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Civil and Political Rights

A report submitted by the Syrian Network for Human Rights (SNHR)

Promoting Human Rights on the Ground:

A. The Right to Life:

1. Since March 2011, Syrian regime forces (army, security, local militias, and Shiite foreign militias) have continued violating the right to life of hundreds of thousands of Syrian civilians. Between June 2017 and June 2021¹, SNHR documented the deaths of 8,622 civilians at the hands of Syrian regime forces through indiscriminate or deliberate bombardment using various types of weapons, in addition to those who died as a result of torture, siege, starvation, cold, etc.²
2. Syrian regime forces have not complied with UN Security Council Resolution 2139³ and failed to distinguish in their targeting between civilians and combatants, with the regime's Air Force dropping at least 60,903 barrel bombs since the resolution was issued until the current date, dropping 11,715 barrel bombs⁴ between June 2017 and June 2021.
3. Syrian regime forces have continued targeting medical personnel by direct killing or torture in prisons, with 63 medical personnel now registered killed⁵.
4. The destruction inflicted by the Syrian regime and its allies on the medical sector, and their failure to take planned measures to keep pace with precautionary measures instructed by the World Health Organization regarding the spread of the COVID-19 pandemic have caused a steady rise in the number

¹ All statistics included in the report fall within this time period, unless otherwise stated

² References, No. 1

³ Issued by the Security Council on February 22, 2014, calling for an end to the use of indiscriminate bombing weapons, especially barrel bombs

⁴ References, No. 2

⁵ References, No. 3



of coronavirus-related infections and deaths⁶.

5. The Syrian government has continued targeting media workers and journalists, committing various violations, including killing and arrest, with regime-affiliated forces killing 26 media workers⁷.

6. Syrian regime forces have expanded their use of cluster munitions, whether dropped from aircraft or fired by ground forces via artillery or missile launchers; at least 71 cluster munition attacks have been documented, killing 132 civilians, including 36 children and 17 women⁸.

7. The submunitions of cluster munitions that later exploded resulted in the deaths of 67 civilians, including 51 children and three women.

8. The Syrian regime has continued using chemical weapons despite all UN Security Council resolutions, UN investigation committees, and the Joint Investigative Mechanism (JIM); we documented at least 13 chemical attacks⁹ during this period.

9. The Syrian regime has continued using incendiary munitions during the period covered by the report, especially in the governorates of Damascus Suburbs, Idlib and Aleppo. These munitions were used against residential neighborhoods and civilians without being directed at any specific military target; we documented at least 34 such attacks.

10. Syrian regime forces have taken no effective steps to protect civilians from violations by Jabhat al Nusra (Hay'at Tahrir al Sham), ISIS, the Kurdish Self-Management forces, or Armed Opposition factions, in areas under their control, including killing, torture, displacement and confiscation of property. Instead, regime forces bombed civilians in those areas, increasing their

⁶ References, No. 4, 5 and 6

⁷ References, No. 7

⁸ References, No. 8

⁹ References, No. 9 and 10



suffering and displacement.

11. Russia's military intervention has increased the extent of violations, including crimes against humanity, with Russian air and ground attacks targeting civilian areas controlled by Armed Opposition factions and Hay'at Tahrir al Sham, resulting in the deaths of 1,967 civilians, the displacement of thousands of residents, and the massive destruction of vital facilities, mainly hospitals. Russian forces have also used cluster munitions extensively, with SNHR documenting at least 31 such attacks, resulting in the deaths of 36 civilians, including 20 children and eight women, in addition to deploying incendiary munitions, especially those fired from ground platforms, with SNHR documenting at least 14 such attacks, committing crimes that amount to war crimes¹⁰.

Recommendations:

12. Comply with Resolution 2139 and prohibit indiscriminate attacks in populated areas, including artillery and aerial bombardment, and the use of barrel bombs.
13. Immediately stop the use of chemical weapons, comply with UNSC Resolutions No. 2118 and 2209, and provide conflict areas with protective gas masks, particularly in light of the Security Council's inability to stop these attacks.
14. Immediately stop the use of cluster munitions, allow the entry of specialist international bodies to dismantle thousands of cluster remnants in areas subjected to bombardment, and accede to the Convention on Cluster Munitions.
15. Immediately cease Russian military operations on Syrian territory, which have killed thousands of civilians and targeted hundreds of vital facilities.

¹⁰ References, No. 11



16. Immediately cease the use of foreign fighters and expel all pro-government Shiite militias, which have committed many massacres, some of a sectarian nature.
17. Conduct investigations into all crimes by the regime's security forces, army, affiliated foreign militias and Russian forces, hold all those involved accountable, and compensate the victims.

B. The Right to Liberty and Security of Person:

18. Although Syria accepted the recommendations in the penultimate periodic review (numbered 101-10, 101-11, 101-12, 101-13, 101-14, 101-15, 101-16, 101-17, 101-18), claiming they had been implemented, Syrian regime-affiliated forces have continued persecuting and targeting Syrian citizens in regime-controlled areas over their political dissent and expression of opinions, despite the Syrian constitution and international human rights law guaranteeing the right to both. This emphasizes that no Syrian citizen can feel safe from arrest since these arrests have no basis in law or any oversight by any independent judiciary, being perpetrated by the security services with no judicial involvement. Following these arrests, detainees are routinely classified as forcibly disappeared; the number of recorded arrests has reached at least 11,654.

19. Most arrests take place at military checkpoints or after raids carried out without presenting any official arrest warrant, with most detainees referred to field courts, the Counter-Terrorism Court, or the Military Court, all irregular, security, and political courts, lacking the most fundamental elements of proper courts, being more like security branches, where detainees face charges presented without any evidence, using confessions extracted under torture and coercion, and are denied access to a lawyer¹¹.

¹¹ References, No. 12



20. Syrian regime forces routinely persecute and detain citizens for forcible conscription, with around 42,738 males aged between 28 and 38 currently in this category, enrolled into the army, which is involved in various types of human rights violations, including killing, siege and indiscriminate bombardment.

Recommendations:

21. Immediately reveal the fate and whereabouts of thousands of forcibly disappeared persons, allow their families to visit them, and institute a clear plan for releasing all political prisoners and arbitrarily detained persons.
22. Immediately allow independent monitors unconditional access to all detention centers and prisons in Syria, including secret centers run by the government's security services.

C. Torture, Punishment and Inhuman Treatment:

23. Despite Syria's ratification of the Convention against Torture since 2004, and its commitment in the first round of the Universal Periodic Review to many of the recommendations which it claimed have been implemented (102-2, 102-3, 102-4, 102-5, 102-6, 102-7), the worst forms of torture continue to be practiced by Syrian regime forces since March 2011 against regime opponents, with the degrees of torture inflicted on victims varying between death, disability and long-term psychological trauma; the barbaric torture methods used include 'al shabeh' (the ghost), 'crucifixion', and the 'German chair'¹².

24. At least 1,536 individuals have died due to torture, mainly due to poor health conditions in Syrian regime detention centers¹³.

¹² References, No. 13

¹³ References, No. 14



25. So far, we have been able to confirm the identity of around 1,003 Syrian citizens among those pictured in the Caesar photographs^{14 15}.

26. Since the beginning of 2018, the Syrian regime has begun notifying the families of individuals forcibly disappeared by the regime of their loved ones' death through the Civil Registry departments - without returning their bodies - with a total of 996 such cases documented by SNHR in this period, including nine children and two women; we believe all of these individuals died due to torture, or were killed following death sentences issued by the Military Field Court¹⁶.

27. None of the Syrian regime's amnesty decrees numbering at least eighteen to date, have led to the release of any detainees or forcibly disappeared persons imprisoned in connection with the uprising for freedom. On the contrary, we continue to document ongoing arrests on various pretexts of participants in the political uprising¹⁷.

Recommendations:

28. Immediately investigate, hold accountable and dismiss all leaders proven to be involved in torture.

29. Fully cooperate with the Human Rights Council's Commission of Inquiry and open detention centers before this.

¹⁴ These photos, smuggled out of Syria by a defector from the Military Police (Caesar), were taken at the 601 Military Hospital in Damascus, with the first batch of photos released in March 2015

¹⁵ References, No. 15

¹⁶ References, No. 16

¹⁷ References, No. 17



D. Enforced Disappearance:

30. The Syrian regime has practiced enforced disappearance in the context of a widespread attack against civilians, issuing arrest orders for, then forcibly disappearing everyone associated with the anti-regime popular uprising with the regime being fully aware that enforced disappearances take place, constituting a crime against humanity in accordance with Article 7 of the Rome Statute of the International Criminal Court, as well as violating Security Council Resolutions No. 2042¹⁸ and 2139¹⁹, with the number of forcibly disappeared persons reaching 9,667, including children and women²⁰.

Recommendations:

31. Ratify the International Convention for the Protection of All Persons from Enforced Disappearance.
32. Immediately disclose the fate of all forcibly disappeared persons in state detention centers.
33. Include the criminalization of enforced disappearance in the Syrian Penal Code.

E. Access to Justice:

34. Although the Syrian government pledged compliance in the first round of the Universal Periodic Review and accepted a variety of recommendations that it claimed have been implemented (102-9, 102-10, 102-12), (recommendation 101-19), nothing has happened. Rather, the Syrian regime has continued granting its security services complete immunity.

¹⁸ Issued on April 14, 2012

¹⁹ Issued on February 22, 2014

²⁰ References, No. 18



Recommendations:

35. Hold most of the security services personnel accountable, and restructure these services based on respect for human rights.

F. Freedom of Movement:

36. The Syrian regime exploits citizens' need for passports, extorting them by setting outrageous prices (300 - 800 US dollars)²¹, using this income to fund its war and pay its security services²².

Recommendations:

37. Set a reasonable price for the Syrian passport like all the world's other nations; the average price for a passport is 50 US dollars.
38. Stop using state institutions to benefit the authorities and the ruling family.

G. Rights of the Child:

39. Despite the Syrian government's ratification of the Convention on the Rights of the Child, its affiliated forces have committed numerous violations against Syrian children, killing 1,585 children, arresting at least 602 others, and

²¹ Presidency of the Council of Ministers of the Syrian Arab Republic, Law No. 18 of 2017 on Consular Fees, <http://pministry.gov.sy/contents/13067/%D8%A7%D9%84%D9%82%D8%A7%D9%86%D9%88%D9%86-%D8%B1%D9%82%D9%85-/18/-%D9%84%D8%B9%D8%A7%D9%85-2017-%D8%A7%D9%84%D9%85%D8%AA%D8%B6%D9%85%D9%86-%D8%AA%D8%B9%D8%AF%D9%8A%D9%84-%D8%A7%D9%84%D9%85%D8%A7%D8%AF%D8%A9-%D8%A7%D9%84%D8%A3%D9%88%D9%84%D9%89-%D9%85%D9%86-%D8%A7%D9%84%D9%85%D8%B1%D8%B3%D9%88%D9%85-%D8%A7%D9%84%D8%AA%D8%B4%D8%B1%D9%8A%D8%B9%D9%8A-%D8%B1%D9%82%D9%85-/17/-%D9%84%D8%B9%D8%A7%D9%85-2015-%D8%A7%D9%84%D8%AE%D8%A7%D8%B5-%D8%A8%D8%A7%D9%84%D8%B1%D8%B3%D9%88%D9%85-%D8%A7%D9%84%D9%82%D9%86%D8%B5%D9%84%D9%8A%D8%A9>

²² References, No. 19

subjecting thousands of children to torture and cruel treatment²³.

40. Nearly 2.4 million children inside Syria have been deprived of education as a result of the armed conflict since March 2011, with thousands of families not sending their children to schools due to regime forces' deliberate targeting of schools and educational facilities. Meanwhile, child labor and child suicide have escalated as a result of extreme poverty, homelessness and massive trauma²⁴.

Recommendations:

- 41. Immediately stop the indiscriminate bombardment, conscription, killing and displacement of children.
- 42. Ensure minors are not prosecuted, detained, tortured, or treated as adults.

H. Women's Rights:

43. Despite Syria's ratification of CEDAW, Syrian regime forces have committed many violations against Syrian women, killing at least 1,142 women and arresting at least 1,052 others. Regime forces also practiced sexual violence during house raids and in regime detention centers, as a tool of torture and to spread panic as a form of revenge, aiming to destroy the social fabric²⁵.

44. These forces committed at least 3,216 incidents of sexual violence, including approximately 297 incidents inside detention centers, and at least 52 cases of sexual violence against girls aged under 18²⁶.

²³ References, No. 20

²⁴ References, No. 21

²⁵ References, No. 22

²⁶ References, No. 23



Recommendations:

45. Immediately conduct investigations into all those involved in sexual violence, hold them accountable, and compensate victims.
46. Lift the reservations to CEDAW.

I. Independence of the Judiciary:

47. The Syrian judiciary is wholly subordinate to the executive authority; Bashar al Assad is the head of the Supreme Judicial Council, in accordance with the 2012 constitution, and appoints the Supreme Constitutional Court's judges.
48. As the Commander-in-chief of the Army and Armed forces, Bashar al Assad is involved in hundreds of crimes against humanity; instead of being tried by the local judiciary, however, he was re-elected by force of regime security services in May 2021²⁷.

Recommendations:

49. Implement Security Council Resolutions 2118 and 2254 and commit to forming a transitional governing body exercising full executive powers, which could then create a new constitution, and only then hold parliamentary and presidential elections based on this new constitution.
50. Write a civilized, legitimate constitution, providing for genuine separation of powers, and giving the judiciary proper power and independence.

²⁷ References, No. 24



J- Refugees and IDPs:

51. The widespread violations by Syrian regime forces and their allies have displaced nearly 6 million Syrians and caused the migration of nearly 7 million others²⁸.
52. The regime's forces and allies besieged many areas and launched brutal military operations against them, leading to the conclusion of forced displacement agreements with Armed Opposition factions, numbering 15 to date since August 2016, causing the displacement of nearly 220,000 people, in convoys, mostly to northwest Syria²⁹.
53. The regime and its allies not only bombed and destroyed homes and vital facilities, displacing the population, but, instituted laws which violate the most basic human rights principles in order to confiscate the homes of IDPs and refugees, including Decree 66, Decree 63, and Law 10. Regime forces also routinely systematically loot homes and other properties, and seize agricultural land owned by those they've displaced through public auctions³⁰.
54. Since the beginning of 2014 until June 2021, we documented the detention of at least 2,005 refugees by the Syrian regime, including 226 children and 159 women, as they returned from countries of asylum to Syria; of these, 691 have been classified as forcibly disappeared; we also documented the deaths of 15 of them due to torture. There can be no safe and voluntary return while the current authorities remain in power³¹.

Recommendations:

55. Repeal all decrees and laws aiming to confiscate the properties of IDPs, refugees and opponents, and return looted homes and lands to their

²⁸ The United Nations High Commissioner for Refugees (UNHCR), Syria emergency, <https://www.unhcr.org/syria-emergency.html>

²⁹ References, No. 25, 26 and 27

³⁰ References, No. 28, 29, 30, 31 and 32

³¹ References, No. 33, 34 and 35





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