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### **Syrian Arab Republic**

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\* The present document is being issued without formal editing.



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## I. Introduction

1. As the Syrian Arab Republic submits its national report under the universal periodic review mechanism, the terrorist war launched against the country continues, the unilateral coercive measures are still in place and occupying foreign forces remain on its territory. The country undertook to implement the recommendations it accepted from the second cycle of the universal periodic review mechanism despite the fact that most of them were politically motivated and unrelated to human rights.

## II. Methodology for the preparation of the report

2. Various sectors of government participated in the drafting of the present report. Work began in 2019 with the formation of a national committee made up of representatives from the Ministry of Foreign Affairs, the Ministry of the Interior, the Ministry of Justice, the Ministry of Social Affairs and Labour, the Ministry of Education, the Ministry of Local Administration and the Environment, the Ministry of Higher Education and Scientific Research, the Ministry of Health, the Commission for Planning and International Cooperation and the Commission for Family Affairs and Population. At the Government's request, the Office of the United Nations High Commissioner for Human Rights (OHCHR) organized an online workshop to train the members of the committee in the drafting of reports and to keep them abreast of developments in that regard. The committee met with and reached out to ministries and other stakeholders involved in implementing the recommendations and gathered information about measures taken, progress made and challenges faced. In an effort to consult with and involve the legislature and civil society, two workshops were held with members of the People's Assembly and with representatives from the relevant areas of civil society.

3. The report focuses on the recommendations that were accepted, on providing information regarding the promotion and protection of human rights and on highlighting the key challenges during the period 2017–2021, in the light of the difficult circumstances the country has been experiencing.

## III. Institutional framework for the protection and promotion of human rights

### A. Ratification of treaties

#### **Recommendations 109.1 and 109.3–109.9**

4. The Syrian Arab Republic is party to eight of the nine core human rights treaties and, taking account of its own national interests and sovereignty, it is examining the possibility of acceding to the associated Protocols, with the exception of the Protocol aiming at the abolition of the death penalty. It should be noted that the death penalty is applied only in rare cases and for the most serious crimes, and its use is surrounded by restrictions and safeguards. In fact, a sentence of death is not carried out until the views of the Amnesty Commission have been canvassed and until the Head of State has given approval (art. 43 of the Criminal Code). Condemned persons can also benefit from amnesty laws under which their sentence is commuted to life imprisonment. This is consistent with article 6 of the Covenant on Civil and Political Rights. According to statistics, 19 death sentences were handed down in 2017, of which just 3 were carried out while the other condemned persons benefited from an amnesty; 18 death sentences were handed down in 2018, of which just 6 were carried out; and 3 death sentences were handed down in 2019, all of them covered by an amnesty.

5. Syria is taking effective and concrete actions to protect persons against enforced disappearance, through both the Criminal Code and other relevant laws, including Legislative Decree No. 21 of 2012 and Legislative Decree No. 20 of 2013, which aim to combat all forms of abduction.

6. Legislative Decree No. 230 of 2017 included provision for the withdrawal of the reservation to article 2 of the Convention on the Elimination of All Forms of Discrimination against Women. This was deposited with the United Nations Secretariat in August 2017.

7. The Arms Trade Treaty takes no account of the national concerns facing several States. In fact, in addition to other shortcomings, it has failed to prevent weapons being sold and supplied to armed groups.

8. The Convention on Cluster Munitions and the Anti-Personnel Mine Ban Treaty are not approved by a majority of Member States of the United Nations as they were negotiated outside the framework of the Organization. For its part, although Syria did not participate in the process, it wishes to affirm that, as concerns the Anti-Personnel Mine Ban Treaty, if it is to achieve the goal of a global ban on such mines, it must take account of the problems and challenges currently facing States, foremost among them that of translating political pledges into financial resources in order to achieve those goals. It should be noted that Syria participates as an observer in the meetings of the States parties to the Treaty because mines are one of its concerns, particularly in the light of their use by terrorists on Syrian territory and by the Israeli occupation authorities. The Government has signed a memorandum of understanding with the United Nations Mine Action Service and has developed a plan of action to raise awareness about the dangers of mines and explosive devices. It is also working to clear contaminated areas and provide assistance to victims. In addition, in cooperation with the United Nations Children's Fund (UNICEF), it has launched media campaigns and opened hotlines for reporting the presence in populated areas of suspicious objects and explosive remnants of war. Training courses have been held for the government sector and civil society and, in 2020, 2,096 teachers were trained in how to transmit safe practices to pupils in their schools.

## **B. Compliance with international law and with international humanitarian and human rights law**

### **Recommendations 109.95, 109.97, 109.104 and 109.106**

9. The Syrian Arab Republic considers international peace and security to be a key objective and a strategic choice, and it works to achieve those ends in line with international law and values of right and justice, values reaffirmed in the preamble to the 2012 Constitution. The country is party to most international treaties and participates actively in the operation of the United Nations bodies that work to promote respect for international law. In compliance with international law and with the Charter of the United Nations, and in line with its own constitutional obligations, Syria has taken measures to protect its citizens from the violations committed by armed terrorist groups. It has recovered vast areas once controlled by those groups, re-establishing security, stability and rule of law and thereby helping to protect the citizens living there and provide them with basic services.

10. Syria is party to most international humanitarian law treaties, notably the Geneva Conventions of 1949, and it has established a national committee to oversee and coordinate national efforts to raise awareness about the norms of international humanitarian law and to harmonize national legislation therewith. The committee brings together representatives from the Ministry of Foreign Affairs, the Ministry of the Interior, the Ministry of Justice, the Ministry of Defence, the Ministry of Higher Education and the Directorate-General for Civil Defence, and its meetings are attended by the delegation in Syria of the International Committee of the Red Cross (ICRC), as observer. Since it was re-established in 2017, the committee has carried out many activities, including training courses in different ministries (the Ministry of Defence, the Ministry of the Interior, the Ministry of Justice, the Ministry of Foreign Affairs and the Ministry of Information) and it has participated in conferences and training sessions abroad (Geneva, San Remo). It has also worked to disseminate an understanding of concepts related to international humanitarian law among the military, academia and elsewhere. The committee is in the process of launching a guide for the armed forces.

11. Syria is continuing – using all the means envisaged under international treaties – to work to liberate its territory occupied by Israeli, American and Turkish occupation forces.

12. Syria is engaged to submit, as circumstances allow, its periodic reports to the human rights bodies overseeing the treaties to which it has acceded, and it has formed national committees to follow up on the implementation of the concluding observations those bodies make. In 2019, it discussed its fifth periodic report under the Convention on the Rights of the Child and submitted its periodic report to the Committee on Migrant Workers. It is currently in the process of submitting reports to the Human Rights Committee, the Committee on the Rights of Persons with Disabilities and the Committee on the Elimination of Discrimination against Women.

13. Syria deals firmly with the use of illegal arms through stringent laws that severely penalize the smuggling, trafficking, illegal possession and illegal use of such weapons. Legislative Decree No. 51 of 2001, as amended, envisages penalties of up to 15 years' imprisonment; it also places stricter controls on the granting of individual gun licences and prohibits the licensing of military-grade weapons of any kind. As concerns the illegal proliferation of arms during the years of the crisis – arms that were brought into Syria from neighbouring States and States that support terrorism with a view to undermining the country's security and stability – the State has encouraged the surrender of such weaponry through periodic amnesty laws. It has also put procedures in place whereby persons who surrender weapons can regularize their situation, as part of the reconciliatory measures the State is pursuing.

### **C. Cooperation with United Nations human rights mechanisms**

#### **Recommendations 109.79 and 109.82**

14. Syria cooperates with these mechanisms on the basis of principles of neutrality, non-politicization and respect for their mandate and for the provisions of Human Rights Council resolution 5/2. Issuing an open invitation to such mechanisms would require guarantees as to the fulfilment of the Code of Conduct and of the rules governing the institutional work of the Human Rights Council. In fact, many States have witnessed a marked deviation from those rules by a large number of the mechanisms.

15. Syria has received a visit from the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights and has extended an invitation for a follow-up visit. It has also issued an invitation to the Special Rapporteur on the human rights to safe drinking water and sanitation and is considering requests from other rapporteurs. It has, moreover, agreed to a visit by the Working Group on the use of mercenaries in accordance with the terms of reference of the Group's mandate, although the visit has not yet taken place. In addition to this, Syria has issued invitations to the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories; however, there has been no visit for around 10 years due to a lack of approval from the United Nations Department of Safety and Security, under the pretext of the "security situation". Syria also cooperates with the treaty bodies by duly submitting its periodic reports, as indicated above.

### **D. Dialogue and cooperation with the international community within the framework of the political process**

#### **Recommendations 109.19, 109.63–109.65 and 109.67–199.77**

16. A political settlement to end what has been termed the "Syrian crisis" is the goal of all Syrians: leaders, Government and people. Since the beginning of the crisis in 2011, the State has been engaged in a multi-directional process of political openness at both the internal and external levels. At the internal level, a body of laws and decrees have been enacted in response to the rightful demands of citizens, including laws on political parties, the media, peaceful demonstrations and general elections. A law was issued dissolving the Supreme State Security Court as well as a decree lifting the state of emergency. These were followed in 2012 by the adoption of a new constitution for the country, one rooted in political pluralism and the repeal of article 8. At the external level, the State has engaged with Arab, regional and international initiatives aimed at finding ways to ensure that the Syrian State and the

achievements of the Syrian people are protected and to prevent the country sliding into chaos. The State has also acted to block exploitative foreign agendas the purpose of which is to terrorize the Syrian people and to turn Syria into a failed State with paralysed institutions and infrastructures. This is done using prefabricated slogans devised by foreign intelligence organizations to justify the internationalization and militarization of the situation in Syria as a prelude to a project of external interference in the internal affairs and the national choices of the Syrian people, as has already happened in Libya and other Arab countries. Thanks to allies, friends and forces opposed to external interference in Syrian internal affairs, the scene has shifted towards what has been called a Syrian-led, Syrian-owned “political process”, as has been reaffirmed in all Security Council resolutions concerning the Syrian crisis.

17. Syria has committed itself to implementing Security Council resolution 2254 (2015) and has never once failed in its engagement in the political process. That process began with facilitations on the part of the United Nations and the appointment of several Special Envoys of the Secretary-General to Syria: first Kofi Annan then Lakhdar Brahimi, Staffan de Mistura and Geir Pedersen. All of them worked within the Geneva track and with a mandate granted them under resolution 2254. For its part, Syria cooperated with this process openly and transparently, and it engaged positively in serious and constructive dialogue with the Special Envoy. The political process was not limited to the United Nations but also included the Astana track, which has been pursued by the guarantor States – Russia, Iran and Turkey – with the involvement of a delegation from Syria. This led to a national dialogue conference held at Sochi that brought together many components of Syrian society and that led to the formation of the Constitutional Committee, which began work in Geneva in 2019 and continues there. As of the end of October 2021, it has held six meetings. The success of the Committee’s efforts depends upon the extent of its determination to pursue this Syrian-owned, Syrian-led process, upon non-interference in its affairs by any party and upon respect for the exclusive right of the Syrian people to determine the future of their own country.

## **E. Ceasing military operations, particularly in Aleppo**

### **Recommendations 109.20, 109.31, 109.96 and 109.112**

18. Syria has cooperated with the Special Envoy in respect of resolutions issued by the Security Council of the United Nations, while seeking to preserve its own interests, sovereignty and territorial integrity. This fact is documented in hundreds of pieces of official correspondence.<sup>1</sup> In addition, Syria has abided by all agreements for the cessation of hostilities that have been reached over the past years with a view to protecting civilians, providing them with humanitarian aid and facilitating their departure from areas controlled by terrorists. Moreover, a de-escalation zone agreement has been reached that has enabled security to be restored to large areas of the country.

19. The Syrian Arab Army ceased hostilities in Aleppo on 22 December 2016 having liberated most urban areas and having put an end to the violations being committed by armed terrorist groups, who were bombing the city on a daily basis. The western neighbourhoods of Aleppo took in more than 100,000 residents from the eastern neighbourhoods, which were under the control of the terrorist groups. The Government provided those persons with services and met their basic needs while also rolling out dozens of projects such as the repair of educational institutions and medical facilities, the reopening of roads, the removal of rubble and debris and, where possible, the renovation of residential buildings. These efforts have led to the restoration of normal life in the city and part of the rural area surrounding it, to the return of most inhabitants, to the restart of the economy and to post-terrorism restoration and reconstruction. In fact, 685 production facilities in the industrial city of Shaykh Najjar have reopened and – despite the impact of the unilateral coercive measures on the economic sector, especially energy – Aleppo has resumed its role as an economic and industrial capital.

## **F. Cooperation with the international community, the United Nations and the Special Envoy**

### **Recommendations 109.18, 109.32, 109.33, 109.36 and 109.37**

20. Syria is working to strengthen the ties of cooperation and friendship that bind it to most countries in the world. It is doing so on the basis of respect for the norms of international law and the Charter of the United Nations, first and foremost respect for the sovereignty and equality of States, and on the basis of non-interference in its own internal affairs. Its cooperation with the international community has been strengthened in all areas: as of October 2021, its diplomatic missions across the world numbered 53 while foreign missions in Damascus numbered 41 with a further 14 working from Beirut. Syria continues to participate in international meetings and conferences, particularly those of the United Nations, as well as in international parliamentary gatherings and in ministerial- and summit-level meetings of the Non-Aligned Movement. In June 2018, Syria chaired the Conference on Disarmament in Geneva while, at its seventy-fourth session, the World Health Assembly elected Syria as a member of the Executive Board of the World Health Organization (WHO) representing the countries of the Eastern Mediterranean region.

21. As it seeks to mitigate the effects of the crisis, Syria is cooperating with international organizations, both governmental and non-governmental (NGOs). It has allowed and facilitated the operations of 44 international humanitarian NGOs on its territory as a way of supporting and complementing State efforts to alleviate the negative impact of the crisis and of the unilateral coercive measures, and to meet the basic needs of all Syrians, particularly the most vulnerable groups. The work of United Nations organizations is regulated by the humanitarian response plan, the strategic framework document and the country programmes of United Nations agencies. Annual reports reviewing the activities undertaken in cooperation with those organizations show the positive effect they have had: increasing the number of beneficiaries of basic services and creating new jobs, particularly in rural areas. Within the limits of its abilities, the Government is continuing to subsidize basic goods and services (nutrition, health care, education, electricity, water and transport),<sup>2</sup> and to address the impact of the coercive measures on its own capacities and those of international organizations. The adoption of Security Council resolution 2585 (2021) represents a welcome qualitative shift, transitioning away from humanitarian assistance towards the resumption of early recovery, development and support.

22. Syria is working to strengthen cooperation with several countries across various economic and social sectors. As a result, dozens of agreements have been signed that have contributed to the financing of development projects in a number of areas. In that connection, the Government has welcomed the aid and support provided by friendly countries such as Russia, Iran and China as well as by Syrian communities abroad, all of which has helped to alleviate the suffering of citizens.

23. Determined to support international efforts regarding the situation in the country, Syria has cooperated and continues to cooperate with United Nations envoys, from General Mood to Geir Pedersen, the latter having been received on seven occasions. It treats them on the basis that they are not parties but intermediaries and facilitators who support inter-Syrian dialogue with a view to reaching a solution. This has been confirmed in the briefings given by the envoys to the Security Council (96 briefings as of April 2021) regarding the Syrian political situation. For his part, the Permanent Representative of Syria has also given 96 briefings in which he has highlighted areas of cooperation, commented on humanitarian and political developments and responded to western allegations against the Government.

24. Since the beginning of the events in the country, Syria has cooperated and continues to cooperate with United Nations agencies and mechanisms, and to facilitate their operations on its territory. There are 17 such bodies, while the number of their international and local staff stands at around 18,000. For example, in 2020 alone, the Government granted 331 entry visas (work and residence) to United Nations staff, out of a total of 349 applications, and it approved the extension of 925 United Nations residency permits out of a total of 927 applications. In addition to this, in November 2020, the Government approved 434 requests from international organizations and NGOs to make field visits to different areas in all the

governorates while, in March 2021, it approved 429 field visit requests. This means that the average approval rate of submitted applications is always in excess of 95 per cent. All of this helps to mitigate the impact of the crisis on Syrian citizens.

25. Syria welcomed the United Nations body charged with investigating the attack on an aid convoy in Urum al-Kubra, providing all requested clarifications, explanations and evidence related to the terrorist assault on the convoy. However, the investigating body filled its report with a body of untrue allegations and false accusations that are completely ungrounded and unproven, then based its conclusions on those allegations and hypotheses. More details on this subject are available in a communication from Syria contained in document S/2017/72.

## **G. Creating a national human rights institution**

### **Recommendations 109.27–109.29**

26. Syria has for some years been considering the creation of a national human rights institution. It had, in fact, developed a preliminary structural plan; however, the situation facing the country led to a readjustment of national priorities to focus on combating terrorism, maintaining security and stability, addressing the negative impact of the unilateral coercive measures and combating the economic and social effects of the coronavirus disease (COVID-19) pandemic. Thus, the creation of the institution has been postponed until such time as conditions improve. This does not mean that there are no agencies concerned with the protection of human rights, such as the Commission for Family Affairs and Population and the three human rights protection committees of the People's Assembly.

## **H. Counter-terrorism**

### **Recommendations 109.199 and 109.201**

27. Syria is making great efforts to combat terrorism – whatever form, manifestation or name it takes – and has been fulfilling its responsibility to protect its citizens and to restore security and stability to its territories. Ever since the crisis began, Syria has been calling on the United Nations to strive to eliminate the sources of terrorism, and to put a stop to the financing, arming, training, sheltering and smuggling of terrorists. It has been doing so in the light of the deliberate disregard for the terrorism which – with the support of Arab, regional and world States – has been directed against Syria. With the beginning of the crisis, Syria managed to change the prevailing conviction of the United Nations that there was no terrorism in the country, and the Organization has now acknowledged, in Security Council resolutions, that terrorism does exist in Syria. Yet, it has failed to provide clear, serious and practical support in that area, so Syria has worked with its true partners to combat terrorism. At the same time, it has always declared its full readiness to cooperate with the Organization against terrorism on a basis of respect for the sovereignty, territorial integrity and independence of States and with guarantees for the fair and impartial implementation of relevant Security Council resolutions, without double standards, misinterpretation, misapplication or the use of the resolutions as a pretext by some States to attack the sovereignty and independence of others.

28. Syria has acceded to 11 international treaties intended to combat terrorism and the financing of terrorism. It has enacted Anti-Terrorism Act No. 19 of 2012 and Act No. 22 of 2012 regarding the establishment of a special court for cases involving terrorism, and it submitted its counter-terrorism report to the relevant United Nations body in June 2021.

29. Syria cooperates with other States, both bilaterally and internationally, in the exchange of counter-terrorism information and expertise. It also cooperates with the sanctions committees of the Security Council by electronically circulating names and entities from those committees to its border posts. It is also striving to implement Security Council resolutions related to the financing and suppression of terrorism and the freezing of terrorist assets, particularly resolutions 1373 (2001) and 1276 (1999). In addition, Syria has taken a number of steps to counter the activities of terrorist groups on its own territory, ensuring that

they cannot find safe haven, acting to prevent them undertaking any financial transfers to fund terrorism and freezing their assets. It has also cooperated with the counter-terrorism department for the Middle East and North Africa of the International Criminal Police Organization (INTERPOL), which it has provided with a dossier containing a survey of terrorist groups and the names of terrorist organizations inside Syria.

30. In the context of the unification of international efforts to combat terrorism, the Governments of Syrian and Iraq are working with the Governments of Russia and Iran, through a joint security coordination centre, on measures to combat the Da'esh terrorist organization and terrorist groups affiliated to Al-Qaida. Significant achievements have been made in this area that have helped to eliminate a large number of the members of those organizations and have forced them to withdraw from much of the territory they controlled.

31. The counter-terrorism efforts expended by Syria have led to the restoration of stability in areas liberated by the Syrian Arab Army and have opened the way for the return of displaced persons. Institutions and services have been restored, infrastructure rebuilt, job opportunities provided and citizens' needs met. In addition, humanitarian operations have been effected, medical assistance provided and demining conducted, as well as the provision of humanitarian aid to displaced persons. These national efforts have helped to ensure the return, to date, of more than 5 million internally displaced persons to their homes. As a result of this, the number of shelters has been reduced from 618 in 2012 to 139 in 2021, and more than 1 million refugees have returned to the country.

#### **Providing assistance to protect victims of terrorism (recommendations 109.200 and 109.202)**

32. The national development programme for post-war Syria – Strategic Plan 2030<sup>3</sup> – focuses on the implementation of programmes to rehabilitate victims of terrorism through economic and social empowerment and psychological support. These include a programme for the protection of injured persons and the families of martyrs, a programme for the development of social safety nets, a programme for the development of social security systems, a national social assistance programme, a national social empowerment programme and a psychosocial support programme.

33. Syria has also rolled out programmes for vulnerable groups, including the Social Assistance Fund for Rural Empowerment, which benefited 2,084 needy families between 2018 and 2020. The Government has responded to requests for compensation from citizens whose property – such as real estate and vehicles – was damaged by terrorism. At present, 62,475 of a total of 208,910 applications have been accepted in all governorates with the exception of Raqqah, with the amount of compensation disbursed amounting to 19 billion Syrian pounds (LS) – an estimated completion rate of 62.6 per cent.

## **I. Strengthening the State institutional framework to protect human rights**

#### **Recommendations 109.17, 109.26 and 109.34**

34. In accordance with its constitutional and legal obligations, the Syrian Arab Republic continues to fulfil its duty and responsibility to defend its sovereignty and territorial integrity, to protect the security of its citizens and to maintain the stability and resolve of the State. Such is the will of all categories of people in the country and of the army. The Constitution, in fact, affirms that the army and armed forces are a national institution responsible for defending the nation's integrity and territorial sovereignty. They are to act in the service and interests of the people, protecting them and national security as they pursue their goals. In order to preserve the unity of Syria, its independence and the continuity of its institutions, the Government has taken a series of measures aimed at strengthening the institutional framework:

- Ensuring that constitutional entitlements are fulfilled in a timely manner, such as the presidential elections of 2021, two rounds of elections for the People's Assembly in 2016–2020 and local council elections in 2019;

- Re-establishing the reconstruction committee in 2014;
- Re-establishing the High Commission for Relief in 2017 to respond to the needs of the millions of people affected by the crisis, the war against terrorism and the unilateral coercive measures;
- Re-establishing the national committee for international humanitarian law and promoting its activities;
- Launching the national programme for administrative reform in 2017, which was finalized in 2021;
- Forming a team in the Office of the President to oversee the strategy to address the effects of the COVID-19 pandemic;
- Creating national committees for the purpose of protecting fundamental human rights in the sectors of education, health, access to water and sanitation, and food;
- Strengthening the judiciary by opening courses to increase the number of judges;
- Forming a committee in the Ministry of Justice to document the violations committed by armed terrorist groups;
- Enacting a total of 20 amnesty laws, as of October 2021;
- Passing laws and decrees to facilitate the return of Syrian refugees – by facilitating the issuance of civil status documents in their places of residence through Syrian missions around the world;
- Enacting the new Civil Status Act No. 13 of 2021;
- Enacting the new Children’s Rights Act No. 21 of 2021;
- Granting authorization to new parties in order to promote political pluralism; there are 11 new parties in all, in addition to the 10 parties of the National Progressive Front.

35. The components and currents of Syrian society, as well as its popular, political and civil institutions and organizations, have achieved things that demonstrate the depth of the country’s cultural heritage, the resoluteness of its will, its ability to keep pace with change and its capacity to create a climate suitable for the maintenance of its role as an active historical force in the advancement of human civilization. The stability of Syria was a much-imitated model, thanks to the plurality of the components of its cultural identity and its ability to integrate them into an inclusive national cultural whole, based on respect for all religions, the freedom to practise religious rites and respect for the personal status issues of all religious communities. All of this has led to aggressive, reactionary and takfirist forces systematically to target Syrian civilization and culture in order to destroy the country’s cultural heritage with the imposition of an extremist takfiri ideology.

36. In deference to the cultural identity of Syrian society and in accordance with the Constitution, the purpose of the education system is to create a generation that cleaves to its identity, its heritage, its sense of belonging and its national unity. This is achieved by moulding and developing educational curricula to promote a culture of self-realization, mutual respect, tolerance and acceptance of others, and by demonstrating the importance that cultural diversity has in shaping the fabric of Syrian society. This is consistent with goal 4 of the Sustainable development Goals: inclusive and equitable quality education and lifelong learning opportunities.

37. Cultural centres located in all Syrian cities organize different kinds of cultural, literary and artistic events. The focus of such initiatives is to promote national and cultural identity by disseminating values of citizenship, coexistence, social solidarity, religious tolerance, amity and the culture of dialogue while at the same time rejecting hate speech, obscurantism, racism and gender-based violence. The directorate for intangible heritage in the Ministry of Culture supports events and celebrations to mark outstanding cultural characteristics of Syrian society in all its religious and cultural diversity, and these have been included in the national list of Syrian cultural heritage.<sup>4</sup>

## IV. Promoting and protecting human rights on the ground

### A. Judicial safeguards

#### Recommendations 109.166, 109.174, 109.175 and 109.203

38. The Constitution of the Syrian Arab Republic guarantees protection for human rights and public freedoms and affirms that citizens have equal rights and duties, without discrimination on the basis of gender, origin, language, religion or belief. Citizenship, moreover, is a fundamental principle that implicates rights and duties that all citizens enjoy and that they can exercise according to the law. Freedom is a sacred right, and the State is to guarantee citizens' personal freedom while preserving their dignity and security. On that basis, criminal law penalizes human rights violations and any attack against personal freedom or the sanctity of private life. All citizens have the right of recourse to law as well as of appeal, review and defence before the courts, while the State is to guarantee legal aid to those unable to afford it for themselves.

39. The Constitution prohibits all acts of torture or degrading treatment. Furthermore, no one may be investigated or arrested except by order or decision of the competent court, unless arrested in flagrante delicto or detained to be brought before the judicial authorities on charges of having committed a more or less serious offence. All arrested persons must be informed of the reasons for their arrest and of their rights. No one may be held in custody by the administrative authorities except by order of the competent court. The Minister of Justice and the Minister of the Interior have issued various circulars regarding the provision of the aforementioned safeguards. This matter is monitored by the courts, and criminal penalties are handed down against any public official who violates these norms.

40. The Ministry of Justice, the Ministry of the Interior and the Ministry of National Reconciliation all receive enquiries about detainees from citizens, who are duly informed of the reasons for the arrest, the place of detention and the court to which the detainee has been referred. The Ministry of Foreign Affairs and Migrants receives lists from ICRC containing the names of detained and missing persons, which it answers periodically providing the information available. It should be noted that the names of detainees in prison are announced and they have the right to contact and receive visits from their families.

### B. Prisons and conditions of detention

#### Recommendations 109.123, 109.166, 109.169 and 109.171

41. The Government facilitates prison visits on the part of certain humanitarian organizations and civil society groups. Between 2016 and the beginning of 2021, ICRC undertook 164 visits to prisons in Damascus, Aleppo, Homs, Ladhīqiyah, Suwayda, Hama and Tartus; the Syrian Arab Red Crescent undertook 7 visits and civil society organizations around 15 visits.

42. The norms and laws that regulate prisons include rules covering health care for all inmates who, indeed, are guaranteed the right to health, to food, to communicate with their families and to follow the course of their legal proceedings as well as the right to education and to pursue academic qualifications all the way up to university level. The Syrian Virtual University has recently opened a website to facilitate online university education inside prisons. Furthermore, prisons provide medical care for all inmates at well-equipped medical service departments located in all central prisons. In case of need, inmates are taken to hospitals outside where medical care is provided free of charge. Greater attention has been given to health-related questions with the spread of COVID-19 as, in addition to other preventive and precautionary measures, the places where inmates congregate are sterilized and disinfected.

### **C. Release of persons in detention**

#### **Recommendations 109.167, 109.168 and 109.173**

43. During the course of the crisis, Syria has been showing tolerance and has taken initiatives to release detainees as part of efforts towards national reconciliation across various regions of the country. Persons whose hands are not stained with blood have been released while laws amnestying offences and offenders have benefited a large number of detained and convicted persons. In fact, between 2011 and 2020, 20 amnesty laws were enacted benefiting 344,684 detained and convicted persons, while the courts have ordered the release of all persons against whom there is no evidence of having committed any crime.

### **D. Torture and enforced disappearance**

#### **Recommendations 109.152, 109.154 and 109.166**

44. The term “enforced disappearance” does not exist in Syrian law. Nonetheless, the law does penalize abduction and deprivation of liberty, which are internationally classified as enforced disappearance. Under Legislative Decree No. 20 of 2013, anyone who abducts another thereby depriving that person of liberty with the intention of achieving political, material or sectarian ends, of reprisal and revenge or of demanding ransom is liable to life imprisonment with hard labour. If the abduction leads to the death or permanent disability of the victim, or if the victim is sexually assaulted, the perpetrator is liable to the death penalty. The penalty also extends to anyone who seeks to practise extortion in any form against the victim, the victim’s spouse or any of the victim’s direct or indirect antecedents or descendants. The Decree has contributed to curbing this offence as the number of court cases where convictions were handed down for abduction and deprivation of liberty went from 40 in 2017, 84 in 2018, 88 in 2019 to 16 in 2020.

45. Syrian law criminalizes torture in all its forms, and the Constitution states that no one may be made to suffer torture or degrading treatment (art. 53). The Criminal Code envisages severe penalties for persons who use acts of coercion in order to obtain a confession to, or information about, a crime. Such persons can face a term of imprisonment of up to 3 years (art. 391). Article 216 of the Military Criminal Code also criminalizes coercive acts in any form. Under the Code of Criminal Procedure, the Public Prosecutor is mandated to supervise prisons and places of detention while investigating judges and magistrates are required to inspect prisons and detention centres once a month and the presidents of criminal courts at least once every three months (art. 422). Under the law, anyone who is aware that a person is being detained in a place other than the places designated by the Government for purposes of imprisonment and custody is required to inform a prosecutor, an investigating judge or a magistrate (art. 424).

46. Syrian legislation does not envisage immunity for anyone for offences involving torture and, if such acts are discovered, they are dealt with according to the law, irrespective of the perpetrator. Officers and other ranks of the police are held accountable if they use coercive acts during the course of an investigation. In 2016, for example, 27 police officials were held accountable of whom 14 were referred to the courts and 13 were subjected to disciplinary penalties. In 2017, 21 police officials were held accountable of whom 13 were referred to the courts and 8 were subjected to disciplinary penalties. In 2018, 16 police officials were held accountable of whom 4 were referred to the courts and 12 were subjected to disciplinary penalties. In 2019, 13 police officials were held accountable of whom 5 were referred to the courts and 7 were subjected to disciplinary penalties. As concerns the number of officers and other ranks who faced accountability for acts of coercion committed inside prisons and temporary detention facilities, in 2016, 6 officials were held accountable of whom 4 were referred to the courts and 2 were subjected to disciplinary penalties. In 2017, 7 officials were held accountable of whom 5 were referred to the courts and 2 were subjected to disciplinary penalties. In 2018, 3 officials were held accountable of whom 3 were referred to the courts and, in 2019, 1 official was held accountable and subjected to a disciplinary penalty.

## **E. Accountability for violations and combating impunity**

### **Recommendations 109.103, 109.146–109.149 and 109.189**

47. Syria has applied strict measures to ensure accountability for illegal practices in the course of military operations. Military personnel who have committed offences are referred to the military judiciary where they are interrogated and held liable for their actions, in line with the Military Criminal Code and the ordinary Criminal Code. Some sentences have been handed down while other cases are still pending before the military and the ordinary courts. Any complaint lodged against army or armed forces personnel is dealt with according to current law. A military committee of inquiry, created by the Ministry of Defence, the Ministry of the Interior and other competent security agencies – which was first constituted in 2011 then re-established on 3 October 2016 under Administrative Order No. 11768 – has the task of investigating citizens' complaints against members of the army, the security forces and the police. The committee continues to receive, process and resolve complaints and, if any act that contravenes the law is shown to have taken place, it refers the matter to the competent court which applies criminal law in line with the nature of the offence. From the date it was re-established to the date the present report was drafted, the committee has dealt with 214 complaints, a number of which have been duly referred to the courts.

## **F. National reconciliation**

### **Recommendations 109.35, 109.66 and 109.78**

48. With the support of the political leadership, national reconciliation has achieved tangible positive results. Thanks to this, the blood of thousands of civilians has been spared and their rights have been protected, while security, stability and normal life have been restored to many areas that had been riven by tension and instability. At the initiative of the Ministry of National Reconciliation, settlements have been reached, particularly in Rif Dimashq, Dar'a, Homs, Qunaytirah, Aleppo, Suwayda and other areas. Amnesty laws have contributed to the success of the reconciliation, which has also permitted internally displaced persons and refugees to return to their areas of origin and pick up their lives anew. Thanks to the restoration of security, the reconciliation has also helped to improve living conditions in the areas it has touched.

## **G. Displaced persons, refugees and migrants**

### **Recommendations 109.196–109.198**

49. Under Decree No. 46 of 2018, the Government has formed a coordinating body for the return of displaced Syrians, which has the task of coordinating with other stakeholders – locally, in the Arab world and globally – to ensure optimal conditions for simplifying and facilitating the return of displaced persons to their homeland. The coordinating body also strives to provide decent livelihoods, in accordance with the means available. The United Nations and States around the world were invited to an international conference on the return of refugees, which was hosted in Damascus in 2020. The outcomes of the conference underlined the need to promote the safe and voluntary return of Syrian refugees, to rebuild infrastructure and to help Syria to carry out reconstruction and demining operations. The Government has pledged that it will strive to provide a decent standard of living for refugees who wish to return. At the same time, in order to give effect to the outcomes of the conference, a reception centre for Syrian refugees and displaced persons has been set up in Damascus. For its part, the Ministry of the Interior has issued guidelines to facilitate the return of persons who left the country illegally and to regularize their status within 72 hours, whatever their legal situation might be. The passage of Amnesty Act No. 13 on 2 May 2021 is also intended to encourage the return of refugees. As part of continuing efforts in this regard, a follow-up meeting to the international conference on the return of refugees was held in July 2021. In addition, the Government has taken other decisions to facilitate and simplify procedures for the return of refugees. They include:

- Granting returnees who have not done their military or reserve service six months to settle their situation;
- Allowing border posts to issue documentation for persons who have lost their own travel documents;
- Facilitating the return of children born abroad who are accompanied by their parents, with a birth certificate issued by the country in which they had been residing;
- Allowing holders of expired Syrian passports to enter the country, once checks have been carried out.

50. According to the High Commission for Relief and the Joint Syrian-Russian Ministerial Coordinating Committee, some 5 million internally displaced persons and around 1 million refugees had returned to their homes as of October 2021, also taking account of the precautionary measures against COVID-19 applied by host countries and their impact on the voluntary return of refugees.

51. Ever since the beginning of the crisis, Syria has continued to cooperate with international NGOs, particularly ICRC and the International Federation of Red Cross and Red Crescent Societies. To date, it has entered into agreements with 44 international NGOs, allowing them to work on its territory and providing them with the facilities necessary to respond to the humanitarian needs of internally displaced persons and returnees.

52. In addition, the Government has agreed that international NGOs can cooperate with civil society associations as an operational partner in the delivery of social services in different fields, particularly health care, education and services for the most vulnerable groups. This relationship is governed by the High Commission for Relief, which works to regulate and facilitate the collaboration between civil society associations, international NGOs and United Nations agencies, as together they implement humanitarian response programmes. A total of 63 civil society associations and institutions were involved in this form of cooperation in 2021. In addition, there are 1,692 authorized civil society associations and institutions working in a variety of fields: charity work, social services, education and empowerment, health, culture, arts, sports, leisure, defence and rights, promotion of a culture of voluntary work, development, housing and the environment.

## H. Humanitarian assistance and access, and medical evacuation

### **Recommendations 109.38–109.40, 109.102, 109.119, 109.123–109.145, 109.150 and 109.191**

53. In line with its constitutional duty, international principles and the relevant resolutions, the Government has facilitated the access of humanitarian aid to all areas of Syria, without exception, including areas that are remote or besieged by armed terrorist groups. It has also facilitated the delivery of aid from international organizations and NGOs involved in non-politicized humanitarian work, in coordination with the Syrian Arab Red Crescent and civil society groups. This is conditional upon guarantees as to the safety and security of aid convoys, upon the aid – food and non-food materials, medical supplies, water, etc. – actually reaching the civilians who need it and upon terrorist bands not commandeering it. One indicator in this regard has been the agreement on the part of the Government to humanitarian truces and the opening of humanitarian corridors. Many examples could be given, including the access of aid to eastern Ghutah and to the eastern neighbourhoods of Aleppo in 2016 as well as to the towns of Zabadani, Madaya, Kafraya and Fu'ah. The operation of 114 aid convoys was facilitated in 2017 and aid was delivered to 5 million needy people across Syria. A total of 897 humanitarian aid convoys operated between 2017 and 2020, serving Aleppo, Homs, Damascus, Rif Dimashq, Idlib, Hama, Dar'a, Raqqah, Hasakah and Dayr al-Zawr. In addition, there were 144 aerial drops on Dayr al-Zawr in 2017. The total number of beneficiaries of these operations was 8,466,680.<sup>5</sup> Dozens of letters from the Government to the United Nations Secretary-General and the President of the Security Council regarding the implementation of humanitarian resolutions attest to the volume of aid and the number of humanitarian convoys. The letters also detail the areas to which aid has been delivered and the beneficiaries thereof, and explain the measures the Government has

taken to facilitate such operations and ensure that convoys are able to enter areas in need and deliver aid to people there.<sup>6</sup> In March 2020, the Government reached an agreement with United Nations agencies to operate an aid convoy across the lines to Atarib in the countryside around Aleppo. However, as of October 2021, the convoy remains blocked due to the refusal of the part of the armed groups of the Turkish occupation to allow it to reach needy civilians in that area.

54. The Government has approved and facilitated most medical evacuation requests. A total of 1,943 persons were medically evacuated from unstable areas of Syria in 2017, and 1,201 in 2018. Moreover, 19,443 persons were evacuated from Rukban camp in 2019 while 1,029 persons, some of them medical cases, were evacuated in 2020.

55. In line with General Assembly resolution 46/182, the Government has – where possible and while ensuring the safety of staff – allowed the United Nations and ICRC, in coordination with the Syrian Arab Red Crescent, unrestricted access to areas impacted by armed terrorist groups and the American and Turkish occupations. It has also allowed humanitarian aid convoys, medical teams and Syrian Arab Red Crescent ambulances to enter eastern Ghutah (Duma) in Rif Dimashq, the countryside around Homs (Talbisah and Rastan), the countryside around Hama (Harbinafsih) and the eastern neighbourhoods of Aleppo, even while those areas were under the control of terrorist groups. Medical teams have been equipped with mobile clinics and ambulances and the Syrian Arab Red Crescent is standing by to help families wishing to leave those areas.

## **I. Promoting fundamental human rights, protecting vulnerable groups and providing basic services**

### **Recommendations 109.84, 109.120 and 109.190**

56. The energy sector has been systematically targeted during the years of the crisis with the aim of destroying the infrastructure and pipelines of oil and gas fields, while power stations and electricity supply and distribution networks have been sabotaged. This has led to a decline in national electricity production from 7,500 megawatt hours to around 2,500 megawatt hours. The cost of the direct and indirect damage inflicted on the electricity sector has, to date, reached around LS 5,000 billion, taking account of the fluctuating exchange rate. The government is supporting the electrical energy sector, working to repair the damage caused by attacks and seeking to reconstruct electricity supply and distribution networks in liberated areas. It achieves this with either stopgap or permanent measures, depending on available funds, and a total of LS 346 billion have been spent in this area over the past five years. Moreover, to meet the demand for electricity, a national renewable energy strategy is being rolled out as well as a programme to upgrade energy efficiency.

57. Within the means available, the Government has taken measures to ensure respect for the fundamental rights of citizens, including victims of terrorism, and to protect the most vulnerable social groups. It is pursuing this course despite the enormity of the damage caused to basic infrastructure by terrorist attacks, systematic sabotage and the effects of unilateral coercive measures. A total of 23,772 projects are being implemented, including:

- The rehabilitation of drinking water and sanitation systems, which were damaged as a result of terrorist activity: Nationwide, a total of 94 per cent of the population is being supplied with drinking water, with a real daily drinking water quota per capita of around 96 litres. About 94 per cent of city dwellers and 68 per cent of country dwellers across the country benefit from access to sewage networks. Also at the national level, 50 per cent of city dwellers and 13 per cent of country dwellers benefit from the services of water treatment plants.
- The restoration, rehabilitation and reactivation of damaged social welfare institutions: Thanks to cooperation between civil society associations and United Nations agencies, community centres have been opened and provide a range of basic integrated social services. A total of 178 centres are currently operational, in addition to 22 care centres for older persons, 33 centres for persons with disabilities, 22 for orphans and 7 temporary care centres for displaced children.

- The creation of a directorate for rural development in the Ministry of Social Affairs and Labour: It plays an important social, economic and cultural role, and its services have helped to revitalize country areas and to empower rural women. This has helped to improve self-sufficiency for rural families and to enhance the social stability of rural populations. A total of 17,023 persons benefited from this initiative in 2017, 102,973 in 2018 and 112,414 in 2019 and 2020.
- The provision of an unemployment allowance for day labourers who were affected by the precautionary measures implemented during the COVID-19 pandemic: A total of LS 3.0761 billion has been disbursed benefiting 30,761 families.
- The roll-out of a package of cash assistance programmes to mitigate socioeconomic effects on the most vulnerable groups as well as non-cash assistance such as assistive devices for persons with disabilities.

58. A range of programme interventions for social empowerment have been implemented since 2017, as part of national strategies and plans. They include:

- A national strategy to support the empowerment of women;
- A national strategy for older persons;
- A national plan for the treatment of child soldiers;
- A national plan to combat the worst forms of child labour;
- A national plan to combat trafficking in human beings, particularly women and children;
- A multisectoral national framework for the empowerment of young people;
- A plan to combat begging and vagrancy;
- A national plan for disability.

## J. Effects of unilateral coercive measures

### Recommendations 109.21–109.23

59. Within the limited means available, the Government is making great efforts to address the catastrophic effects of the unilateral coercive measures which, for many years, the United States of America and the European Union have been imposing upon Syria and its people. In recent years, in fact, the measures have been tightened and extended, despite the COVID-19 pandemic and calls for them to be lifted from the Secretary-General, the High Commissioner and United Nations officials. The Government, using all available means, strives to provide Syrians with basic services such as health care, nutrition, education and civil documentation. It has also continued to subsidize certain goods and services such as bread, electricity, water and basic rations. The total amount of the subsidy in 2018 was estimated at LS 1.360 billion, which represented 15 per cent of the gross domestic product for that year. Government support has also continued to be provided to vital sectors such as agriculture, industry, transport, energy and communications.

60. The Government has also been seeking to ease the burden on the most vulnerable social categories through a package of cash assistance programmes the purpose of which is to enhance social protection and reduce vulnerability factors among groups most in need of support and aid. They include injured persons, families of martyrs, female-headed households, demobilized military veterans, persons with disabilities and displaced families. The programmes have various sources of funding, both local and foreign, the latter coming from international organizations and international NGOs. Over two years between 2018 and 2019, the total number of beneficiaries across all the programmes was 77,199 (individuals and families). At the same time, the proportion of poor families benefiting from the National Social Assistance Fund rose from 7 per cent in 2015 to 10 per cent in 2019.

61. The Government has taken action to protect and support the national currency in the face of attacks against it from abroad, and it has continued to pay salaries to functionaries

and pensions to retirees, including to persons who were prevented from working in areas controlled by armed terrorist groups. It has also facilitated the work of international humanitarian organizations and NGOs, of civil society associations and of faith-based groups as they seek to alleviate the impact of the coercive measures. In that connection, the authorities have taken a series of steps including that of increasing salaries on an almost annual basis and providing semi-regular financial grants for functionaries and retirees. The State has also facilitated the provision of loans, either at purely nominal rates of interest or interest-free, particularly for students and war wounded, to finance small-scale and microprojects, as well as loans for farmers with exemptions from interest and from fines for delayed repayment. In addition, the Government has reduced imports of non-essential (luxury) goods and has supported imports of basic goods at preferential prices, such as wheat and animal fodder. The efforts made in this regard are described in detail in the first voluntary national review on the Sustainable Development Goals.<sup>7</sup> The Commission for Planning and International Cooperation periodically monitors the effects of the coercive measures and drafts reports thereon while the Ministry of Foreign Affairs and Migrants has issued an official document in which it too reviews the effects.<sup>8</sup>

## **K. The occupied Syrian Golan**

### **Recommendations 109.24 and 109.25**

62. Syria annually sends letters, submits periodic national reports, provides information and gives assistance to various United Nations bodies: the Security Council, the General Assembly, OHCHR, the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories, the International Labour Organization (ILO), the World Health Organization (WHO), the Economic and Social Commission for Western Asia (ESCWA) and others. It does likewise to the international blocs of which it is a member, such as the Non-Aligned Movement, the Group of 77 and China, and other regional and international political and economic groupings. Its aim in so doing is to expose the violations committed by Israeli occupying forces against the human rights of Syrian citizens including children in the occupied Syrian Golan, which constitute a violation of international treaties, particularly international humanitarian law and specifically the Fourth Geneva Convention of 1949. Moreover, either individually, or in collaboration with delegations from friendly States, or as part of political blocs, Syria annually proposes resolutions concerning the aforementioned Israeli practices and violations. The resolutions contain a presentation of the violations, a condemnation thereof and a demand for the international community to place pressure on the occupiers for them to cease their violations and put an end to the occupation. Each year, more than seven such resolutions are proposed, both before the United Nations and before other bodies. Syria also continues to expose the violations committed by the Israeli occupation authorities against the rights of Syrian children in the occupied Syrian Golan, details of which are contained in the most recent national report submitted to the Committee on the Rights of the Child in 2019 (CRC/C/SYR/5). This issue has also come up in the context of multilateral discussions on children's rights in the occupied Arab territories as well as in international and regional platforms, in meetings of the political blocs of which Syria is a member and in relevant international and regional workshops and seminars. Syria has strongly supported keeping item 7 on the agenda of the Human Rights Council and has worked to keep those discussions alive in the relevant international bodies, despite attempts by Israel and its supporters among the Western States to eliminate it and to undermine the issue of the occupied Syrian Golan.

## **L. Promoting and protecting the rights of women**

### **Empowerment of women (recommendations 109.14, 109.30, 109.85–109.92 and 109.179)**

62. The Constitution affirms that the State is to provide women with every opportunity to contribute fully and effectively to political, economic, social and cultural life. The State is also to seek to remove the restrictions that hinder women from developing and from participating in the construction of society (art. 23) and to ensure their full participation in

decision-making roles. In fact, the Vice-President of the Republic is a woman and there are female members of parliament, ministers and deputy ministers, directors-general, members of the Constitutional Court and the Court of Cassation, judges in ordinary courts, heads of grass-roots organizations, trade unions and political parties, vice-chancellors of universities, deans of faculties, diplomats, etc. Women are also present on government delegations that attend international conferences and the National Dialogue in Geneva and Sochi as well as on national reconciliation committees, in the People's Assembly and in civil society initiatives.

64. Syria is keen to encourage the active participation of women in issues related to security and peace and, in 2014, organized a conference entitled "The role of women in ending war and establishing peace", which was attended by 600 women. The conference led to the election of a committee of women representing all levels and sectors of Syrian civil society to speak in the name of Syrian women at relevant international and regional forums. A workshop on the political empowerment of Syrian women was held in 2017 with the involvement of 150 women representing government agencies and civil society. In 2019, a committee was formed to read resolution 1325 (2000) in the light of national circumstances and to propose a national plan for the implementation of programmes and activities consistent with the goals of that resolution. The committee – which brought together representatives of ministries and other stakeholders, civil society and national experts – held a number of workshops from which emerged a draft national plan with five main themes: protection and prevention; empowerment and participation; promotion and advocacy; relief, recovery and reconstruction; and resource mobilization, monitoring and evaluation. The plan is in the process of being adopted.<sup>9</sup>

65. The National Reconciliation Commission is also keen to ensure that women play an active role in the reconciliation process, and women have, in fact, been involved in 33 civil society committees in various governorates, which played a role in initiatives aimed at ensuring the return of inhabitants and families to areas liberated from terrorists and in creating safe conditions for the protection of women. Women have also taken part, directly and indirectly, in negotiations regarding the issue of families and of abducted women and children, and have achieved positive results.

66. Women are represented in the legislature, the executive and the judiciary. In 2016, a woman served as Speaker of the People's Assembly, a precedent for Arab parliaments. Women also account for 11.2 per cent of the members of the Assembly and chair two of its committees. Since 2012, there has been a female member of the Supreme Constitutional Court, one of the Court's functions being to oversee the election of the President of the Republic and to regulate the electoral proceedings. Women serve as judges in all branches of the judiciary – in the civil, criminal and administrative courts – and, in 2021, they accounted for 10 per cent of the Government. In the Ministry of Justice, women account for 18.4 per cent of the workforce, just as they account for 36.4 per cent of the legal profession, 7.2 per cent on local administrative councils and 44.3 per cent of the workforce in public entities overall.

67. A national strategy for supporting and empowering women, drafted in 2018, is one of the national mechanisms seeking to unite efforts and coordinate plans aimed at improving conditions for women. It focuses particularly on the conditions that have emerged during the crisis in Syria, which have had such tragic effects on society, infrastructure and socioeconomic advancement. Within their annual budgets, national institutions, allocate funds for the operational programmes of the national strategy for supporting and empowering women.<sup>10</sup>

68. Both the vision and the strategic goals of the national development programme for post-war Syria – Strategic Plan 2030 – accord great importance to issues affecting women and girls. This has been translated into specific programmes, including social empowerment, training and rehabilitation for rural women.

69. A draft national plan for gender equality was completed at the end of 2020. The plan is a tool with which to coordinate gender-equality policies and actions in the Government and its partners, and it includes measures under which each stakeholder is responsible for its

respective role.<sup>11</sup> A national committee has been formed to review discriminatory passages in domestic legislation.

70. Act No. 2 of 2020 abrogated article 548 of the Criminal Code, which recognized mitigating circumstances for perpetrators of so-called “honour crimes”. Perpetrators now no longer benefit from any justification that mitigates or excuses their actions and they are sent before the courts on charges of murder.

71. Article 48 of the Constitution states that Syrian Arab nationality is to be regulated by law. Specialized committees are currently examining ways to amend Act No. 276 of 1969, so as to give women the right to confer their Syrian nationality on their children from non-Syrian fathers. However, due to the current situation in the country, no amendment has yet been enacted.

72. A comprehensive review of the Personal Status Act was carried out prior to its amendment under Act No. 4 of 2019<sup>12</sup> and Act No. 20 of 2019<sup>13</sup> with a view to eliminating discriminatory provisions and ensuring equality between men and women. The amendments covered a number of matters, notably marriage (with marriageable age for boys and girls being raised to 18), divorce, custody and guardianship.

73. There are no restrictions on a woman’s right to travel. Indeed, women are allowed to travel abroad alone, unless they are minors under the age of 18 in which case they require the consent of their guardian. Moreover, women are allowed to travel abroad with their children once they have obtained the father’s consent or with legal tutelage from a judge, who grants the woman the right to travel with her children if the father is abroad or absent. This matter is left to the discretion of the sharia court judge. The same conditions apply to a father wishing to travel abroad with his children, for which – under a recent amendment to the Personal Status Act No. 4 of 2019 (art. 50) – requires the mother’s consent.

**Protection of women (recommendations 109.15, 109.176–109.178, 109.180 and 109.181)**

74. Syrian domestic laws criminalize all forms of abuse and assault against physical integrity, irrespective of whether the victim is a woman or a man and without specifying whether the act occurs inside or outside the family setting. Severe penalties are envisaged for rape and sexual offences of all kinds. In collaboration with national experts, the Commission for Family Affairs and Population has drafted a bill on domestic violence in all its forms. The bill is currently being discussed by the competent government bodies prior to being submitted to the relevant authorities for issuance.

75. As part of its efforts to protect women and promote their empowerment, the Government has developed strategies and programmes on protection, prevention, participation, promotion, peacebuilding and recovery all of which take account of issues affecting women. The most significant of them are:

- Launching the family protection unit for the care and integration of women and child victims of violence. Around 80 victims are involved in each protection course and the courses last between 20 days and 6 months;
- Rolling out an integrated case management system for social services so that they can provide appropriate and systematic assistance in cases of severe social need; and drafting a training manual in that regard;
- Creating a national violence observatory, which monitors cases of violence via a network between government agencies and civil society institutions;
- Drafting an action plan designed to reduce the incidence of early marriage from 13 per cent to 5 per cent, which was a pledge Syria made at the 2019 Nairobi Summit on Population and Development. With the aim of developing operational programmes to reduce early marriage, the Government has commissioned studies on the community factors that give rise to the phenomenon, and on its economic costs. In addition, as a deterrent measure intended to reduce the problem, the Criminal Code was amended by Act No. 24 of 2018 to increase the penalty for stipulating a marriage contract outside the courts for a minor under the age of 18.

## M. Rights of the child

### Recruitment of children (recommendations 109.183–109.187)

76. Syrian law is unequivocal on the subject of conscription and of compulsory military or reserve service. Under the Military Service Act, issued pursuant to Legislative Decree No. 30 of 2007, as amended, such service is the duty of every male Syrian citizen who has reached the age of 18. Syria is a party to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and abides by its provisions. The law criminalizes the recruitment of children and their involvement in hostilities, by any party, and it imposes severe punishments, even up to the death penalty (Act No. 11 of 2013). The Children's Rights Act No. 21 of 2021 also prohibits the recruitment of children and their involvement in hostilities or other related acts. For its part, the State takes appropriate action to promote the physical and mental rehabilitation of victims of child recruitment, with a view to reintegrating them into society.

77. In cooperation with national and international partners, the Government has taken steps – both practical actions and awareness-raising – to reach out to children recruited by armed terrorist groups in order to rescue them, then rehabilitate and reintegrate them into society. Those steps include a national plan of action for dealing with victims of child recruitment, which covers legal aspects as well as rehabilitation and training. It also covers psychosocial support, community awareness raising and mechanisms for engaging with child soldiers.<sup>14</sup> A national committee has been set up to implement the plan and a training manual has been developed on how to deal with the child victims. At the same time, workshops have been held with judges, lawyers, jurists and media professionals to build capacity and raise awareness about the dangers of child recruitment.

78. All forms of sexual abuse against children are punished under domestic law with penalties of not less than 20 years' imprisonment if the child is under the age of 15. If the crime is committed at gunpoint, the perpetrator is liable to the death penalty. The courts and law enforcement agencies deal firmly with such offences. The Children's Rights Act states that children are to be protected against violence of all kinds and particularly physical, moral, sexual or ethical abuse as well as other forms of ill-treatment. In particular, the Act envisages protection for children against any form of trafficking. Trafficked children are considered to be victims and are not held criminally or civilly responsible for any criminal acts they commit when such acts are a result of or are directly linked to their status as victims. The Act also stresses the importance of rehabilitating child trafficking victims through special centres established for that purpose.

### Right to education (recommendations 109.121, 109.182 and 109.191–109.195)

79. The education sector has suffered significant material damage and human losses as a consequence of the terrorist war and the unilateral coercive measures. The Government has worked intensively to ensure the continuity of education and to prevent schools from being targeted, to which end it has increased the number of guards and protected the roads leading to schools. It has also acted to compensate the educational losses that all pupils across Syria have suffered and to meet challenges. For example, additional school buildings have been secured outside organizational and administrative boundaries; 127 prefabricated classrooms were provided in 2020; free educational supplies were made available; and 337 health facilities and water and sanitation systems were set up in 2020, with support from international organizations. Furthermore, efforts have been made to spread awareness about health and preventive measures via campaigns in schools, in order to ensure a safe environment, drinking water and sterilization materials, particularly during the COVID-19 pandemic. Between 2013 and 2020, maintenance and renovation work was carried out on a total of 17,819 school buildings, 15,591 with government funding and 2,228 with funding from international organizations.

80. In collaboration with UNICEF, the Government has been supporting the development and updating of the school curriculum. Around 2 million textbooks were printed in 2020. Some schools have been placed on a dual timetable (morning and afternoon) in order to accommodate pupils from areas controlled by armed terrorist groups and efforts are being

made to build the capacity of administrative and teaching staff. Solutions have also been found to enable children to have access to education in remote areas, with tent schools, caravans, desert schools and combined classes.

81. The Government provides safe and equitable access to education for everyone, particularly displaced persons who have been directly affected by the crisis. To that end it provides facilitations for children who have no documents attesting to their schooling, guarantees the re-enrolment of those who were deprived of education and promotes alternative learning opportunities. These humanitarian response actions, which it undertakes in cooperation with international organizations, are intended to improve enrolment rates. Flexible educational approaches have been applied as a way of compensating for educational losses, whether due to dropping out of school, interrupting education or failing to enrol. These approaches include:

- Intensive education under the alternative education system (group B curriculum) wherein the Ministry of Education counts the number of children of school age in liberated areas and enrolls them directly into school; by way of example, a total of 373,256 pupils benefited from the category B curriculum in the period between 2016 and 2021;
- Self-learning as a way of reaching pupils in remote and besieged areas (230,535 pupils);
- Compensatory education and school clubs.

82. In collaboration with UNICEF, the Ministry of Education runs an annual return-to-school campaign at the beginning of the school year in order to attract as many children as possible back to the classroom. Beginning in 2017 the Ministry – again in collaboration with UNICEF as well as with civil society organizations and associations – has been running a hosting programme under which pupils from remote areas and from Lebanon are taken in and are able to sit the national examinations for certificates in basic and secondary general education. Under the programme, the pupils are given residency as well as supplementary classes, material support, food, accommodation and a transportation allowance during the examination period. In the school year 2020/21, 13,822 pupils were enrolled in the programme; 5,854 of those enrolled reside in guest centres of whom 4,401 are following courses for the basic education certificate and 1,453 are following courses for the secondary education certificate, while 3,884 are following the supplementary course.

83. In collaboration with the United Nations Educational, Scientific and Cultural Organization (UNESCO), the Ministry of Education has developed a remedial education programme that allows weaker pupils to improve their performance and move to a higher grade. More than 60,000 students have benefited from this initiative since 2016. In addition, in the school year 2020/21, supplementary courses on basic subjects were run, benefiting 24,207 pupils at 140 establishments across all governorates.

84. The Ministry of Education is working to provide a school environment that takes account of children with disabilities. To that end, it has expanded its integrated schools and supplied them with the necessary equipment such as hearing and vision aids. In 2020, 18 resource rooms were equipped with educational devices and are being run in collaboration with UNICEF. Resource room teachers have been trained in the integrated education system. Health facilities for children with disabilities have been set up and work is ongoing to link integrated schools to vocational projects that benefit such children. The Ministry has set up a committee to adapt school curricula to the needs of persons with disabilities.

#### **Protection of the rights of the child (recommendations 109.16, 109.93 and 109.94)**

85. Children's Rights Act No. 21 of 2021 was enacted following its approval by the People's Assembly.<sup>15</sup> It is an integrated piece of legislation founded on the principle of the best interests of the child and it aims to establish comprehensive and uniform legal principles governing the rights of children, to update existing laws and to rectify any loopholes. The Act consists of 12 sections that cover all basic rights associated with the protection and care of children by society with all its official and informal institutions. The Act sets forth general principles regarding the protection of children and their rights; families; health-related rights;

the right to education and culture; access to information; the protection of children from the worst forms of child labour; the provision of alternative care; the rights of children with disabilities; and the right to personal protection and safety. In particular, it focuses on the protection of children from recruitment and trafficking and the rehabilitation and reintegration into society of child victims of those practices. The Act also includes provisions on restorative justice and envisages the formation of a national committee on the rights of the child with a mandate to monitor the implementation of the Act.

86. With the Children's Rights Act, the Government has sought to establish an enabling environment to protect children. It has also taken several protective measures including that of reviewing and evaluating its early childhood strategy and establishing a number of high-quality alternative care homes for children where they can be constantly monitored by specialists. It has also set up mobile health centres where children can be inoculated and receive other health services. Facilities have been made available for civil society associations that seek to provide a humanitarian response to the needs of children affected by the crisis and unilateral coercive measures.

## **N. Combating human trafficking**

### **Recommendation 109.188**

87. Syria seeks to combat trafficking in all its forms pursuant to Legislative Decree No. 3 of 2010. It has set up a specialized directorate, as well as a national committee with representatives from ministries and other stakeholders who work to develop a national anti-human trafficking plan that is updated every two years. The most recent plan, which covers the period 2020–2022, aims to produce a comprehensive policy to prevent trafficking offences. The policy has four main themes: prevention and protection; prosecution; building partnerships; and local, regional and international cooperation. The Decree includes provision for measures to protect victims and to assist their physical and psychological recovery, in collaboration with official institutions and national and international NGOs. A total of 150 trafficking offences were recorded in 2017, 358 in 2018, 280 in 2019 and 87 in 2020, and the perpetrators were referred to the courts.

## **O. Protecting civilians and civilian objects**

### **Recommendations 109.98–109.101, 109.103, 109.111, 109.117, 109.121 and 109.122**

88. Syria has made the protection of civilians a primary objective in its ongoing efforts to combat terrorism and it takes all the measures necessary to ensure their safety and security. Ever since the start of the events in the country, orders and instructions have been imparted to the Syrian Arab Army to take steps to protect civilians during military operations, particularly women and children. For its part, the Army has adhered to the norms of international humanitarian law by taking the necessary precautions and applying the principle of proportionality during its operations against armed terrorist groups in civilian locations, particularly when terrorists resort to the use of human shields.

89. The Government has worked to secure safe corridors for the evacuation of civilians from terrorist areas and it has provided ambulances, medical supplies and transportation. It has also set up temporary shelters equipped with all necessary supplies, such as food, water and medicines. In addition, it has issued personal documents to persons who have lost their own, registered civil status events and opened classrooms for children. Persons who do not wish to remain in the shelters are free to reside in any part of Syria.

90. The Ministry of Defence has drawn up a plan for the clearance of liberated territory from the explosive remnants of war. To that end army engineering units, with the assistance of licensed international teams, have surveyed liberated areas with a view to removing explosives, bombs and mines and to dismantling the booby traps planted and left behind by the terrorists. These operations are to pave the way for residents to return safely to their homes and resume their normal lives. In all, 13,239 building complexes and 2,191 farms have been surveyed and cleared as have 1,660 kilometres of oil and gas pipelines and 790 kilometres of

railway. In addition, 31,932 mines of various kinds have been removed while 28 car bombs, 48,765 explosive devices and 38,770 bombs have been dismantled and rendered safe in the liberated areas during the reporting period.

91. In fulfilment of its national and constitutional duty, Syria accords particular importance to the protection of civilians, particularly in areas that have been the scene of military confrontations with armed terrorist groups. Every effort is made to protect civilians and their fundamental rights and to ensure that – within the means available – their basic needs continue to be met, particularly food, education and health. This is achieved by supporting ongoing education, continuing to subsidize basic goods such as bread, facilitating national and international humanitarian response plans and ensuring that humanitarian aid, including food and medical assistance, continues to reach needy civilians who have been affected by the crisis. This is done in all parts of Syria, without discrimination and despite the difficult economic conditions caused by the imposition of unilateral coercive measures.

92. The Government continues to provide free health care and treatment for chronic diseases, and to lay in strategic stocks of medicines and medical supplies. It also conducts periodic national vaccination campaigns for all children throughout Syria. Some 8,026,742 doses of vaccine for children are administered each year in addition to 8,433,214 doses of polio vaccine. The Government has continued to provide medical services to citizens in different areas, also via mobile clinics in remote regions, and it has supplied medical facilities with equipment and materials such as refrigerators and drugs. As soon as an area under terrorist control is liberated, the Government acts immediately to repair and restore hospitals in that area and put them back into service. A total of 76 health centres and 5 hospitals were reopened between 2015 and 2020. In addition, the Government has continued to pay the salaries of health-care workers in all areas, including those where terrorist groups are located, and it has trained volunteers to provide health services to people in those areas.

93. In order better to protect civilians, the Syrian Arab Army works to secure medical facilities of all kinds. It guards hospitals and clinics and protects the roads leading to them so as to ensure that ambulances are able to get through. It also facilitates the rescue and evacuation of wounded and injured persons and, in coordination with the Syrian Arab Red Crescent and ICRC, it protects humanitarian aid convoys with military units. In the first half of 2021, the Syrian Arab Army opened humanitarian crossing points to enable children, women, older persons and any other civilians who so wished to leave the governorate of Idlib, which is occupied by armed terrorist organizations.

94. Syria has taken all necessary measures to maintain the neutrality of medical units during its counter-terrorism operations, and it has sought to stop attacks by armed terrorist groups against medical facilities. In fact, the health sector has been systematically targeted by terrorists who have caused enormous damage.<sup>16</sup> The allegation that the army targets medical units in the areas under terrorist control is entirely untrue and is based on false sources of information, which have been used as a basis for compiling politicized international reports. Terrorists themselves have turned certain medical units and facilities into bases from which they launch their attacks. The units have also been used by the terrorists as prisons, weapons depots, workshops for manufacturing weapons and explosives, and platforms from which to launch rockets and missiles. Thus, they are no longer used as medical units but – by their nature, location, purpose and use – have come to make an effective and direct contribution to military action and, therefore, to put them out of action is to achieve a military advantage that is endorsed under article 52 (2) Protocol I Additional to the Geneva Conventions of 1949. It should be noted, moreover, that the government informed the United Nations of the medical facilities that have been decommissioned and are being used by terrorists, and that therefore no longer enjoy their former status.

95. Syria has submitted many reports to the Security Council, the Human Rights Council and other international bodies presenting evidence of its full commitment to international law and international humanitarian law. It has also lodged complaints about the crimes committed by armed terrorist groups against civilians, and their bombing of medical centres, schools, hospitals, residential areas and infrastructure. In addition, Syria has cooperated with international organizations in providing an urgent humanitarian response to persons who have suffered harm as a result of terrorism. The Government's approval, ever since 2012, of the annual humanitarian response plans of international organizations is proof of its

commitment to cooperate in the protection of affected civilians, particularly in areas occupied by armed terrorist groups.

## **P. Halting indiscriminate attacks**

### **Recommendations 109.99, 109.105–109.108, 109.113–109.116 and 109.118**

96. Syria has followed internationally accepted principles in responding to terrorist activity on its territory and, when acting against the terrorist groups, the Syrian Army has developed military plans and tactics for well-studied and well-regulated military operations in which targets are accurately defined. It is also committed to defending civilians and civilian objects. Allegations of indiscriminate attacks are untrue and political in nature. They are made by certain States and NGOs and the media outlets that support them. It should be pointed out that the Syrian Army has managed to retake large parts of Syrian territory and has thus largely ceased military operations, which are now limited in scope and regulated by accurate and well-studied plans.

97. Although recommendation 118 does not fall within the purview of the universal periodic review, it is nonetheless implemented and Syria has fulfilled all the obligations it acquired upon joining the Organisation for the Prohibition of Chemical Weapons (OPCW). It has unhesitatingly cooperated and engaged with all requests related to the work of OPCW fact-finding missions and of the OPCW-United Nations Joint Investigative Mechanism. Nonetheless, the work and reports of those bodies, and even the work of OPCW itself, have been marked by politicization and by service of the agendas of Western countries. It should be recalled that Syria fully and irrevocably abandoned its chemical weapons programme under the Chemical Weapons Convention, to which it acceded in 2013. Moreover, Syria has replied in detail to – and refuted – the allegations contained in the reports of the Joint Investigative Mechanism. Reference is made to letters on this subject from the Government to the Security Council; for example, in document S/2017/991.

## **V. Challenges**

98. Ever since 2011, the Syrian Arab Republic has been facing a systematic terrorist war and a foreign occupation of part of its territory, which has had disastrous consequences on the human rights situation in the country. This state of affairs has been exacerbated by the imposition of unilateral coercive measures by Western States, measures that have been tightened and extended, and have turned into a suffocating economic blockade that has targeted Syrian citizens and their right to life, to live decently, to health, to education and to development in all forms. The coercive measures constitute an additional challenge and have severely limited the State's ability to fulfil its duties and protect its citizens. The most serious challenges facing Syria are as follows:

- The continuing war against terrorism and the foreign support for armed terrorist groups; the open borders and the impossibility of controlling them, particularly the border with Turkey; and the presence of American occupying forces and their proxies in the form of armed separatist groups. All these things have drained the capabilities and resources of the State;
- The theft on the part of the Israeli, American and Turkish occupiers of Syrian territory of the country's natural wealth and resources (oil and gas, water, wheat, antiquities), thereby depriving Syrian citizens of these assets; in addition, the systematic destruction of public and private property and the serious damage to the environment;
- The continued imposition of unilateral coercive measures against the Syrian people and the disastrous effects that imposition is having; in particular the so-called "Caesar Act" which extends sanctions to anyone – State or individual – who has dealings with the Syrian State. All of this has impeded the provision of funding for the implementation of national plans in all sectors, especially plans for reconstruction and for the supply of basic necessities to ensure a decent life for Syrian citizens;

- The politicization of humanitarian action in Syria, due to pressure from donor countries; the lack of international funding, particularly funding for humanitarian response plans; and discrimination in the distribution of international aid in Syria;
- The protective umbrella that Member States of the Security Council provide for the Israeli occupation, which encourages it to continue and persist in its violations, and their obstruction of any attempts to hold the occupier accountable and put an end the occupation, in line with international resolutions.

99. In conclusion, the Syrian Arab Republic reaffirms its respect for its international obligations to protect human rights and to ensure that those rights can be exercised in practice. The country is willing to cooperate seriously in that regard, while maintaining its sovereignty, independence and territorial integrity and ensuring non-interference in its internal affairs. This depends on the credibility, independence and effectiveness of the international community's efforts to combat terrorism and to lift the unilateral coercive measures, which are having a serious impact on human rights in the Syrian Arab Republic.

*Notes*

- .(1) الملحق 1  
.(2) الملحق 2  
.(3) الملحق 3  
.(4) الملحق 4  
.(5) الملحق 5  
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.(14) الملحق 14  
.(15) الملحق 15  
.(16) الملحق 16