



## UPR Submission

Syria

March 2016

### Summary

Syria's armed conflict, which began in 2011, has become increasingly abusive over the years, with countless violations of international human rights and humanitarian law. The government and its allies have carried out deliberate and indiscriminate attacks on civilians and they have arbitrarily arrested, forcibly disappeared, and tortured perceived opponents of the government, many of whom died in detention. Non-state armed groups opposing the government have also carried out serious abuses including attacking civilians, using child soldiers, kidnapping, and torture.

According to the Syrian Center for Policy Research, the death toll from the conflict reached 470,000 Syrians, many of them civilians, as of February 2016. The spread and intensification of fighting have led to a dire humanitarian crisis with millions internally displaced or seeking refuge in neighboring countries.

Since the last UPR in 2011, Syria has done very little to implement the recommendations it accepted, including those referring to establishing an independent and impartial judiciary system or to "conduct a credible and impartial investigation and address all allegations of human rights violations with a view to bringing the perpetrators to justice."<sup>1</sup>

### Government Attacks on Civilians, Indiscriminate Use of Weapons

The government persisted in conducting indiscriminate air attacks, including dropping large numbers of improvised barrel bombs on civilians in defiance of United Nations Security Council Resolution 2139 passed on February 22, 2014. These unguided, high-explosive bombs are cheaply made, locally produced, and typically constructed from large oil drums, gas cylinders, and water tanks, filled with high explosives and scrap metal to enhance fragmentation, and then dropped from helicopters. Airstrikes have indiscriminately hit markets, schools, and hospitals.

Following the August 2013 chemical weapons attack on Ghouta, near Damascus, international pressure resulted in Syria acceding to the Chemical Weapons Convention and agreeing to

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<sup>1</sup> [Recommendation made by Thailand during the 2011 UPR Review of the Syrian Arab Republic.](#)

eliminate its declared chemical weapons. All of the declared chemical weapons were removed from Syria for destruction in 2014 according to the Organization for the Prohibition of Chemical Weapons. Justice remains elusive for the victims of the attack and evidence strongly suggests that Syrian government helicopters dropped barrel bombs embedded with cylinders of chlorine gas on three towns in northern Syria in mid-April 2015. These attacks used a common industrial chemical as a weapon, an act banned by the Chemical Weapons Convention.

The Syrian government's use of cluster munitions has caused numerous civilian casualties and left a deadly legacy of explosive remnants of war.

Non-state armed groups have launched indiscriminate mortar and other artillery strikes from areas under their control that killed civilians in neighborhoods under government control in Aleppo, Damascus, Idlib, and Latakia.

UN member states at the Human Rights Council should urge the government of Syria to:

- Abide by the laws of war, especially by immediately ending all deliberate, indiscriminate and disproportionate attacks against civilians;
- Cease all use of explosive weapons with wide area effects in populated areas; and
- Investigate alleged violations of the laws of war and other abuses and discipline or prosecute as appropriate members of the state security forces responsible.

### **Arbitrary Arrests, Enforced Disappearances, Torture, Deaths in Custody by Government Forces**

[Despite accepting numerous recommendations in the 2011 UPR to take all necessary steps to ensure that torture and other inhuman and degrading treatment of civilians do not occur,](#)

Syrian security forces continue to detain people arbitrarily, regularly subjecting them to ill-treatment and torture, and often forcibly disappearing them using an extensive network of detention facilities throughout Syria. Many detainees were young men in their 20s or 30s; but children, women, and elderly people were also arbitrarily detained. In some instances, individuals reported that security forces detained their family members, including children, to pressure them to turn themselves in, a form of collective punishment. On August 30, 2015, the Syrian Network for Human Rights, a local monitoring group, estimated that 85,000 people were currently being held by the government in conditions that amount to enforced disappearance.

Despite a general amnesty declared by the government in June 2014, scores of civil society activists, human rights defenders, media, and humanitarian workers remain in arbitrary detention, some of whom are on trial, including before military and anti-terrorism courts, for exercising their rights. Some activists, like the lawyer and human rights defender Khalil



Maatouk, whom former detainees report to have seen in government detention, and freedom of expression advocate Bassil Khartabil continue to be held in conditions amounting to enforced disappearance.

Security Council [Resolution 2139](#) [calls for](#) an end to the practices of arbitrary detention, [enforced](#) disappearance, and abductions, and the release of everyone who has been arbitrarily detained.

Released detainees consistently report ill-treatment and torture in detention facilities and prison conditions that lead to many cases of deaths in custody. Former detainees, including detained doctors, said that common causes of death in detention include infections, torture, and lack of care for chronic diseases. At least 890 detainees died in custody in 2015, according to local activists.

[UN](#) member states [at](#) the Human Rights Council should urge the [g](#)overnment of Syria to:

- Release all individuals currently deprived of their liberty for peacefully exercising their rights to freedom of expression, association, [and](#) assembly;
- Order the security services to cease detaining activists and banning them from traveling abroad merely for exercising their legitimate rights to freedom of expression and association;
- [Regularly](#) publish official lists of all individuals currently in Syrian detention centers;
- [Regularly](#) publish official lists of all detainees who died in Syrian government detention facilities and prisons, including in security branches operated by Syrian intelligence agencies;
- Immediately halt the practice of enforced disappearance, arbitrary arrest and detention, and the use of torture;
- Issue death certificates for all detainees known to have died in custody based on thorough forensic examinations and make these documents readily accessible to families;
- Provide immediate and unhindered access for recognized international monitors of detention conditions to all detention facilities, official and unofficial, without prior notification;
- Provide detainees with food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served, at regular intervals and make available drinking water to every detainee whenever he or she needs it, in accordance with the United Nations Standard Minimum Rules on the Treatment of Prisoners;
- Provide detainees with adequate sanitary installations and regular access to bathing facilities, at a minimum of one time per week, in accordance with the United Nations Standard Minimum Rules on the Treatment of Prisoners;

- Suspend members of the security forces against whom there are credible allegations of human rights abuses, pending investigations, and appropriately discipline or prosecute those responsible for serious abuses; and
- Provide immediate and unhindered access and cooperation to independent observers, journalists, and human rights monitors, including the UN special rapporteur on extrajudicial, summary or arbitrary executions; the Office of the High Commissioner for Human Rights; the UN Human Rights Council Commission of Inquiry on Syria.

### Besieged Areas

In 2011, Syria accepted a number of UPR recommendations relating to access of humanitarian aid, including one from Malaysia to “facilitate unfettered access to humanitarian aid and assistance, particularly to the regions and communities most affected by the conflict.”

However, the UN estimates that 400,000 Syrians are living in areas under siege in Syria, while the Siege Watch project puts that number at over one million people, for whom access to international assistance is deliberately and systematically withheld from civilians as a method of warfare and the movement of civilians is greatly restricted. The majority of those sieges are imposed by the Syrian government. The conduct of these sieges violate the laws of war and Security Council Resolution 2139, which demands that all parties “immediately lift the sieges of populated areas,” including in Homs, Moadamiya and Daraya in Western Ghouta, Eastern Ghouta, and the Palestinian refugee camp in Yarmouk in south Damascus. The government has used strategies in sieges to effectively starve civilian populations into submission.

UN member states at the Human Rights Council should urge the government of Syria to:

- Facilitate rapid and unimpeded humanitarian assistance to all civilians in need. Starvation as a method of warfare is prohibited;
- Immediately lift any restrictions on the movements of civilians into or out of areas under siege, except for immediate and limited reasons of military necessity;
- Instruct security forces to respect and protect humanitarian aid personnel and their facilities, supplies and transportation;
- Ensure that nongovernmental organizations are able to perform their work without arbitrary government interference; and
- Allow independent observers access to conflict zones so that accurate and timely information about the situation of civilians in such areas is publicly available.