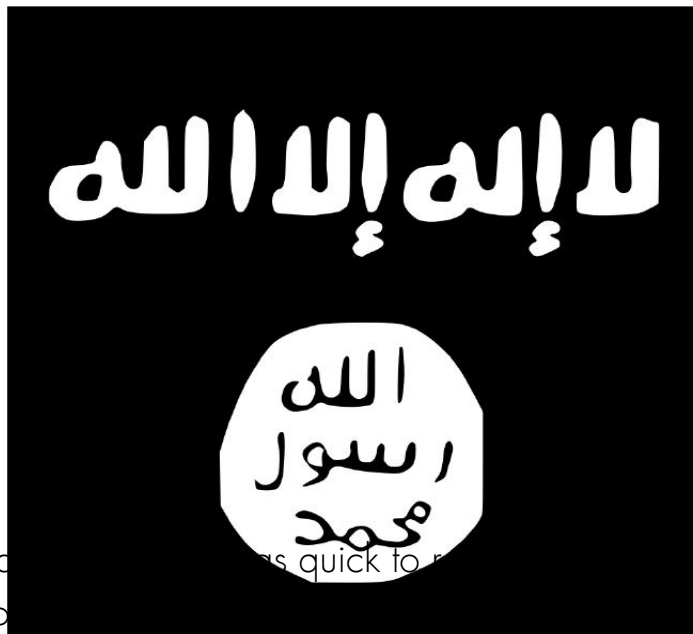
Eventually, however, nothing of the sort happened, but whether it was because of a lack of public support in America for military action or because of a lack of conclusive evidence implicating the Assad regime in the attack is a question that remains unanswered. Whatever the case may be, Bashar was quick to reconcile the international community from whom Syria was becoming increasingly isolated. He allowed UN inspectors to survey chemical weapon sites, declared Syria's intention to join the Chemical Weapons Convention and agreed to destroy Syria's chemical weapons stockpile in September, 2013. Despite such positive steps, the United Nations Organization formally implicated Bashar al-Assad for War Crimes and Crimes against humanity on 2 December, 2013, as the Civil War raged on through the year and into 2014.

With the international community strongly insistent on an end to the ongoing conflict that had claimed more than 100,000 lives, government forces that were becoming increasingly fatigued and the deadly terrorist organisation, the Islamic State of Iraq and the Levant (abbreviated ISIL, Islamic State of Iraq and Syria; abbreviated ISIS) calling the at Syria's borders as well as numerous bands of rebels (chiefly the Al-Nusra Front and the Free Syrian Army) wreaking havoc within said borders, it seemed less and less likely that the renewed seven-year term Bashar al-Assad had acquired as President in June of 2014 would last much longer.

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Flag of the ISIS



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Section 3: Future (June 2014-2015)

Before we delve into the last part of this guide, it is important to note that this guide is factually accurate only to June 2014. After that date, all information given

is fictional. The committee will function on basis of this information. Delegates will not be expected to know or use facts about the Syrian civil war from after June 2014. If there are any changes to this timeline (based on how the situation in the Middle East changes) between the provision of this guide and the Conference (in August of this year), delegates will be notified. Barring that, please adhere to the narrative given below.

On October 29, 2014 the Assad regime was dealt a major blow when its ally, The Russian Federation suffered an economic collapse due to various reasons, chiefly the crisis in Crimea. Due to the ensuing turmoil, The Russian Federation was forced to rescind on a number of pacts with its allies and former Soviet states, including a series of arms and ammunition trade deals with Syria. As a result, Russia's military and financial support of the Assad regime weakened markedly.

The USA was quick to react to the Russian Collapse. In an attempt to further weaken Russian control of the region, and strengthen their own influence, they entered into a series of agreements with Iran on January 27th 2015. These agreements represented the greatest thawing of diplomatic relations between the two countries that had been seen since the Iranian revolution in 1979. On the face of it, these agreements served only to decelerate Iran's Nuclear program and allow for international scrutiny of said program in exchange for a removal of sanctions on export of American goods to Iran and weakening of sanctions on the export of Iraqi oil. However political analysts were quick to notice that in the weeks following the agreements, Hezbollah became noticeably less active in the region, mounting fewer offensives into rebel territory, and ending joint anti-rebel operations with Assad's forces. This led said analysts to speculate that

the deals, which had been gone through with unprecedented speed and had involved concessions (on sanctions and the degree of scrutiny of the Irani Nuclear

Program) that up until a very short time before the Russian Collapse, the USA had been unwilling to make, had been hinged on Iran's cessation of military and/or logistical support of the Assad regime. Regardless of whether or not this was the case, harsh political reality

was this: one of Assad's two strongest allies had already collapsed; the other had now turned its back on him. It could be argued that the back-channel diplomacy with Iran had been meant to try and create a modicum of stability in the region. However, in reality exactly the opposite happened; the weakening of the Syrian forces gave the ISIS new hope, leading to a renewed, multilateral offensive in February 2015.

The ISIS had already been emboldened by its highly successful campaign in Iraq. In an offensive in June 2014, it had managed to capture large parts of Iraq including the second largest city of Mosul. While the ISIS was unsuccessful in its goal of capturing Baghdad, it managed to come very close to Baghdad, managing to come as far the city of Samarra, before its advance was halted by the pitiful remnant of the Iraqi army that had not deserted President Al-Maliki and USA reserve forces. Large parts of Iraqi territory are still under ISIS control.

So, in February 2015 ISIS launched a renewed offensive into territory held by Assad loyalists. The defenders, both weakened and demoralized by the Russian Collapse and desertion of Hezbollah (and, by implication, Iran) started to give ground. Recognizing that the Assad Regime was in a precarious position, the USA decided to maneuver itself into a position where it could support the downfall of the Assad Regime, while simultaneously keeping its distance from the ISIS. This meant supporting other popular rebel organizations, such as the Free Syrian Army and the Al-Nusra Front, which the USA did, by supplying arms and helping with reconnaissance, coordination and tactical decision-making.

As a result, al-Assad's defences crumbled. Desertions from the army became commonplace. Finally, in late April, violence erupted in the streets of Damascus, which up till then had been relatively peaceful. Violent protesters began clashing with the Republican Guard resulting in many casualties. Another serious blow was dealt to Bashar al Assad when the Commander of the Republican Guard, his own brother, Maher al Assad was killed in an RPG attack on a field command post in the ruins of the Ummayid Mosque. The Syrian forces responded with extreme force. In what would be the final victory for the al-Assad regime in a losing war, the Republican Guard mounted an offensive in Damascus itself to try and bring the city back under control and by the end of May, was able to do so.

In this time however, the rebels kept inching closer to Damascus, so that by the beginning of June 2015, they were only about 106 km (66 miles) from Damascus. However in the process of advancing the rebels had lost many men and were themselves greatly weakened.

There was a realization amongst the upper echelons of the ISIS that a continued advance would result in a stalemate.

Therefore, the ISIS decided to form a temporary alliance with the Al-Nusra Front and Free Syrian Army. Next, they conducted what would later be hailed one of the most daring military pincer raids of seen in modern warfare. On the 6th of June 2015, a joint FSA-ANF-ISIS force made a headlong advance for the Syrian capital. Taken by surprise, the already weakened Syrian forces struggled to respond. Spurred on by the liberating force that had come to their rescue, the people of Damascus yet again took up arms against their government.

What ensued was perhaps the bloodiest urban battle since the Battle of Berlin. For four days, the streets of Damascus ran red with blood. The bloodbath finally came to a halt when on the 11th of June, a UN peacekeeping force intervened to end the violence.

Unbeknownst to the ISIS, ANF and FSA, the USA had been negotiating terms for Bashar's surrender in the weeks leading up to what became known as the Second Battle of Damascus. Bashar however was unwilling to negotiate, believing that he could still maintain control of Syria. Hope of his abdication was dealt another blow when his brother Maher was killed; instead of making him realize the hopelessness of the situation, it only enraged and made him more determined to fight on.

It was only after the Second Battle of Damascus began that the truth dawned on Bashar; he had lost. He negotiated a deal with the USA that ensured the safety and proper treatment of his family and immunity from any sort of liability for the situation in Syria for them in return for stepping down and subsequently, facing criminal charges as soon as an extraction for him could be arranged.

It took three days for the exfiltration to be arranged. It was done as part of the UN peacekeeping mission to end the violence in Syria. It was widely speculated however that the reason that the USA decided to wait three days for a UN sanctioned mission instead of mounting a unilateral intervention immediately was not, as the White House claimed "for the sake of transparency and accountability", but was instead to allow the ISIS and the Assad loyalists to annihilate each other.

A temporary ceasefire was arranged on the 16th of June 2015. Following the ceasefire, negotiations between different Syrian political groups, including the ISIS, ANF and FSA began. While the negotiations did not make much with regard to a long term solution for the

situation in Syria, they did reach a consensus on two issues. Firstly, the establishment of a UNO-assisted interim government was agreed to by all parties. Secondly, it was agreed that a speedy trial for Bashar al Assad and a number of other senior Syrian officials and military officers would be necessary if the Syrian people are to come to terms with their past and move forward into the future. It is speculated that one major reason for the success of negotiations was the almost complete annihilation of the ISIS in the Second Battle of Damascus. Had the intervention happened any earlier, the ISIS, a terrorist organization, would have been left intact, if battered and bruised. An extremist organisation, ISIS would have put paid to any hope of successful negotiations. One of the first actions of the interim government was to contact the registry of the International Criminal Court and accept its jurisdiction for the purpose of the trial of Bashar al Assad and other Syrian officials. (Note that this committee will simulate ONLY Bashar al Assad's trial).

The Office of the Prosecutor formally opened an investigation into Syria on the 20th of July 2015. The investigation was completed on the 28th of October 2015 and the date for the commencement of legal proceedings was set as the 3rd of November, 2015.

Further Reading

This study guide contains any information we feel is absolutely necessary for delegates to know. That said, it is often the case that the best read and most well informed delegates are the most successful. While we feel that this study guide is adequate, it in no way comes close to encompassing the depth or breadth of information about Syria, its recent history, or Bashar al-Assad. We strongly recommend that delegates do their own research. Below is list of books, web resources and articles that we feel may be useful for those wishing to engage in further reading.

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