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Corporate report

Syria - Country of Concern

Published 10 April 2014

Syria's civil war worsened throughout 2013, with many tens of thousands losing their lives, and the country now experiencing some of the most appalling humanitarian conditions in the world. The already catastrophic human rights situation in Syria continued to deteriorate still further.

The Syrian regime bears the primary responsibility for protecting its own population. Yet throughout 2013 it has been responsible for war crimes and systematic state-sponsored violations of human rights within Syria. Regime actions have included: the large-scale use of chemical weapons against civilians, the indiscriminate bombardment (by air and artillery) of densely-populated civilian areas, the use of siege tactics against civilians, the use of starvation as a weapon of war, the targeting of communities based on their religious beliefs, and the detention of thousands of civilians in appalling conditions, with reports of torture and extrajudicial killings in detention. This is in addition to the many serious human rights concerns which pre-date the conflict, including severe restrictions on political freedom, rights of assembly, judicial independence, and freedom of speech, none of which exist in Syria today in a meaningful way.

The year also saw the growth of Islamist extremist groups affiliated to al-Qaeda, such as the Islamic State of Iraq and the Levant (ISIL), and the Al Nusrah Front, which present a terrorist threat to Syria and the region, and have carried out their own human rights abuses in a systematic way.

The UK's response to the Syria crisis has focused on working with our international partners towards a political settlement, while providing significant assistance, where we can, to those with immediate humanitarian needs, and supporting projects inside Syria aimed at documenting and addressing violations and abuses of human rights and humanitarian law. The UK has given political and material support to the National Coalition, the political group we recognise as the sole legitimate representative of the Syrian people, and which promotes a democratic and pluralist vision for the future of Syria, with respect for human rights. We supported the National Coalition in their preparations for the UN's "Geneva II" process, starting in January 2014. The UK has been one of the most active countries in helping to create the right international conditions to get the process started.

We have also supported accountability for those responsible for violations and abuses of human rights and humanitarian law, co-sponsoring a number of international resolutions, including the UN General Assembly (UNGA) 3rd Committee resolution in November which referred to the “important role that international criminal justice could play” in this regard. The UK continues to believe that the Syrian crisis should be referred by the UN Security Council (UNSC) to the International Criminal Court (ICC).

Elections

The Syrian crisis began with peaceful protests demanding democratic reforms and an end to abuses by the security services. The UK continues to support these legitimate aspirations. President Assad has said there is a “significant” chance that he will run for a third term in office in elections, scheduled for 2014. Previous elections have not been credible. In the current context, it is impossible to imagine that these elections could be credible, free and fair. The security environment, lack of political freedoms, lack of a free press and lack of independent electoral structures, mean that there is no prospect of any free and fair election being held in 2014 while Assad remains in power.

Freedom of expression and assembly

The guarantees in the Syrian constitution of freedom of expression and assembly have been systematically violated by the regime. Syrian state media is tightly controlled and cannot deviate from the approved narrative.

Journalists have become a target of both regime and extremist groups. The Committee to Protect Journalists lists 29 journalists killed in Syria in 2013, one more than in 2012, and estimates that around 60 were kidnapped over the course of the year, making Syria, in their judgement, the world’s most dangerous place to be a journalist. The UK has trained Syrian journalists to help them to report on events in Syria. We have also helped to establish a network of independent news outlets across Syria.

Human rights defenders

The activities of human rights defenders (HRDs) in Syria are severely restricted. They face a high risk of arbitrary arrest or detention, and Syria has no independent human rights monitoring body. In December, the UN’s Commission of Inquiry (COI) on Syrian human rights detailed a “widespread and systematic” campaign of enforced disappearances targeted at those whom the regime considers to be its enemies, including HRDs. The COI consider this to constitute a crime against humanity.

There have also been cases of prominent activists being kidnapped. For example, Razan Zaitouneh, the founder of the Human Rights Violation Documentation Centre, along with four others, was kidnapped by masked men on 9 December. Extremist groups continue to hold large numbers of civil and political activists. In the north-east, some have accused the Kurdish Asayish security forces of detaining activists for political reasons. In addition, aid workers were targeted for kidnap in 2013, including from a range of Syrian and regional NGOs who have been working for the benefit of the Syrian people.

UK-funded projects are building the capacity of HRDs, civil society groups, media, local councils and others to support transitional justice and good governance, and the documentation of human rights violations and abuses.

Access to justice and the rule of law

Even before March 2011, the Syrian judicial system was corrupt, ineffective and politically controlled. Most judges are members of, or linked to, the ruling Ba'ath party. The security forces have immunity from prosecution. Since the beginning of the uprising, the regime has had a policy of arbitrarily detaining protestors and suspected opposition supporters. The COI has reported that the families of many of those “disappeared” by the regime have been denied any information about their loved ones, and that the families of opposition fighters are often targeted as a punitive measure. Detainees are subject to torture or other ill-treatment that often culminates in their death.

The UK believes that all those responsible for violations and abuses of international human rights and humanitarian law should be held accountable and has, for that reason, provided financial support to efforts to gather evidence which could be used in a future process of accountability. The UK, along with 63 other countries, the UN High Commissioner for Human Rights, Navi Pillay, and the Syrian National Coalition has called for the situation in Syria to be referred to the ICC. As Syria is not a party to the Rome Statute, this would require a UNSC resolution.

Death penalty

The secretive nature of the Syrian authorities means that it is unclear how many people were executed in 2013. The UK continues to urge Syria to adopt a moratorium on the death penalty.

Torture

Syria has been a party to the UN Convention against Torture since 2004, but the COI has reported that the government has used “widespread, systematic torture” against those it perceives to be opponents. Air Force Intelligence has been consistently identified as among the worst perpetrators of torture, although Military Security and other arms of the Syrian state were also involved.

A wide variety of techniques has been reported, including beatings, sexual violence, and the deprivation of food and water. One detainee in the Al-Fehar Military Intelligence Centre in Damascus was held in solitary confinement for ten months, beaten daily, hung by his wrists for over two weeks and subjected to cigarette burns and electric shocks.

Torture is clearly used by the Assad regime as a matter of state policy. Navi Pillay has implicated Bashar al-Assad as being personally responsible for human rights violations.

The COI's September report also referred to some opposition groups using torture. The report notes that use of torture by extremist groups appeared to be on the rise, but was “committed in isolated instances”, and not on the same scale or as systematically as by the regime.

The UK condemns and opposes all use of torture by any party, and has been prominently involved in resolutions in the UN Human Rights Council (UNHRC) and the UNGA 3rd Committee which have condemned its use and called for accountability for all those involved. The UK is clear that all those who have carried out torture should be held to account.

Conflict and protection of civilians

The UN no longer publishes estimates of the death toll in Syria. The Syrian Observatory for Human Rights estimates that 125,000 people have been killed since the conflict began. The majority of deaths are as a result of indiscriminate or disproportionate shelling of civilian areas.

There have been widespread reports of informal “executions” by regime forces, including what amount to mass executions on the battlefield. 2013 has also seen increasing reports of extremist groups carrying out summary battlefield executions and executing civilians for breaches of their interpretation of Sharia law. Amnesty International has singled out ISIL in particular.

As the war continues, the regime’s tactics have become increasingly abhorrent. Human Rights Watch referred in April to the regime’s “deliberate and indiscriminate” bombing of civilians. December saw increasing use by the regime of “barrel bombs” dropped from helicopters. These crude weapons consist of barrels filled with shrapnel and explosives and have been widely used in built-up areas. Throughout December, these brutal and indiscriminate attacks killed hundreds of civilians in the Aleppo area. As reported by Human Rights Watch and the Cluster Munition Coalition, the Assad regime has also used cluster bombs throughout 2013. The UK has joined 112 other countries in condemning the use of these indiscriminate weapons.

The regime and some opposition groups have deliberately obstructed the delivery of humanitarian aid to particular areas. This appears to be a deliberate attempt to starve people into submission, which would constitute a breach of international humanitarian law. The UN estimated in January 2014 that some 242,000 people were trapped in areas under siege, with more than 200,000 of those besieged by the regime. The regime has also destroyed stores and crops, with the aim of denying food to opposition-held areas. The UK has condemned the use of siege and starvation tactics and called on all sides to allow full access for humanitarian relief throughout Syria.

The number of refugees who have fled Syria quadrupled to 2.3 million in 2013. Meanwhile, the number of people within Syria in need of humanitarian aid has more than doubled to 9.3 million, and the number of internally displaced persons has reached 6.5 million. As well as leading to unimaginable suffering in Syria, this has placed a major strain on surrounding countries, which have faced an enormous influx of vulnerable refugees. The UK has helped to lead the international response to the humanitarian crisis, pledging £431.5 million over the course of the year to support emergency, life-saving humanitarian interventions both within Syria itself and in neighbouring countries, bringing our total commitment to £500 million by the end of 2013. This is more than the UK has given to any previous humanitarian crisis, reflecting the scale of the humanitarian disaster in the region. The UK has also played a leading role in pushing for improved humanitarian access.

Perhaps the clearest single example of the regime’s escalating brutality was the 21 August chemical weapons attack in Ghouta, outside Damascus. This was not the first time that chemical weapons had been used in the conflict, but the scale of the attack shocked the world. Estimates of casualties vary but it is clear that hundreds were killed, with the US estimating over 1,400 deaths. The UN Secretary General referred to this attack as a war crime. UN inspectors published a report on 13 September that presented a body of evidence which, when taken together, left us in no doubt that only the regime could have been responsible for the attack.

Under considerable international pressure, Syria acceded to the Chemical Weapons Convention on 12 September 2013, thereby obliging Syria to dispose of its chemical weapon stockpile. UNSC Resolution

2118, passed on 27 September, condemned the use of chemical weapons in Syria and endorsed the decision of the Organisation for the Prohibition of Chemical Weapons (OPCW) Executive Council to accelerate the destruction of the Syrian chemical programme. The UK has been prominent in providing diplomatic and practical support to the UN-OPCW mission that is overseeing the destruction process. In addition to making a financial contribution, the UK announced on 20 December that we would accept some of the chemicals for destruction in commercial facilities in the UK.

Freedom of religion or belief

Freedom of religion is guaranteed in the Syrian constitution and before the crisis different communities lived together peacefully, although religious gatherings were observed by the secret police. Since the beginning of the revolution, the regime has armed groups based on their ethnicity or religion and encouraged attacks, primarily against Syria's Sunni majority. This has led to the conflict taking on an increasingly sectarian nature, with religions and sects stereotyped by combatants as allied with the regime or the opposition.

There have been a growing number of reports of attacks on minority communities. Certain incidents, particularly involving Christians, have received widespread media attention. For example, 12 nuns from Maaloula remain missing, having been removed from their nunnery in December. It appears they are now being held as a bargaining chip for use in a potential prisoner exchange. There are clear examples of the suffering of Christians and other minority communities, in particular the desecration of churches and other places of worship. Some crimes, including the murder of dozens of Shia civilians in the town of Hatla in June, appear to have a sectarian motive. In other cases, regime-armed national defence forces have attacked and murdered civilians within Sunni villages. However, the nature of the conflict makes it very difficult to determine the motivations behind many crimes. The Syrian conflict is a brutal war in which every community is at risk. Nonetheless, the longer the conflict goes on, the more vulnerable minorities become.

The only way to secure the position of Syria's minority communities is to find a political solution to the crisis. It is with this in mind that the UK has been central to efforts to support the Geneva II process and bring about a political transition that protects all Syrian communities. The UK has also funded project work which aims to build dialogue between different communities within Syria.

Women's rights

The Syrian constitution's guarantee of gender equality has little meaning for Syrian women. Syria has fallen down the World Economic Forum's Gender Gap Index and is ranked 133 out of 136 in their 2013 report. In terms of Economic Participation and Opportunity, it ranks 136 out of 136.

Under-reporting makes it difficult to make an estimate of the extent of sexual violence. Nonetheless, the COI and others have made it clear that both sexual violence and the fear surrounding the issue has been a consistent feature of the conflict. Government forces have used rape in many settings, but the COI suggest that it is most common in prisons and detention centres. This may indicate that its use is institutionalised. Women held in at least two regime facilities in Damascus were told that their daughters would be raped if they did not confess, while others were raped under the threat that their children would be murdered. The COI's September report only refers to sexual violence committed by regime, or regime-linked, forces. This indicates that although there are some reports of incidences

of sexual violence committed by opposition groups, they do not reach the scale of those committed by the regime. The UN Secretary General's Special Representative for Sexual Violence in Conflict, Zainab Bangura, has talked about the fear of sexual violence against both men and women driving families into fleeing their homes.

The sexual exploitation of refugees is an increasingly serious concern. As well as funding the documentation of crimes of sexual violence, the UK is supporting survivors of sexual and gender-based violence, including by providing clinical care and case management for 12,000 Syrian refugees in Jordan.

The UK has been one of the most prominent advocates of women's participation in the political process on Syria. We have pressed to ensure that women are represented in both regime and opposition delegations at Geneva II, as well as helping to build the institutional capacity of independent women's organisations. We have proposed to the UN the establishment of a consultative body, so that representatives of women's groups and other civil society groups can play a supportive role and participate in the Geneva process.

Minority rights and racism

Estimates suggest that Syria is around 74% Sunni Muslim, 11% Alawite, 10% Christian, 3% Druze and 2% other Muslim. Syria also has a large Kurdish minority which is estimated as being 9-15% of the population, as well as other, smaller ethnic minorities including Turkmen, Assyrians and Armenians. Human Rights Watch have estimated that 300,000 Kurds in Syria are stateless, because of changes to nationality laws in the 1960s.

Since the beginning of the uprising in March 2011, ethnic and sectarian tensions have been heightened as some minorities have been perceived as supporting the regime. The regime has sought to exacerbate these tensions and divisions by claiming that the majority Sunni opposition is opposed to a pluralistic Syria. This has led to minority communities being singled out. However, in a brutal, lawless conflict, it is hard to identify for certain whether groups were targeted for sectarian or racist reasons.

Children's rights

As the conflict has escalated, so the position of children has suffered. The COI has reported that the regime, Kurdish armed groups, and some opposition armed groups have included teenage children within their ranks. It also notes widespread reports of children as young as 13 being held and tortured or executed by the regime.

Human Rights Watch report that both regime and opposition forces have used schools as military bases, detention centres and sniper bases, putting children at risk. They also note several occasions where government forces have fired on school buildings that were not being used for military purposes.

More than half of the 2.3 million refugees who have fled Syria are children, while an estimated five million children within Syria are in need of humanitarian aid. The conflict has led to extremely severe disruption to the education of millions, which will have lasting effects. As part of our broader humanitarian effort, the UK has committed £30 million to help protect, care for, educate and counsel those children affected by the crisis.

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