



**Convention against Torture  
and Other Cruel, Inhuman  
or Degrading Treatment  
or Punishment**

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**Committee against Torture**  
**Forty-fourth session**

**Summary record of the first part (public)\* of the 937th meeting**

Held at the Palais Wilson, Geneva, on Monday, 3 May 2010, at 3 p.m.

*Chairperson:* Mr. Grossman

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\* The summary record of the second part (closed) of the meeting appears as document CAT/C/SR.937/Add.1.

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*The meeting was called to order at 3 p.m.*

**Consideration of reports submitted by States parties under article 19 of the Convention** *(continued)*

*Initial report of the Syrian Arab Republic (CAT/C/SYR/1)*

1. *At the invitation of the Chairperson, the members of the delegation of the Syrian Arab Republic took places at the Committee table.*

2. **Mr. Al-Ahmad** (Syrian Arab Republic) said that the human rights situation in his country had improved noticeably over the last decade. The Syrian Arab Republic had ratified all the principal international human rights instruments and regularly submitted reports to treaty bodies in order to fulfil its obligations. It was also endeavouring to bring its legislation into conformity with the provisions of international human rights instruments. The most recent developments in that regard were the adoption of an Act on human trafficking in January 2010 and the drafting of a bill on detention and prisons.

3. The Syrian Arab Republic had also endeavoured to promote a culture of human rights, not only through the media but also in schools. All law enforcers, including police officers, received training in human rights, which was given by international experts at home and abroad. At least once a year, senior Syrian officials attended seminars organized by the Geneva Academy of International Humanitarian Law and Human Rights. Syrians were very proud of their homogeneous society, where everyone lived in harmony with others and without distinction of religion or race.

4. The Syrian Arab Republic was profoundly concerned by the everyday sufferings of Syrians in the occupied Arab territories, particularly Golan, where human rights were systematically violated. It intended to collaborate closely with the Committee, in a spirit of constructive dialogue and mutual respect, to ensure that everyone could live in dignity and security.

5. **Mr. Khabbaz Hamoui** (Syrian Arab Republic) said that, by sending a high-level delegation, the Syrian authorities had demonstrated their commitment to the work of the Committee and hoped to take full advantage of the members' advice. The Syrian Arab Republic had introduced sweeping reforms to modernize its legislative apparatus, with the aim of adapting to modern times and, above all, of promoting respect for human rights. The imminent conclusion of a partnership agreement between Damascus and the European Union attested to the progress achieved in the area of human rights nationwide. The Mission of the Syrian Arab Republic in Geneva maintained excellent relations with the Office of the High Commissioner for Human Rights, including the treaty bodies and special rapporteurs.

6. In conclusion, he hoped that his delegation and the Committee would enjoy fruitful and constructive dialogue, avoiding politicization and subjective or unfounded statements.

7. **Mr. Mariño Menéndez** (First Country Rapporteur) welcomed manifest the willingness of the Syrian Arab Republic to collaborate with the Office of the High Commissioner in general and the Committee against Torture in particular. He regretted the absence of both a definition of torture and the specific offence of torture from the State party's domestic law. Article 391 of the Criminal Code, quoted in paragraph 61 of the initial report ("Anyone who batters a person with a degree of force that is not permitted by law in order to extract a confession to, or information about, an offence shall be subject to a penalty of from 3 months to 3 years in prison") was excessively vague and the sentences stipulated (3 months to 3 years) were not proportionate to the gravity of the offence of torture. He wished to know why the State party had not passed a specific Act on torture. He noted, in fact, that, since the state of emergency had been declared in 1963, the Syrian Arab

Republic had adopted several norms with significant consequences for the principle of the prohibition of torture. The result was an imbalance between State security requirements and its obligations arising from the Convention. According to reliable sources, more than 500 people were being held, without court order, in long-term preventive detention in the name of State security. The Committee hoped to receive information on that issue, including statistics. The Syrian Ministry of the Interior had at least four agencies dealing with intelligence and State security but nothing was known of their activities, all the more so as they were not subject to independent judicial review. Persons detained by those agencies seemed to have no access to a lawyer, and potential allegations of torture were never investigated. Furthermore, two legislative decrees had been promulgated and granted immunity to members of the security forces for any action taken in the line of duty, including acts of torture. Disturbing examples included the fact that no investigation had been initiated into the deaths at the Sednaya military prison in July 2008. Between 2004 and 2010, no fewer than some 40 deaths in prison had been reported, apparently connected with acts of torture and other ill-treatment. Nothing specific was known about the circumstances surrounding the death of Sheikh Muhammad Ma'shuq al-Khiznawi in 2005 during interrogation by the military intelligence services, while other deaths in the Palestine Branch detention centre in Damascus remained unexplained. He would like to know whether independent and transparent inspections were carried out in places of detention and, if so, whether the results were made public. In that regard, he wished to know whether the State party planned to ratify the Optional Protocol to the Convention, which provided for the establishment of a system of regular visits to places where persons deprived of liberty were held.

8. On the subject of arbitrary and incommunicado detention, he requested information on the Lebanese detainees held in the State party since 2005 and on the Kurds who had died while performing national service. When a person was detained incommunicado, the risk of torture increased, he would therefore like to know the circumstances in which people were placed in solitary confinement. Also, were perpetrators of torture brought to justice and punished? The Supreme State Security Court was competent to consider complaints from people detained in military prisons and by the intelligence services. According to some sources, however, its procedures were very slow and did not necessarily conform to established rules. Furthermore, the Court's decisions could not be appealed. The President of the Court was appointed by the President of the Republic, which raised the wider question of judicial independence in the Syrian Arab Republic. In that regard, he wished to learn how judges in general were nominated and how they were removed in the event of serious misconduct.

9. According to Human Rights Watch and other non-governmental organizations (NGOs), human rights lawyers and defenders were subject to constant harassment and threats. He requested details on the situation of two among them, Muhannad al-Hassani and Haitham al-Maleh.

10. Since, according to some reports, around 17,000 people, including Lebanese and Palestinians, had been missing since the 1970s or 1990s, he wondered whether their disappearances had been investigated and whether any light had been shed.

11. Despite its generous hosting policy, as evidenced by the presence of some 500,000 Palestinian refugees and numerous Iraqi refugees within its territory, the Syrian Arab Republic still had no specific legislation on asylum, although a bill was being considered. Neither was it party to the 1951 Convention relating to the Status of Refugees or to the 1967 Protocol to that Convention. In that context, one might enquire about the procedure under which applications for asylum, refugee status or protection for humanitarian reasons were handled; the criteria for accepting or rejecting them; and how unsuccessful applicants

were removed. There was a serious gap in domestic legislation which the State party should fill, and a first step in that direction would be to accede to the 1951 Convention.

12. According to some reports, removals were carried out without any judicial review. Stateless persons, mostly of Kurdish origin, who had no identity papers and were not even counted in the national census, frequently became victims of forced removal. In 2009, 111 Iraqis who had been issued with refugee certification by the Office of the United Nations High Commissioner for Refugees had been returned to Iraq, and it was not known what had become of them. He wished to know the procedure under which the removals had been ordered, and particularly whether they stemmed from an administrative decision. Administrative detention prior to removal could apparently be prolonged indefinitely, especially if the individual concerned had no identity papers or if no host country was forthcoming.

13. Further information on Maher Arar, a Canadian citizen suspected of terrorism who had been illegally transferred to the Syrian Arab Republic for interrogation, would be desirable. Many allegations had been made denouncing the frequent practice of torture and inhuman treatment during interrogations, especially by the State security forces. Were there any regulations governing interrogation methods and practices? If so, did they provide for monitoring in order to prevent all torture or ill-treatment?

14. The Committee would appreciate further information on cooperation between the State party and Lebanon to resolve the issue of Lebanese prisoners still held in the Syrian Arab Republic and to fully investigate the murder of former Lebanese Prime Minister Rafiq Hariri. Torture could only be fought effectively if perpetrators were systematically prosecuted and punished. In that regard, it would be desirable for the State party to give serious consideration to ratifying the Rome Statute of the International Criminal Court and the International Convention for the Protection of All Persons from Enforced Disappearance.

15. **Ms. Sveaass**, Second Country Rapporteur, thanked the State party for the particularly useful general information given in its initial report, especially since it had not submitted a core document. She noted with satisfaction that it was party to the majority of international human rights instruments and that they took precedence over domestic legislation in the event of a conflict. In that context, it would be interesting to hear whether the Convention against Torture had yet been directly applied by the Syrian courts.

16. In its report, the State party cited six cases of ill-treatment, some of them fatal (paras. 82 to 84). Two people tried by military courts seemed to have been sentenced only to disciplinary measures; other cases had resulted in fixed but unspecified terms of hard labour. More information on the length and nature of the penalties and sentences handed down would be useful. Detailed statistics on the number of complaints of torture carried out by State officials, along with the charges against them and the sentences passed, would also be welcome.

17. The situation of human rights defenders, including spokespersons for ethnic minorities and political opponents, was of great concern. Referring to the cases of Fida al-Horani, president of the National Council of the Damascus Declaration for National Democratic Change, who had been arrested in 2007 and held in detention ever since, and Tal al-Mallouhi, a 19-year-old blogger arrested because of her comments supporting human rights, she wished to know how the cases stood and whether either of the individuals concerned was likely to be released in the near future. It would be highly desirable for the State party to review its legislation in order to give greater freedom to human rights defenders and for it to invite the Special Rapporteur on the situation of human rights defenders to visit the country.

18. Maintenance of the state of emergency — in force for 47 years — and accompanying security measures, particularly in order to fight terrorism, created circumstances in which torture could very easily occur. Arbitrary arrests, incommunicado detention and forced disappearances were common currency, and those affected had no means of recourse. The immunity from prosecution enjoyed by certain categories of State official, particularly the security forces, and the resulting impunity fostered the practice of torture and compromised victims' right to compensation.

19. Training was an indispensable tool for changing behaviours. In its report, the State described various awareness-raising activities on human rights issues geared to the forces of order, and measures taken to guarantee effective health care for detainees. Such initiatives were laudable, but the training required under article 10 of the Convention against Torture must specifically cover the prohibition of torture and be given not only to the forces of law and order but also, among others, to medical personnel who might treat detainees. Detecting signs of torture, seeking and preserving evidence of torture and looking after victims were all essential elements that must form part of the training given to police officers, prison staff and the medical personnel involved. Was such training guaranteed? It would also be useful to know whether training provided to the military included information on the Convention against Torture.

20. Regulations on the conduct of police and prison officers towards detainees expressly forbade the use of force and humiliating treatment. Given the content of article 11 of the Convention, it would be useful to know how the State party ensured that the rules were respected and what measures were taken if they were breached. The report stated (para. 177) that the Ministry of Justice, the Ministry of the Interior and the Prosecutor-General were empowered to inspect prisons to verify that inmates were being treated humanely. It would also be useful to know whether their visits could be carried out without prior notification, whether inspectors were allowed to talk directly to detainees, whether reports were prepared after every visit and, if so, how they were followed up. He would also like to know whether other bodies, independent of the Government, could visit places of detention. In that regard, the delegation could perhaps say whether the State party planned to create a national human rights institution in compliance with the Paris Principles.

21. Information available to the Committee suggested that detainees of Kurdish origin were subject to serious violations of their rights, including torture. According to one NGO report, seven people, including one Osman Mihemed Silêman Hecî, had allegedly died following abuse in detention. Had autopsies been performed to determine cause of death? Many people of Lebanese, Sudanese or Iranian origin were also alleged to have been detained within the State party's territory and to have been at particularly high risk of torture. Detailed statistics on how many foreigners were currently detained in the Syrian Arab Republic and the number of allegations of torture they had made would be useful.

22. Several reports referred to deaths in detention. Details on the cases of Yusuf Jabuli, Muhammad Amin al-Shawa and Abdullah Elias al-Beitar would be desirable. It seemed that families had not been permitted to view the bodies of victims. The delegation could perhaps indicate whether that was the case, which would tend to confirm allegations of deaths from torture. In that context, it was doubly important that places of detention should be independently monitored, and the Committee strongly encouraged the State party to take steps to establish such a mechanism.

23. Some political prisoners were kept in detention for decades after serving their sentences. One such case was Abdelkader Mohammed Sheikh Ahmed, who should have been released in 1979 but was still in prison in 2004. The delegation could perhaps report where he was now. In its 2009 report (A/HRC/13/31), the Working Group on Forced or Involuntary Disappearances had stated that 54 cases had been transmitted to the Syrian

Government, 28 of them still outstanding. Information concerning the number of investigations under way and the results thereof, if any, would be welcome.

24. Detained minors were apparently not systematically separated from adults, and their rights to communicate with their families and to receive legal assistance were not guaranteed. It would be interesting to hear the delegation's comments on those points. Details of the new Act on minors, which applied to children under 15, would be useful, particularly with regard to how it strengthened the rights of children in conflict with the law. The Committee on the Rights of the Child had drawn attention to allegations that some 20 children of Kurdish origin, aged between 14 and 16, had been beaten and given electric shocks while in detention. Had an inquiry into those allegations been opened?

25. According to the Committee's information, there was no mechanism guaranteeing detainees who suffered ill-treatment at the hands of law enforcers the opportunity to lodge complaints. What exactly was the situation and what was the procedure, if any, for handling complaints?

26. With regard to the cases of Ahmed Al-Maati and Abdullah Almalki, it would be useful to hear why the two Canadians had been arrested and handed over to the Syrian authorities and what steps had been taken to investigate their allegations that they had been tortured while in detention.

27. With regard to article 12, the State party clearly stated in its report (para. 179) that a person subjected to torture could be referred to a police doctor, and the necessary samples would be taken for use as legal evidence against the perpetrator. Numerous examples, however, seemed to suggest that the principle was seldom applied. Details of the procedure for victims to request examination by an independent doctor would be useful.

28. The exact circumstances surrounding the riots at the Sednaya prison in July 2008 and the number of victims among those detained were still unknown. Any details the delegation could provide in that regard would be welcome.

29. It seemed that proceedings before the Supreme State Security Court did not fully respect guarantees of due process, in particular the right to legal assistance, the right to redress, and the inadmissibility of statements obtained under torture. More information on those issues was desirable, particularly as to whether a person could be convicted on the sole basis of a confession or whether additional evidence was required.

30. Numerous allegations indicated that the Syrian security and intelligence services routinely practised torture with complete impunity. Were those services' activities subject to any form of regulation? More particularly, was the principle that neither exceptional circumstances nor the orders of a superior could be used to justify torture respected? According to Amnesty International, a presidential amnesty decree had been issued in February 2010. Did it include those responsible for acts of torture? The immunity from prosecution enjoyed by staff of the intelligence and security services under Legislative Decree No. 61 of 1950 had apparently been extended, by a new decree, to cover the political security services. Was that correct? If so, how could such provisions be reconciled with the State party's obligations under the Convention?

31. Victims' right to secure compensation was expressly provided for in the Criminal Code and the Code of Criminal Procedure. It would be interesting to hear in how many cases victims had been awarded compensation and the amounts actually paid. Reparation in the sense of article 14 of the Convention also included rehabilitation measures. Had any such measures been ordered and did the State party have any specialized institutions in that field?

32. **Mr. Bruni** requested details concerning the status and activities of the NGOs and associations for the defence of detainees' rights which had participated in participation of

the report. Article 391 of the Criminal Code (paragraph 61 of the report) stated: “Anyone who batters a person with a degree of force *that is not permitted by law* in order to extract a confession ... shall be subject to a penalty ...”. The formulation suggested that some degree of violence was permitted by law, which required clarification. The State party indicated in its report (para. 113) that the Constitution, and its international commitments, took precedence over the State of Emergency Act, which meant that the complete prohibition of torture enshrined in the Convention against Torture must be respected, even in the context of the state of emergency. However, there was nothing in the report that clearly indicated that such guarantees existed. The Committee would therefore like to know if the practice of torture was expressly forbidden in all circumstances or whether the right not to be tortured could be derogated under the State of Emergency Act.

33. Recalling that, in its concluding observations adopted in 2005 following examination of the State party’s third periodic report on the application of the International Covenant on Civil and Political Rights (CCPR/CO/84/SYR), the Human Rights Committee had already pointed out that the information provided did not give a clear picture of which rights could be derogated under the State of Emergency Act and which could not, he considered that specific information on the subject was needed.

34. The Committee had received further detailed information from NGOs on cases of torture, and the persistence of allegations in that regard naturally gave rise to questions that he would like the delegation to answer. The Committee had also received reports of numerous cases of incommunicado detention, particularly in the Palestine Branch detention centre, where people were held in what had been dubbed “tomb cells”. The Syrian delegation might specify whether such detention was provided for in law or whether it was simply a *de facto* practice of the Syrian security and intelligence branches.

35. Noting that the Syrian Arab Republic was now party to the Convention, he asked whether it planned to contribute to the United Nations Voluntary Fund for Victims of Torture.

36. Although, according to the Court of Cassation’s case law, statements obtained by violence or force had no value as evidence, NGOs had reported that the Supreme State Security Court systematically refused to order investigations into the numerous cases of confessions extracted under torture brought to its attention. In 2001 the Human Rights Committee had also expressed concern that the Court had rejected complaints of torture, even in flagrant cases (CCPR/CO/71/SYR). Clarification of those points would be appreciated. Lastly, the State party could perhaps explain why it had entered a reservation to article 20 of the Convention and say whether it planned to withdraw it.

37. **Ms. Belmir** pointed out that the International Covenant on Civil and Political Rights enabled States parties, in certain situations, to take steps to derogate some of their obligations, on the understanding that such measures must not be indefinite. However, it appeared from the report under discussion that the current state of emergency in the Syrian Arab Republic was likely to endure. Details of the State party’s intentions in that regard would be welcome.

38. Given the complexity of the Syrian judicial system, it was difficult to understand it fully. Ordinary courts existed alongside special courts and there was also a multitude of intelligence services theoretically answering to the Ministry of the Interior but, in practice, applied their own hierarchy and collaborated with the special courts, i.e. the Supreme State Security Court and military tribunals. Some clarification would be appreciated. It would also be useful if the Syrian delegation could clearly explain the roles of public prosecutors in common law courts and the role of the Court of Cassation within the Syrian legal system.

39. Because of the state of emergency, certain normally common-law offences, such as spreading false information, were dealt with by the special courts. According to some

reports, the only evidence that those courts took into account was confessions obtained under torture. Trials lasted between one and two years and the accused remained in pretrial detention for periods ranging from a few months to several years. Rulings handed down could not be appealed; only the President of the Republic could overturn or modify them. Such rulings were, however, subject to approval by the Martial Law Administrator, which made her wonder whether they were judicial or administrative.

40. The Committee on the Rights of the Child had also noted that the age of criminal responsibility was very low. Exactly what was it? She would also like the delegation to comment on reports that Syrians living abroad had been refused passports. She took note of the State party's efforts to combat human trafficking, but considered that it could still do much more in that area.

41. **Ms. Gaer**, recalling first of all, that, the provisions of article 2 of the Convention, under which no exceptional circumstances whatsoever could be invoked as a justification of torture, said that that principle could not be derogated. She further noted that one of the questions most often raised during consideration of reports was unacknowledged detention. In that regard, she drew attention to the Syrian authorities' silence on the fate of 42 people who, according to Human Rights Watch, had been in detention in Sednaya prison when a riot had been put down there on 10 December 2009. She invited the Syrian delegation to indicate where those individuals now were and whether there were plans to authorize visits to people detained in that prison.

42. In paragraph 82 of its report, the State party gave four examples of cases in which perpetrators of acts of torture had been found guilty and punished. It was stated that in the first two cases (Nos. 1881 and 577), the police officers involved had been dismissed. Was that the only penalty imposed? In cases Nos. 339 and 82, police officers had been sentenced to hard labour and fined for causing fatal bodily harm. How long were their sentences and were they still members of the police force?

43. With regard to the case of Maher Arar, she requested details of the circumstances in which he had entered the country and of what had happened to him, in view of allegations that he had been detained and tortured. Moreover, the report of the United States Department of State on the human rights situation in the Syrian Arab Republic contained worrying reports of the deaths of 36 conscripts of Kurdish origin. For the previous five years, while the Syrian authorities had maintained that they had committed suicide, their families had claimed that they had been victims of deliberate acts. Among the names mentioned in the report were those of Ahmad Arif Omar and Malek Shabo, who were alleged to have been tortured, and she would like to learn the exact circumstances surrounding their deaths. How could so many deaths among conscripts of Kurdish origin be explained? Had they been investigated and, if so, with what result?

44. The definition of rape given in article 508 of the Criminal Code excluded conjugal rape and exempted the rapist from any penalty if he married the victim. The State party might say what could be expected of a provision that guaranteed impunity for rapists, what values it hoped to promote thereby and how they related to the Convention.

45. According to Alkarama's report, a Lebanese-Syrian official commission on the issue of disappeared Syrians in Lebanon and disappeared Lebanese in the Syrian Arab Republic had been established. The same report stated that, although the cases of 640 Lebanese still thought to be detained in the State party had been brought to the commission's notice, the Syrian authorities continued to deny that they were holding individuals captured in Lebanon. The Committee wished to know the State party's views in that regard and whether it intended to cooperate in resolving those cases. The Syrian delegation was also invited to comment on its follow-up to the Human Rights Committee's recommendation (CCPR/CO/84/SYR) that the State party should give a particularized account of Lebanese

nationals and Syrian nationals taken into custody or transferred into custody in the Syrian Arab Republic, and on the case of Elias Lutfallah Tanios, a former member of the Lebanese security forces, as described in Amnesty International's report. Did the State party intend to cooperate in that case and others arising from its period of military presence in Lebanon, including by providing all information requested?

46. Among the issues brought to the Committee's attention by NGOs was that of the Hama massacre in 1982, in which 5,000 people had been killed. She asked whether an inquiry into the events had been held or was planned and whether the victims' families would be informed. Alois Brunner, a Nazi war criminal allegedly living in the State party under the name of Georg Fischer had supposedly advised the Syrian Government on matters of torture. He had been convicted in absentia for his role in the deportation of 345 French orphans, and Germany had requested his extradition. The Committee wished to know whether he was still alive, whether the State party intended to respond favourably to Germany's extradition request and if it would cooperate in the matter with foreign courts.

47. Lastly, the Damascus Centre for Human Rights Studies had highlighted the case of eight students who, arrested by the air force intelligence branch, had allegedly been detained incommunicado then transferred to Sednaya prison, where they had been whipped with electrical cables, doused in freezing water and beaten. Comments on those allegations would be appreciated.

48. **Mr. Gallegos Chiriboga** said that the generosity of the Syrian Arab Republic and its people, who hosted hundreds of thousands of refugees, deserved recognition. It would be desirable, in that regard, for the Syrian Government to cooperate to the greatest extent possible with the Office of the United Nations High Commissioner for Refugees in order to guarantee respect for relevant international standards. With regard to human rights defenders, the State party should ensure that they enjoyed special protection and were not prevented from pursuing their activities. In conclusion, it was vital for the Syrian Arab Republic to take the necessary measures to put an end to impunity in the country.

49. **Mr. Wang Xuexian** underlined the fact that, although the Syrian Arab Republic might have good reasons for taking exceptional measures, those measures should not contradict its obligations under the Convention. He wished to know what steps had been taken to guarantee the three fundamental rights that all detainees must enjoy from the moment of their detention, namely the right to be examined by an independent physician, the right to assistance from an independent lawyer and the right to inform family members of their situation. He would also like to know whether reports that 12 Iranian refugees had been sent back to their country even though they had been sentenced to death in absentia were true, and whether the State party had taken steps to monitor their situation. Lastly, he asked whether the State party intended to invite the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, who had twice made a request to that effect, to visit the country.

50. **Ms. Kleopas** asked whether the State party intended to make torture an imprescriptible offence by amending the relevant articles of the Code of Criminal Procedure and the Criminal Code, and whether the right of detainees to the services of a lawyer and a doctor and to be visited by a member of their family were protected, given that acts of torture most frequently occurred during detention. She would also like to know whether the State party intended to outlaw the secret places of detention which according to numerous sources, existed in the country.

51. **The Chairperson**, noting that the penalties for battering a person with a degree of force not permitted by law in order to extract a confession ranged from three months to three years of imprisonment, asked, for comparison, how long the sentences were for those convicted of crimes such as shoplifting or armed robbery. He also wished to know whether

sentences of less than three years and a day were custodial or suspended, and whether examination of the case law of Syrian courts would give a clear picture of the degree of violence considered acceptable in obtaining confessions.

52. Having read in paragraph 110 of the report under discussion that the State of Emergency Act applied to exceptional circumstances where there was an internal or external threat to national survival and that it empowered the competent authorities to take all necessary measures to protect the country, he asked whether the State party's jurisprudence gave rise to a more specific definition of what was considered "a threat to national survival" and whether certain rights could not be derogated, even in a state of emergency, or could only be derogated in very particular circumstances.

53. Noting that, according to Amnesty International, there were many secret detention facilities in Syria, he asked the Syrian delegation to provide statistics on persons held incommunicado, disaggregated by sex, age, place of detention and type of sentence, and to indicate whether such individuals had access to legal assistance from the moment they were detained.

54. The Syrian delegation might also specify whether, under Legislative Decree No. 40 of 21 May 1966, a judge could actually be dismissed or transferred for "alleged misconduct" without any other proceedings. More information on Act No. 49 of 7 August 1980, whereby any person belonging to the Muslim Brotherhood could be sentenced to death, would be welcome. The Syrian delegation might specify whether that Act had ever been applied, whether the phrase "belonging to the movement" meant official membership or whether being a sympathizer was sufficient to warrant such a sentence and, lastly, whether the State party planned to repeal the Act.

55. He also wished to know whether it was true that the Syrian Arab Republic had forcibly returned Iranian asylum-seekers at risk of torture in their country of origin, particularly Sa'id 'Awda al-Saki, who had been condemned to have four fingers amputated by the Islamic Republic of Iran in August 2009. Did the State party intend to accede to the International Convention for the Protection of All Persons from Enforced Disappearance and to establish a truth commission to shed light on allegations of forced disappearances within its territory transmitted by the Working Group on Forced or Involuntary Disappearances?

56. Lastly, the Syrian delegation should indicate whether there were any cases of young girls who had been raped being forced to marry their attackers and, if so, whether the prior consent of the victim's parents and/or legal representative had been sought, and what the age of consent to marriage was for girls.

*The public part of the meeting rose at 5.30 p.m.*