

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	1865
Land:	Syrien
Kilde:	Amnesty International
Titel:	Annual Report 2022
Udgivet:	27. marts 2023
Optaget på baggrundsmaterialet:	12. april 2023

LGBTI PEOPLE'S RIGHTS

In June, the parliament gave the Federal Council a binding mandate to draw up a national action plan to better support and protect people from anti-LGBTI hate crimes.

On 1 July, the new regulations to legalize civil marriage and the right to adopt children for same-sex couples became effective.

RIGHTS OF PEOPLE WITH DISABILITIES

In March, the UN Committee on the Rights of Persons with Disabilities found that Switzerland had violated the rights of around 1.8 million people with disabilities, most notably due to the lack of a comprehensive strategy for implementing the Convention. The Committee recommended ratifying the optional protocol on individual complaints.

GENDER-BASED VIOLENCE

Parliament did not conclude its deliberations regarding a new criminal provision on rape. While the Council of States in June opted for the so-called “No means No” model, the National Council approved the “Only Yes means Yes” model, which would be in line with the CEDAW Committee’s concluding observation that the definition of rape should be based on the absence of consent. The draft law was due to go back to the Council of States in March 2023.

SEXUAL AND REPRODUCTIVE RIGHTS

In May, a member of the Green party launched a parliamentary initiative to reframe abortion as a public health issue. Two separate initiatives started in December 2021 by members of the Swiss People’s Party seeking to restrict access to abortion were ongoing.

FAILURE TO TACKLE CLIMATE CRISIS

In April, the case of *Verein KlimaSeniorinnen Schweiz and Others v. Switzerland*, in which a group of elderly women alleged that their health was adversely affected by Switzerland’s failure to address climate change, was fast-tracked to the Grand Chamber of the European Court of Human Rights.

In September, parliament adopted a proposal which would enshrine in law a target of net-zero emissions by 2050 and define new measures for different industries and sectors. It was due to enter into force in 2023 pending a referendum.

REFUGEES’ AND MIGRANTS’ RIGHTS

Following the Russian invasion of Ukraine, Switzerland implemented a temporary protection regime similar to that of the EU Directive. The rapid support for people fleeing Ukraine was in stark contrast to flaws in the regulations applied to asylum seekers from other nationalities admitted under provisional admission status.

Due to the arrival of Ukrainian refugees, several projects aimed at improving the living conditions in federal asylum centres were postponed.

The National Commission for the Prevention of Torture criticized the use of partial restraint during forced returns, the failure to adequately consider children’s rights, and compulsory Covid-19 tests for people to be returned.

CORPORATE ACCOUNTABILITY

The Senate’s legal affairs committee decided to begin work to explicitly include the prohibition of forced labour in the existing due diligence legislation.

RIGHT TO PRIVACY

The draft amendments of the Federal Act on the Intelligence Service were heavily criticized for expanding the already broad powers of the intelligence services at the expense of fundamental rights.

In September, the city parliament of St Gallen voted to ban biometric surveillance in public places.

SYRIA

Syrian Arab Republic

Head of state: **Bashar al-Assad**

Head of government: **Hussein Arnous**

The conflict in Syria continued although hostilities decreased, while economic and social conditions deteriorated. Parties to the conflict continued to commit with impunity gross human rights abuses, serious violations of international humanitarian law and crimes under international law, including war crimes. Government forces and armed opposition groups and their allies carried out unlawful attacks on civilians and civilian infrastructure, including water stations and displacement camps, through aerial bombing and artillery shelling in northern Syria. Government authorities, the Syrian National Army (SNA) and the Autonomous Administration of North and East Syria (Autonomous Administration) subjected civilians to arbitrary detention, abduction and enforced disappearance. President al-Assad enacted Syria's first anti-torture law, which failed to address impunity or provide redress to victims and families, and ratified a new cybercrime law that criminalizes online criticism of the authorities or constitution. The armed opposition group Hay'at Tahrir al-Sham and the Autonomous Administration continued to restrict freedom of expression and assembly. The government continued to prevent residents and internally displaced people in north-west Syria from enjoying their economic and social rights, including by obstructing aid to displaced people in al-Rukban near the border with Jordan.

BACKGROUND

In February, hundreds of people in Sweida, a Druze-majority city in south-west Syria, protested against the continued deterioration of living conditions. Throughout the year, teachers in north-west Syria, an area controlled by Hay'at Tahrir al-Sham, protested against low wages and demanded salaries for long-standing volunteers.

In February, the Organisation for the Prohibition of Chemical Weapons (OPCW) reported that there "were reasonable grounds" to believe that the Syrian government had conducted a chlorine attack

on Kafer Zita, a town in Hama governorate, in 2016. On 30 March, Russia vetoed a US-sponsored resolution at the UN Security Council that would have allowed OPCW inspectors to determine who was responsible for chemical weapons attacks in Syria.

In April, the World Food Programme estimated that 55% of the Syrian population was food insecure. Economic and social conditions deteriorated across the country with 14.1 million people identified as in need of humanitarian assistance for food, water and sanitation, health, education and housing.

On 10 May, the EU and other international donors pledged only USD 6.7 billion of the USD 10.5 billion needed to support all of the 14.1 million people in need of aid.

On 27 July, the Autonomous Administration said that it found a mass grave containing at least 29 bodies of people who may have been killed by the Islamic State when the armed group controlled the area.

On 10 September, the Ministry of Health declared a cholera outbreak in six governorates including Aleppo and Deir ez-Zor.

In October, an Associated Press investigation revealed allegations of mismanagement and corruption against the representative of the WHO in Syria. Based on the obtained evidence, the representative "engaged in abusive behaviour, pressured WHO staff to sign contracts with high-ranking Syrian government politicians and consistently misspent WHO and donor funds." The WHO said an internal investigation was ongoing.

Israel continued air attacks targeting Syrian government, Iranian and Hizbullah forces in Syria. Its occupation of the Golan Heights reached 55 years in June.

UNLAWFUL ATTACKS

Warring parties and their allies continued to conduct unlawful ground and aerial attacks on civilians and civilian infrastructure in northern Syria, killing and injuring scores of civilians.

SYRIAN GOVERNMENT AND ITS ALLY RUSSIA

The Syrian government, supported by Russian government forces, launched indiscriminate attacks and direct attacks on water stations, displacement camps, poultry farms and residential areas in north-west Syria. On 6 November, they launched a series of artillery attacks and air strikes on a forest next to displacement camps in Kafr Jallis in the north-west, killing four internally displaced people, including three children and a woman, and injuring more than 70 civilians.

According to the Independent International Commission of Inquiry on the Syrian Arab Republic (UN Commission of Inquiry), the Syrian government and Russia launched multiple air strikes and ground attacks on civilians and civilian objects in the north-east. On 2 January, an air strike attack on Arashani water station that serves Idlib city injured one civilian and temporarily cut the water supply to at least 300,000 people. On 3 January and 12 May, air strikes on two poultry farms in Idlib governorate injured a woman and her eight-year-old son, and a man, respectively. The report added that there were “reasonable grounds” to believe that pro-government forces had “intentionally targeted objects indispensable to the survival of the population”.

SYRIAN ARMED OPPOSITION GROUPS AND THEIR ALLY TÜRKİYE

Syrian armed opposition groups and their ally Türkiye carried out indiscriminate attacks, including drone strikes and ground attacks, that struck residential areas, a school and a displacement camp in northern Syria.

On 24 February, a Turkish government drone strike targeting a military objective landed near a civilian bus on the Amuda-Qamishli road in north-east Syria. At least four civilians – three women and one man – were injured in the attack.

According to the UN Commission of Inquiry, heavy machine guns were likely used within areas occupied by Türkiye and controlled by the SNA in an attack against a school in a village close to Afrin, a town in northern Syria, which injured 11 children aged 6 to 12.

ARBITRARY DETENTION AND ENFORCED DISAPPEARANCES

SYRIAN GOVERNMENT

The government continued to subject tens of thousands of people, including journalists, human rights defenders, lawyers and political activists, to enforced disappearance, many for more than 10 years.

In February and April, the authorities partially revealed the fate of around 1,056 individuals forcibly disappeared since the start of the conflict by updating civil registry documents and issuing death certificates. These provided the date of death but did not disclose the circumstances in which the individuals died. The authorities failed to return the bodies of the deceased to their families.

On 30 April, President al-Assad issued Legislative Decree No.7 granting a general amnesty for “terrorism” crimes except for those that led to deaths. The authorities failed to announce the number of detainees released as a result, but local organizations estimated at least 150 releases.

AUTONOMOUS ADMINISTRATION

The Autonomous Administration continued to unlawfully hold around 17,000 women and 37,000 children of Syrian, Iraqi and other nationalities, in al-Hol and al-Roj camps in the north-east in squalid conditions and without access to due process. On 7 February, the Asayish, the Autonomous Administration’s police force, opened fire in al-Hol camp, killing at least one child and injuring three women and three children.¹

On 20 January, hundreds of children held in Ghwairan prison, an adult detention centre in Hassake, were trapped with limited access to food and medical aid for 10 days during an exchange of fire between the Autonomous Administration’s military force, the Syrian Democratic Forces (SDF), and the Islamic State. Children continued to be held in detention facilities in dire conditions in violation of the Convention on the Rights of the Child.

TÜRKİYE-BACKED SYRIAN NATIONAL ARMY

In July, Hevdesti-Synergy, an association for victims in northern Syria, reported the arrest

of 79 people by the SNA and affiliated armed groups in Afrin, Ras al-Ayn and Tall Abyad – areas occupied by Türkiye – for their alleged affiliation with the Autonomous Administration, attempting to cross to Türkiye irregularly, extortion or being Kurdish. Thirteen were released while the fate and whereabouts of the others remained unknown.

In August, Syrians for Truth and Justice, a Syrian organization, recorded the arrest of 311 people in Afrin, a predominantly Kurdish town in northern Syria, during the first six months of the year on account of their ethnicity or to extort a ransom. Of these, 282 were released.

According to the UN Commission of Inquiry, the SNA held detainees incommunicado for between three months and three years, prohibited contact with a lawyer, and threatened or arrested family members for inquiring about their fate or whereabouts or only allowed them to have contact if they paid bribes.

TORTURE AND OTHER ILL-TREATMENT

On 30 March, President al-Assad enacted Syria's first ever law criminalizing torture (Law No. 16/2022), which failed to address impunity granted to military and security agents, offer redress to past victims of torture, include any protection measures for witnesses or survivors of torture, or state whether torture survivors or, in the event of their death, their families, would receive compensation.²

According to the UN Commission of Inquiry, the Syrian government authorities continued to torture and otherwise ill-treat detainees, including with “electric shocks, the burning of body parts, being folded into car tyres (*dulab*) and suspended by one or two limbs for prolonged periods (*shabeh*), often combined with severe beating with various tools, including sticks or cables.”

FREEDOM OF EXPRESSION, ASSEMBLY AND ASSOCIATION

SYRIAN GOVERNMENT

In April, following increasing criticism of the government's socio-economic policies, a new cybercrime law was passed that imposed harsh sentences and fines against anyone who criticized the authorities or constitution online. Articles 24 and 25 criminalize “electronic slander” defined as the sharing between two people, including in private communications, of slandering or humiliating information about other individuals, with harsher fines and a prison term if the individual is a public employee. Articles 27, 28 and 29 impose sentences of between three and 15 years in prison for publishing online content that “aims or calls to change the constitution illegally”, “undermines the prestige of the state”, and “undermines the financial position of the state.”

In June, the minister of interior said that 11 individuals had been arrested under the cybercrime law for spreading “false information” on Facebook.

HAY'AT TAHRIR AL-SHAM

Hay'at Tahrir al-Sham continued to repress freedom of expression by subjecting journalists, activists or anyone who criticized their rule to arbitrary detention without access to a lawyer or family members.

Local organizations told Amnesty International that the group restricted some of the activities of humanitarian organizations or forced them to coordinate with the armed group, which led donors to temporarily withdraw or halt funding.

AUTONOMOUS ADMINISTRATION

In January, the SDF opened live fire at people protesting against the deteriorating economic conditions and lack of access to essential services in Raqqa governorate. At least 50 people were injured.

On 5 February, the Autonomous Administration suspended the licence of Rudaw Media Network, a media outlet based in the Kurdistan Region of Iraq, in north-east Syria, accusing it of spreading misinformation and inciting hatred.

RIGHT TO TRUTH, JUSTICE AND REPARATION

European countries investigated and prosecuted individuals suspected of committing crimes under international law in Syria through their national courts under the principle of universal jurisdiction.

On 13 January, the Higher Regional Court in Koblenz, Germany, sentenced a former Syrian intelligence officer to life in prison for crimes against humanity.

On 19 January, the trial of a doctor accused of committing crimes against humanity, including 18 counts of torture and killing of detainees in military hospitals in the capital, Damascus and Homs between 2011 and 2012, began in Frankfurt, Germany, under the principle of universal jurisdiction. German police had arrested him in June 2020.

On 4 April, the Paris Court of Appeal in France ruled in favour of prosecuting Islam Alloush, a former leader of an armed opposition group in Damascus Countryside, for committing war crimes, including torture. He was detained in Paris in 2020.

ECONOMIC AND SOCIAL RIGHTS

The number of internally displaced people in Syria increased to 6.9 million. Of around 4 million people living in north-west Syria, a region under the control of armed opposition groups, 2.8 million were internally displaced. The government continued to deny and obstruct their access to essential services.³

As a result, people in the region fully depended on UN-coordinated humanitarian assistance provided through the cross-border aid mechanism, which the UN Security Council renewed in July for six months after Russia vetoed a 12-month extension.

Out of the total displaced population in north-west Syria, around 1.7 million lived in camps, 58% of whom were children and 22% were women. The overwhelming majority lived in tents that offered minimal privacy or protection from extreme heat, cold or rain, and had limited or no access to water, sanitation and healthcare. Only 40% of

camp residents had access to functioning latrines.

Domestic water needs for drinking, cooking and maintaining personal hygiene were unmet, with camp residents relying fully on humanitarian organizations to fill water tanks.

More than 8,000 displaced Syrians in al-Rukban camp, located in an isolated and desert border area with Jordan known as “the berm”, suffered dire living conditions as the Syrian government prevented entry of essential aid such as food, water and medical supplies for another year.

OCCUPIED GOLAN HEIGHTS

The Golan Heights remained under Israel's occupation and illegal annexation. The number of Jewish Israeli settlers living in 35 illegal settlements in the Golan Heights surpassed the total number of its Syrian inhabitants, reaching 29,000 compared to 28,000, according to Al-Marsad, a Syrian human rights NGO based in the Golan Heights. In July, Israel's National Planning and Building Council approved two new settlements, each including 2,000 housing units, as part of a USD 293 million government plan announced in December 2021 to double the number of Jewish settlers in the Golan Heights. Meanwhile, Syrian residents faced discrimination in housing and distribution of natural resources such as water.

REFUGEES' RIGHTS

By the end of 2022, 5.6 million Syrians had sought refuge outside the country since the conflict began in 2011.

In neighbouring Lebanon, the worsening economic conditions and restrictive policies imposed by the authorities continued to drive refugees back to Syria, where some faced detention, torture and other ill-treatment, and enforced disappearance (see Lebanon entry). Between February and July, the Turkish authorities arbitrarily arrested, detained and unlawfully returned hundreds of Syrian refugee men and boys (see Türkiye entry).

FAILURE TO TACKLE CLIMATE CRISIS

The government failed to establish an NDC. There was no publicly available information on any progress made since the government's commitment in 2018 to increase the proportion of renewable energy to 10% of power production by 2030 if international donors provided support.

1. "Syria: Fatal shooting of a child in al-Hol camp must be a call to international action", 8 February
2. "Syria: New anti-torture law 'whitewashes' decades of human rights violations", 31 March
3. Syria: 'Unbearable Living Conditions': Inadequate Access to Economic and Social Rights in Displacement Camps in North-West Syria, 5 July

TAIWAN

Taiwan

Head of state: **Tsai Ing-wen**

Head of government: **Su Tseng-chang**

Despite another court ruling permitting the marriage of transnational same-sex partners, limitations on same-sex marriage remained in place. A Constitutional Court ruling required the government to strengthen privacy safeguards. The government published a strategy to reach net zero greenhouse gas emissions by 2050.

BACKGROUND

The government launched its first National Human Rights Action Plan (2022-2024) setting out goals in eight priority areas including digital human rights, equality and non-discrimination. The third review of the implementation of the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights under Taiwan's national reporting system criticized the retention of the death penalty, lack of safeguards governing the use of facial recognition technology, and long-standing failures to protect the rights of Indigenous peoples, refugees and asylum seekers.¹

LGBTI PEOPLE'S RIGHTS

In July, the Taipei High Administrative Court issued a judgment on transnational same-sex marriage that gave a Taiwanese-Japanese same-sex couple the right to register as a married couple. Despite being the fourth court ruling supporting the registration of transnational same-sex marriage in Taiwan, it remained permissible only where the spouse was from a country where same-sex unions had been legalized. At least two other cases challenging this restriction were pending at year's end.²

RIGHT TO PRIVACY

In August, Taiwan's Constitutional Court ruled that Article 6 of the Personal Data Protection Act, which permits government agencies and research institutions wide-ranging access to data in the National Health Insurance Database, was constitutional. The ruling nevertheless required the government to strengthen legal protections for privacy rights including on the storage and processing of data in the National Health Insurance Database and providing the right to opt out of it. It additionally required the government to establish an independent data oversight mechanism.³

WORKERS' RIGHTS

In May, the government launched an Action Plan for Fisheries and Human Rights which set out measures to improve the working and living conditions of foreign crew working on Taiwan-registered fishing vessels. The plan also included measures aimed at developing coordinated government responses to preventing human trafficking.

FAILURE TO TACKLE CLIMATE CRISIS

Emissions reduction targets remained inadequate. A proposal to raise the current target of reducing emissions by 50% from 2005 levels by 2050, as set in the 2015 Greenhouse Gas Reduction and Management Act, remained under review by Parliament. In March, the government published a "Pathway to Net-Zero Emissions by 2050" which set out plans to reduce