

Statement

SNHR Submits a Report to the UN Human Rights Committee on the Most Notable Violations Committed by the Syrian Regime During the Past Four Years

I. Background:

On August 25, the Syrian Network for Human Rights (SNHR) submitted a report to the Human Rights Committee established by the International Covenant on Civil and Political Rights, with the aim of informing it of the most notable violations committed by the Syrian regime which contravened a large number of articles of the Covenant on Civil and Political Rights, with many of these violations having expanded, amounting to the level of crimes against humanity. This report is submitted to the United Nations Human Rights Committee as it prepares to address a number of issues related to the Syrian Arab Republic at the 130th session (which will be held between October 12 and November 6, 2020).

The task of the Committee is to monitor the implementation of Covenant obligations by States parties. It is an impartial and elected committee whose members represent all parts of the world. Regarding Syria, it has ratified the International Covenant on Civil and Political Rights since 1969, and therefore the ruling authority must submit reports on the measures it has adopted which give effect to the rights recognized herein and on the progress made in the enjoyment of those rights whenever the Committee requests it to do so¹.

¹ International Covenant on Civil and Political Rights, Article 40,
<<<https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>>>

However, the Syrian regime headed by Bashar al Assad has not submitted any report to the Committee since 2004, and therefore it continues to neglect and show its contempt for human rights and the principles of the International Covenant on Civil and Political Rights. In addition to this, considering that our country, Syria, has been subjected to a massive wave of human rights violations at the hands of the ruling authority since after the outbreak of the popular uprising in March 2011, the Committee was supposed to request the Syrian regime to prepare reports additional to periodic reports, or to advance the date for submitting the periodic report.

We believe that there is nothing that the Syrian regime can write in any such report, as it violates the vast majority of the articles of the Covenant in a systematic and widespread manner, and in the event that the Syrian regime continues to ignore submitting any report, then the Committee must clarify this to the United Nations General Assembly in its annual report.

The SNHR, which is a non-governmental organization, has been monitoring and documenting various types of violations for nearly nine years, then archiving them in an extensive database, and has submitted a shadow report that includes the most notable violations committed by the Syrian regime for each of the last four years, with the Human Rights Committee set to present the report submitted by the SNHR in its 130th session via the [following link](#):

II. The Most Notable Contents of the Report Submitted by the SNHR to the Human Rights Committee:

The report submitted was based on the SNHR's database, and focused mainly on extrajudicial killings, arrest, enforced disappearance, and torture, freedom of expression, freedom to hold political opinions, forming political parties, forced displacement of civilians and pillaging of property, between August 2016 and August 2020.

1. Extrajudicial Killings:

The report reveals that Syrian regime forces have carried out extrajudicial killings primarily in the form of three main violations that continue to be practiced to the current day, namely: Torture leading to death, execution following sentencing imposed by courts that lack legality and legitimacy, and the indiscriminate or deliberate shelling of residential neighborhoods.

The report further notes that the civilian death toll of victims killed by the Syrian regime has reached 13,278 Syrian civilians, including 2,773 children (1,805 male children and 968 female children), equivalent to approximately 21% of the total number of victims, and 1,445 women (adult female), equivalent to approximately 11% of the total number of victims. The report also notes that 52 chemical attacks have been documented between August 2016 and August 2020. In addition, the report gives details of the policy of systemic siege and starvation, preventing the entry of humanitarian aid, which resulted in the deaths of 109 civilians, including 33 children and 19 women, during the period covered by the report.

2. Unlawful arrest and detention, and enforced disappearance:

The report stresses that Syrian regime forces continue to detain citizens in connection with their political affiliations and dissident views, further stressing that the arrest process itself is more akin to abduction than legal detention and violates a wide range of basic rights, with most arrests being carried out by the security forces, who don't present any form of ID, identify themselves in any way or inform the individual being arrested what they are being arrested for or charged with, and without presenting any judicial warrant. The detainee is prevented from informing his or her family, appointing a lawyer, or contacting anyone in the outside world, with more than 85% of all detentions subsequently being classified as enforced disappearances.

The report documents the continuing detention of at least 18,642 individuals, including 184 children and 207 women, who were arbitrarily detained by Syrian regime forces since August 2016 and who are still being held up until August 2020. At least 16,921 of the individuals detained during this period including 156 children and 186 women, have been classified as forcibly disappeared persons.

A. Deceptive and ineffective amnesty decrees:

The report notes that over the past nine years, the Syrian regime has issued nearly 17 amnesty decrees, many of which were similar to one another, excluding the largest proportion of detainees who were not subjected to any trial during the years of their detention, who have been classified as forcibly disappeared. According to the SNHR's records, Syrian regime personnel have carried out at least 163 arrests between the issuance of Amnesty Decree No. 6 on March 22, 2020, and August 2020, indicating the continuation of the regime's policy of arrests, with the number of people detained being far higher than the number of those released.

B. Registering the forcibly disappeared persons as deceased in the civil registry departments

The report reveals that since the beginning of 2018, many of the families of forcibly disappeared persons held in the Syrian regime's detention centers have been shocked to find the names of relatives who had been forcibly disappeared registered as having died, with their deaths recorded in the civil registry departments without the families being previously notified, which is contrary to the provisions of the Syrian Civil Status Law concerning the reporting of death procedures in prisons.

The report notes that of the nearly 85,000 documented cases of enforced disappearance carried out by the Syrian regime, we were able to document 991 cases in which the Syrian regime revealed the fate of the disappeared, all of whom had died in detention, from the beginning of 2018 up until August 2020. Among the cases we documented, nine of the forcibly disappeared individuals were children at the time of their arrest and two were women.

C. The disappearance of detainees subject to the courts from the central prisons

The report notes that enforced disappearances have not been limited to those detainees who were imprisoned in the detention centers of the four main security branches or in the military and secret prisons, but also to the detainees held in the central prisons in the Syrian governorates who are subject to 'trials', which have no legal status. The report warns of the Syrian regime's implementation of secret

rulings issued by the Military Field Courts against detainees who have been disappeared from central prisons since the beginning of 2018 up to the time of preparing the report, further noting that security decisions will be issued ordering these prisoners to be returned to the security branch responsible for arresting them, suspending their trial and keeping them under enforced disappearance there.

3. Torture:

The report stresses that torture in the Syrian regime's detention centers is practiced as a tool of vengeance against detainees opposing the Syrian regime and against others similarly arrested for various reasons. Torture invariably begins from the first moment of detention, escalating throughout the interrogation period through use of more severe methods of torture and continuing throughout the detention period as a form of punishment. This abuse also coincides with intentional negligence towards detainees' healthcare, deliberate starvation, and grotesquely unsanitary conditions of detention in the headquarters of the four main security branches, military prisons, and civilian central prisons. The combination of these factors, primarily torture and medical negligence, has led to a rising death toll, causing almost daily deaths among detainees. In many cases, these torture acts have assumed a sectarian and region-based character.

As the report notes, these brutal conditions of detention are part of a very deliberately imposed and ubiquitous strategy on the part of the Syrian regime inflicted with the aim of degrading and further torturing detainees. Subjecting detainees to conditions that foster disease and infection and leaving them to suffer without medical help or treatment is another deliberate and conscious part of this strategy, forcing already physically and emotionally traumatized detainees to endure an additional layer of torment and debasement often leading to death. With the global spread of the COVID-19 pandemic, the already grave situation facing prisoners in regime jails is now critical, particularly in light of the dire detention conditions that are favorable for the spread of infectious diseases such as the COVID-19 coronavirus; this now threatens the lives of approximately 130,000 people who are still documented as being detained or forcibly disappeared by Syrian regime forces, according to the SNHR database.

The report stresses that all detainees, including women, children, the elderly, the sick, and those with special needs have been tortured, with no group excluded from these abuses, with the crime of torture carried out by the Syrian regime in this widespread and systematic manner constituting a crime against humanity.

A. Sexual violence

The report reveals that sexual violence has been practiced on a widespread and systematic manner in detention centers, affecting both males and females, in many cases extending to rape, during house raids, or during incursions into areas outside the control of the Syrian regime.

The report further reveals that, according to the SNHR's documentation, Syrian regime forces have forced at least 11 female detainees, including girls under the age of 18, to appear on state television to make clearly coerced confessions of having had sex with members of factions of the Armed Opposition, with all these women and girls forcibly disappeared following their appearance and 'confessions'. The SNHR estimates that at least 231 incidents of sexual violence have been committed by Syrian Regime forces, including approximately 203 incidents in detention centers and at least 43 cases of sexual violence against girls under the age of 18 between August 2016 and August 2020.

B. Illegal courts

The report stresses that the vast majority of detainees are tried before 'Counter-Terrorism' or 'Military Field' Courts, which are more akin to security branches than to genuine courts since they violate all the fundamental legal foundations and standards for consideration as actual courts. Security branches file several charges based on testimonies taken from detainees by the regime under coercion, intimidation and torture, which are documented within regime security authorities' reports, with the detainees being forced to place their fingerprint as a 'signature' on these coerced report; these security reports are then submitted to the Public Prosecution service, after which the majority of these cases are referred to either the Counter-Terrorism Court or the Military Field Court (The stages mentioned here may take months and possibly years). The report includes the nature and structure of these barbaric 'courts'.

C. Laws that protect perpetrators of torture

The report also provides details of the Syrian regime's legalization of the crime of torture, although this is prohibited by Article 53 of the current Syrian constitution issued in 2012 according to Decree No. 94 and Article 391 of the General Penal Code, through legal texts that legalize the crime, and even in violation of the 2012 constitution; among the most prominent of which is: Legislative Decree No. 14 of January 25, 1969, Article /74/ of the Internal Security Law of the State

Security Department and the rules of service for its employees issued by Legislative Decree No. 549 of May 25, 1969, Legislative Decree No. 69 of 2008, and Decree No. (55) issued on April 21, 2011 related to counter-terrorism.

4. Media and freedom of expression:

The report emphasizes that there is no single independent media outlet in the areas controlled by the Syrian regime. The Syrian regime also dominates the four official state-run newspapers (al Watan, Tishreen, al Ba'ath, and al Thawra), which are dedicated to promoting, defending and justifying the regime's actions. The report notes that the Syrian regime has completely banned entry to all independent media outlets since the start of the popular uprising in March 2011, and has also blocked hundreds of websites which oppose or criticize it and communicate the truth about what is happening, including our - SNHR's - website.

5. Freedom to hold political opinions and participate in free elections:

The report reveals that although the February 2012 constitution abolished Article 8, it remained a formal change, noting that all the parties that were formed after the promulgation of the 2012 constitution are bogus and worthless entities closely monitored by the security services. None of these bodies have condemned or criticized the ruling party routinely and regularly despite all the violations and crimes committed by the President of the Republic nominated by the Ba'ath Party. The People's Assembly, nearly two-thirds of the seats of which are controlled by the Ba'ath Party, has presented no criticism of the executive authority despite all the suffering it has inflicted on the Syrian people and the state.

6. Forced displacement of civilians and pillaging of their property:

The report also analyses the mass displacement of the population of areas that are bombed indiscriminately by Syrian regime forces, at a rate that may exceed 98% of the population of these areas, when these forces come close to controlling a certain area.

The report stresses that the Syrian regime has not provided any care for the displaced before or after displacing them, but rather contributed to the theft and looting of the UN aid sent to them, establishing illegal practices that contribute to the continuity of their forced displacement, such as the widespread looting of the homes of forcibly displaced persons.

The report further stresses that in light of the vast inadequacy of the humanitarian response and the high population density, especially in the regular and informal camps and shelter centers that are wholly insufficient for housing, and given the spread of the COVID-19 coronavirus, the internally displaced persons (IDPs) are one of the groups in Syrian society most vulnerable to infection with the coronavirus.

III. Recommendation:

The Syrian Network for Human Rights recommends that non-government organizations (NGOs) and other members of civil society submit the data and information in their possession on the Syrian regime's violation of the International Covenant on Civil and Political Rights, and we encourage them not to leave this arena empty to be used for the Syrian regime's report, or even to do so in the absence of any report from some entity of the Syrian regime, given the fact that the situation in Syria requires that the practices of the ruling authority at all levels be fully and continuously exposed, given the shocking nature of the violations in Syria and of the articles of the Covenant by the Syrian regime, which are of an exceptionally cruel and violent nature compared to the vast majority of countries worldwide.