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Human rights situations that require the Council's attention

Written statement* submitted by the Cairo Institute for Human Rights Studies (CIHRS), a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[16 May 2011]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Human rights crisis in Syria: Violations during pro-democracy protests**

The Cairo Institute for Human Rights Studies (CIHRS), the Damascus Center for Human Rights Studies (DCHRS), and the Syrian Center for Transitional justice and the Empowerment of Democracy, are deeply concerned by the ongoing grave human rights violations and the policy of collective punishment practiced by the authorities of the Syrian Arab Republic against its citizens, aiming to quell the peaceful gatherings calling for democratic reforms in the country since mid-March 2011. The Syrian military and security apparatus have engaged in deliberate and systematic killings of over 750 unarmed pro-democracy protestors, thousands of arbitrary arrests and enforced disappearances, torture, shelling of populated areas, denial of medical care to the injured, cutting off communications, and preventing access to food and electricity, all of which violate international law and amount to crimes against humanity.

The horrific events unfolding in Syria today are the result of 30 years of the authoritarian rule of the al-Assad family, which has been characterized by systematic violations against all dissent and minorities. The responsibility now, more than ever, falls on the international community to respond to such escalating events with efficiency, consistency, and impartiality.

The Syrian official stance towards the protests, claiming that they are dominated by terrorists and spies, shows a clear lack of political will to stop the ongoing assaults and brutal killings against the Syrian population and address the political, social and economic demands of the protestors. It is crucial to note in this context that the lifting of the 48-year-old state of emergency in Syria has not in any way guaranteed the promotion and protection of the citizens' human rights nor the accountability of the executive branch for the violations and abuses it is perpetrating. The Syrian regime has been particularly infamous for its arsenal of repressive laws that are deployed deftly against dissenting voices and human rights defenders in the country. Other "security" provisions in the Syrian penal code, media law, and other decrees, are currently being used extensively to quell people's rights and liberties. Laws criminalizing protests for "issuing calls that weaken national sentiment" or "spreading false or exaggerated information" have for years been frequently deployed in special and exceptional courts to try activists and journalists –all without the provisions of emergency law.¹ Moreover, the continuation of extrajudicial killings and arbitrary arrests further demonstrates the complete disregard of al-Assad's regime for the legal realm as a whole.

The Human Rights Council 16th Special Session on Syria and the resolution adopted as a result was a right step towards enforcing the credibility of the UN Human Rights Council as an international body capable of taking substantial steps to protect and promote human rights. Further steps need to be taken to ensure the implementation of the resolution, particularly in light of the fact that while the Special Session was convening, Syrian troops were besieging Deraa and committing massacres against its citizens using tanks and

^{**} The Damascus Center for Human Rights Studies (DCHRS) and the Syrian Center for Transitional Justice and the Empowerment of Democracy, NGOs without consultative status, also share the views expressed in this statement.

¹ For more information on laws and legal provisions used in Syria to limit freedom of opinion and expression and target opposition, please refer to "Ten Years in Al Assad's Grip"; a report published by CIHRS and partners on August 2010, available at: <http://www.cihrs.org/Images/ArticleFiles/Original/604.pdf>

snipers. Additionally, the independent commission must be urgently dispatched to ensure independent investigation into the crimes committed under international law for the past two months. This is the only way for the Syrian population to claim truth and potential justice, and for perpetrators to be held accountable in a nation where victims of abuses by the executive branch rarely claim any retribution. Indeed, it is no longer enough to merely condemn the violence.

Among the human rights abuses that must be addressed are the following:

1. Estimated numbers of confirmed killings of peaceful protesters by Syrian security forces have risen to 750 individuals in less than two months.² It is distressing to note that the numbers are continually rising as a result of the unrelenting attacks targeting civilians in Syrian towns and cities. Syrian forces opened fire on protesters in Deraa as early as 18 March and have continued to use live ammunition ever since with the purpose of deliberately quelling protests calling for the toppling of Al-Assad's authoritarian regime. However, these protests only spread to other Syrian cities and towns. The Syrian authorities dealt with these demonstrations with exceptional violence, opting to kill hundreds of its citizens as a first response rather than engaging in any kind of substantial and genuine reform. On 22 April alone, in what was known by protesters as "Great Friday," nearly 120 people were killed in 14 different cities and towns across Syria, including the capital. One day later, on 23 April, Syrian forces opened fire on funeral processions of the victims of the attacks in the cities of Barza, Douma, and Izzra, killing at least 12 more.³ On April 25, army tanks were deployed in Dera'a and were used to shell civilian buildings in residential areas. In addition, all water and electricity has been cut off in Dera'a and shipments of medicine and food have been barred from reaching the city. Government snipers and thugs were also deployed and have targeted those attempting to help the wounded in the streets. Similar tactics were said to be used in the Damascus suburb of al-Muadamiya, and there are reports of further killings of protesters in Douma. Targeted killings of civilians continued as this intervention was being drafted, with the Syrian government continuing to suppress thousands of its population and the international community seemingly unable to prevent such catastrophic events.

2. Additionally, the recent crackdown and arrests of protesters started days before the beginning of large-scale pro-democracy demonstrations that spread across Syria and continue until today. Many of the protests in March 2011 in Syria were spawned by the detention of over 30 children around the age of 10 who were arrested and held in custody for several weeks after writing "the people want to topple the regime" on a wall. On 16 March, 2011, Syrian security forces violently dispersed a peaceful gathering of protesters, mainly human rights defenders and relatives of political prisoners, who had gathered outside the Interior Ministry in Damascus calling for the release of political detainees. Protesters were beaten by plain-clothes security officers with batons, and 34 individuals

² As of 10 May, the National organization for human rights in Syria documented the names of 757 individuals killed in relation to the ongoing protests in Syria. As of 9 May, Amnesty international has been able to document 580 cases of extrajudicial killings inside Syria, estimating the numbers at a higher scale, given that representatives of the organization are prevented by the government from entering Syria as part of the campaign launched by the government to prevent coverage to and documenting of the events.

³ Further details outlining the human rights abuses committed during "Great Friday" could be obtained through the following report: <http://www.hrw.org/en/news/2011/04/24/syria-world-should-impose-sanctions-leadership>

were reportedly detained during the incident.⁴ A few days later, arbitrary arrest became a norm in Syria, with Syrian authorities detaining thousands, including children and women, in demonstrations, homes and cafes. All detainees face a high risk of being subjected to torture, which is a systematic practice in Syrian detention facilities, particularly the Mukhabarat branches, which include the state security (Amn al-Dawla), political security (Amn al-Siyasi), and military security (Amn al-Askari), branches. Indeed, testimonies of released individuals who were arrested in connection with the current protests, including a number of children, reported that they and other detainees were tortured by electro-shock devices, cables, and whips. Most were held in overcrowded cells and many were deprived of sleep, food, and water, sometimes for days. Some were blindfolded and handcuffed throughout the entire time of their arrest, and most were forced to sign confessions without being allowed to read them as well as pledges not to participate in future protests.⁵ As arrests reach the thousands, the increasingly high number of forcibly disappeared individuals is also extremely worrying.

3. Attacks against an already stifled civil society in Syria are especially worrying. Human rights defenders and activists have been particularly targeted in the last two months, with numerous prominent figures arrested in addition to experiencing other forms of harassments, which include direct life threats.

4. Syrian authorities have been relatively successful at imposing a communication blackout and imposing severe restrictions on the coverage of the events in the country through disabling mobile telephone and land lines in certain areas in Syria, most notably in the cities of Douma and Deraa. At least seven local and international journalists were arrested between 16 March and 15 April, 2011, in addition to dozens of others having been expelled from the country, and many more who were not allowed to enter Syria. Additional restrictions against media included prevention of access to certain areas, arrests and harassment of bloggers and Facebook users, jamming certain satellite channels in Syria, using official media to circulate false information, and most alarmingly the arbitrary arrests and enforced disappearances of a number of correspondents, journalists and media workers, whom the official narrative often accuses of being spies and of disseminating false information. As of 10 May, five national and international journalists remained in the custody of Syrian authorities. Dorothy Parvaz of Al-Jazeera English, Ghadi Frances of the Lebanese daily As-Safir, Fayiz Sara of Al-Hayat and As-Safir, Mohamed Zayd Mastou of Al-Arabiya, and Akram Darwish, a freelance photographer, remain held incommunicado by Syrian authorities until today.⁶

Thus, we call on the international community and the UN human rights bodies to take responsibility for the Syrian victims who died demanding their freedoms and ensure an immediate end to the humanitarian catastrophe that continues in Syria. Therefore:

1. The Human Rights Council member states should recommend the UN Security Council to refer the situation in Syria to the prosecutor of the International Criminal Court for international crimes committed by the Syrian government against its

⁴ Names of some of the prominent human rights defenders and political activists who have been arrested on 16 March are available on the following link:

<http://www.hrw.org/en/news/2011/03/16/syria-peaceful-demonstration-violently-dispersed>

⁵ Further details of the testimonies taken from those who were subjected to torture and other ill treatment while in Syrian detention facilities in relation to the current protests is available through the following link: <http://www.hrw.org/en/news/2011/04/15/syria-rampant-torture-protesters>

⁶ More information regarding the cases of the five journalists who are held incommunicado by Syrian authorities is available through the following link: <http://www.cpj.org/2011/05/syria-holds-at-least-five-journalists-in-custody.php>

citizens. Leadership and impartiality must be strongly demonstrated with regards to Syria as it was in the case of Libya.

2. Ensure the implementation of the recent resolution on Syria, particularly concerning the dispatching of an independent commission to hold investigation into the crimes committed by the Syrian government in recent months.
