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**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General**

Human rights situations that require the Council's attention

**Preliminary report of the High Commissioner on
the situation of human rights in the Syrian Arab
Republic**

Prepared by the Secretariat

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I. Background

1. The Human Rights Council convened a special session on human rights in the Syrian Arab Republic on 29 April 2011. During the special session the Council adopted Resolution S-16/1. This resolution requested that the High Commissioner provide a preliminary report on the situation of human rights in the Syrian Arab Republic to the Council at its seventeenth session. The present report is submitted in response to this request.

2. The period addressed in this preliminary report is 15 March to 15 June 2011. During this period, the Office of the High Commissioner for Human Rights (OHCHR) was unable to deploy staff on the ground in Syria and, until recently, to other countries where Syrian refugees had fled. This hampered the process of gathering information directly from victims of human rights violations, eyewitnesses and others. Therefore, much of the information contained in this report is based on information received from United Nations partners, human rights defenders, national and international human rights organizations, civil society organizations, media sources and other individuals, including a small number of victims of human rights violations and eyewitnesses from Syria.

3. Resolution S-16/1 also requested the High Commissioner to urgently dispatch a mission to the Syrian Arab Republic to investigate all alleged violations of international human rights law and to establish the facts and circumstances of such violations and of the crimes perpetrated, with a view to avoiding impunity and ensuring full accountability. In addition to addressing the current human rights situation in the Syrian Arab Republic, the present preliminary report provides an update on the status of the work of the fact-finding mission established by the High Commissioner in light of the Council's request.

II. The current human rights situation in the Syrian Arab Republic

4. Beginning on 15 March 2011 and intermittently throughout the period under consideration, thousands of Syrians participated in public demonstrations in locations across the country. The initial grievances raised by the demonstrators centered on issues such as corruption, discrimination, freedom of expression, participation in public affairs and decision-making and the release of political prisoners.¹ Yet following the brutal reaction of the Syrian authorities to the incipient demonstrations, subsequent protests not only called for dialogue and reforms relating to these grievances, they also rejected the repressive tactics adopted by Syrian security forces, called for greater respect for fundamental human rights and freedoms generally, and demanded that far-reaching economic, legal and political reforms be undertaken on an urgent basis² - in particular with respect to the 1963 State of Emergency, which allowed the suspension of fundamental rights and attributed broad and exceptional powers to the security forces.³

¹ "Syria protests spread, authorities pull back", Reuters, 21 March, 2011, <http://www.reuters.com/article/2011/03/21/us-syria-idUSTRE72K4CD20110321idUSTRE72K4CD20110321>

² "Syria: Protests 2011", New York Times, June 1, 2011, <http://topics.nytimes.com/top/news/international/countriesandterritories/syria/index.html>.

³ The Syrian Arab Republic has long been under scrutiny by UN treaty bodies, including the Committee Against Torture (CAT), which in 2010 expressed concern about reports of high numbers of involuntary disappearances, allegations of the routine use of torture and ill-treatment in detention

5. On 30 March 2011, the President of Syria announced his intention to introduce a series of political, social and economic reforms, including the lifting of emergency legislation and initiating an investigation into the deaths of protestors.⁴ Some of these reforms were further detailed in a Note Verbale dated 6 June 2011 received from the Permanent Mission of the Syrian Arab Republic in Geneva. These were said to include draft laws regulating the right to peaceful assembly and the functioning of political parties and the creation of committees to address issues of corruption and transparency and to promote national dialogue and of a judicial committee whose mandate “was recently extended to investigate all crimes committed against civilians and security and army personnel in all parts of Syria”.⁵ At the time of writing, no further information about these committees was available. In early June 2011, several hundred political detainees were released following the issuance of an amnesty on 31 May 2011. At the same time Syrian security forces escalated their response to the demonstrations, deploying military forces to areas where the demonstrations were the most intense.⁶ It is in this general context that allegations of widespread human rights violations have been reported. These include the excessive use of force in quelling demonstrators, arbitrary detentions, summary executions, torture and other cruel or inhuman treatment, violations of the rights to freedom of assembly, expression, and movement, and violations of the rights to food and health.

6. OHCHR has received numerous reports alleging the excessive use of force by Syrian security forces against civilians, the majority of whom were peaceful protestors. The most egregious reports concern the use of live ammunition against unarmed civilians, including from snipers positioned on rooftops of public buildings, and the deployment of tanks in areas densely populated by civilians.⁷ As of mid-June, the number of those killed during such incidents is believed to have exceeded 1,100 persons, many of them unarmed civilians; among them were women and children.⁸ In the same period, helicopter gunships were also said to have been used during a military assault on the town of Jisr al-Shughur in northwest Syria. The Syrian Government claimed that some 120 security personnel had been killed by “armed gangs” in the town on 6 June. Upon entering Jisr al-Shughour on 12 June, the Government also claimed that it had found a mass grave with the remains of around ten security personnel said to have also been killed by “armed gangs”. The Government continued to bar journalists, human rights groups and other from investigating such claims, except for a number of journalists it had selected. According to reliable media sources, an estimated 7,000 Syrians from Jisr al-Shughour and surrounding areas had crossed the Syrian-Turkish border by the morning of 14 June 2011, fearing reprisals by the security forces.

facilities, the lack of judicial independence and arbitrary procedures violating the right to fair trials, widespread impunity preventing prosecutions for crimes including torture and ill-treatment, and the persistent harassment and persecution of human rights defenders (CCPR/CO/84/SYR and CAT/C/SYR/CO/1).

⁴ “Syria to Lift Emergency Law”, Aljazeera English, 16 April, 2011, <http://english.aljazeera.net/news/middleeast/2011/04/20114161511286268.html>

⁵ Note verbale dated 6 June 2011 from the Permanent Mission of the Syrian Arab Republic in Geneva to OHCHR.

⁶ “Syrian Army ‘attacks protest city of Deraa’”, BBC News, 25 April, 2011, <http://www.bbc.co.uk/news/world-middle-east-113185185>.

⁷ “Analysis: Assad’s Syria turns to tanks to put down unrest” Reuters, 10 May, 2011, <http://www.reuters.com/article/2011/05/11/us-syria-assad-idUSTRE7493D520110511>.

⁸ “Syrian abuses are crimes against humanity”, Aljazeera English, 1 June, 2011, <http://english.aljazeera.net/news/middleeast/2011/06/201161184642132562.html>.

7. According to reports received by OHCHR, arbitrary detentions have been carried out by the Syrian authorities on a massive scale.⁹ Information available to date indicates that up to 10,000 persons have been arbitrarily detained since mid-March, and that the number of those rounded up by the security forces remains high despite the sporadic release of detainees during the period under consideration.¹⁰ While women and children were among those detained, human rights defenders, political activists, and journalists were particularly targeted. Family members as well as neighbors of demonstrators and activists have apparently also been detained, ostensibly to obtain information about suspects and to silence government critics. Syrian security forces have carried out house-to-house searches in pursuit of persons wanted by the authorities, while many individuals are said to have been held incommunicado and forced to sign documents pledging that they will no longer engage in demonstrations.¹¹

8. OHCHR has received information indicating that Syrian security forces have perpetrated acts of torture and other cruel and inhuman treatment against persons detained in connection with the demonstrations, resulting in deaths in custody in some cases. These included the much publicized case of Hamza al-Khatib who was allegedly abducted and tortured to death by security forces in late May.¹² The evidence received by OHCHR in support of allegations of torture and ill-treatment consists of testimony as well as photographic and video material. As of the submission of this report, OHCHR has not been able to verify the accuracy of some of the evidence that it has received. However, much of it is highly consistent with reports gathered by other organizations.¹³

9. Many of the tactics and measures employed by the authorities to quell public demonstrations appear to have violated freedoms of assembly, expression and movement. In relation to the latter, reports of the Syrian armed forces besieging entire towns such as Deraa are of particular concern.¹⁴ Such reports indicate that the populations of these towns have had their movement severely restricted, including through the use of live ammunition and numerous military patrols and checkpoints.¹⁵ Reports also indicate that persons attempting to flee such towns, whether to locations elsewhere in the Syrian Arab Republic or into neighboring countries, have been prevented from doing so by Syrian security forces.¹⁶ It is noted that large-scale restrictions on freedom of movement often result in the violation of other human rights.

10. In regard to freedoms of assembly and expression, OHCHR is in receipt of a considerable amount of information regarding the violation of these rights by the Syrian authorities. Such information depicts a pattern of violent repression against groups and individuals throughout Syria, seeking to exercise their right to assemble peacefully. It also indicates that concerted efforts have been made by the authorities to silence government

⁹ Those numbers are also based on reports by local and international human rights organizations, which are also concordant with reports received by OHCHR.

¹⁰ Ibid.

¹¹ "Urgent Action: Syrian activist held incommunicado" Amnesty International appeal, 23 May, 2011, <http://www.amnesty.org/en/library/asset/MDE24/021/2011/en/e5d10a8b-04de-4d03-975d-b7996214c321/mde240212011en.html>

¹² "Syria Unrest: Inquiry into Hamza al-Khatib's Death", BBC News, 1 June 2011, <http://www.bbc.co.uk/news/world-middle-east-13622959>

¹³ See Human Rights Watch, "Syria: Rampant Torture of Protestors", 15 April 2011, available at: <http://www.hrw.org/en/news/2011/04/15/syria-rampant-torture-protesters>.

¹⁴ See Human Rights Watch, "We've Never Seen Such Horror" 1 June, 2011, Pg.44, available at <http://www.hrw.org/en/reports/2011/06/01/we-ve-never-seen-such-horror-0>

¹⁵ Ibid. Pg.44.

¹⁶ Ibid. Pg.44

critics, including through intimidation and the arbitrary detention of human rights defenders, journalists and students. The Syrian authorities have also sought to clamp down on media outlets to prevent the dissemination of information on situation in the country. These measures include the arrest and deportation of foreign journalists¹⁷ and the cutting off of systems of mass communication, such as the internet and telephone networks.¹⁸

11. Information received by OHCHR points to serious concerns regarding the fulfillment by the Syrian authorities of their obligations in relation to the rights to food and health. Alleged violations to the right to food relate, in large part, to the besieging of entire towns by Syria's armed forces. These measures apparently resulted in severe shortages of basic foodstuffs among the civilian population. Reports also indicate that Syrian security forces directly blocked the distribution of critical food supplies in certain locations.¹⁹ With respect to the right to health, Syrian security forces were said to have targeted medical facilities and personnel, as well as patients and other persons at hospitals.²⁰ These tactics resulted in killings and injuries and the destruction of such facilities, spreading fear among the population and deterring some of the injured from seeking medical treatment at hospitals or donating blood.²¹

12. The High Commissioner has expressed public concern at many of these grave developments. On 25 April 2011, she noted the announcement by President Assad on the lifting of the state of emergency, but urged corresponding action as well as the amendment of other laws that obstruct fundamental freedoms. In a statement dated 9 June 2011, she condemned the unrelenting violent crackdown on peaceful protesters across the country, including through the deployment of heavy weaponry, with particular concern regarding civilians fleeing Jisr al-Shughour.

III. Fact-finding mission to the Syrian Arab Republic

13. Following the conclusion of the Human Rights Council special session on 29 April, the High Commissioner established a fact-finding mission headed by the Deputy High Commissioner for Human Rights, Ms. Kyung-wha Kang. It includes officials with substantive, technical and administrative expertise in all areas necessary to fulfill the Human Rights Council's request. By Note Verbale dated 6 May 2011, the High Commissioner formally requested that the Government of the Syrian Arab Republic cooperate with the mission, in particular by ensuring full access to the country. Having received no response from the Syrian Government on this matter, the High Commissioner reiterated her request for access to the country on 20 May 2011 and again on 7 June 2011.

14. In the interim, the fact-finding mission began its work on 23 May, gathering and analyzing information on the human rights situation from a range of sources both inside and outside Syria. One of the mission's investigative teams, led by the Deputy High Commissioner, will remain on standby to visit the Syrian Arab Republic. This team plans to meet with Government officials, as well as with victims, witnesses and others as part of its

¹⁷ The latest arrest and detention of Aljazeera journalist Dorothy Parvaz was one such case. "Aljazeera journalist missing in Syria", Aljazeera English, 2 May, 2011, <http://english.aljazeera.net/news/middleeast/2011/05/20115211460620208.html>

¹⁸ Ibid. Pg. 48.

¹⁹ "Syria protests: Security forces shoot at mourners" BBC news, 23 April, 2011, <http://www.bbc.co.uk/news/mobile/world-middle-east-13175677>

²⁰ See Human Rights Watch, "We've Never Seen Such Horror", 1 June, 2011, Pg.30, available at <http://www.hrw.org/en/reports/2011/06/01/we-ve-never-seen-such-horror-0>.

²¹ Ibid.

field investigation. A second team is designed to deploy to countries where reliable and credible information can be obtained from victims of human rights violations, eyewitnesses and others from among the Syrians who fled their country in recent weeks. This team is currently deployed in Turkey where several thousand Syrian refugees sought sanctuary in the past week. It is hoped that investigative teams can also be deployed to other countries in the region once official authorization from the relevant governments is obtained.

IV. Conclusion

15. **The material currently before the High Commissioner is a matter of grave concern and reflects a dire human rights situation in the Syrian Arab Republic. The alleged breaches of the most fundamental rights on such a broad scale require thorough investigation and, with respect to the perpetrators, full accountability. The fact-finding mission mandated by the Human Rights Council would contribute substantially toward these ends. The High Commissioner thus renews her call to the Government of the Syrian Arab Republic to grant the access requested. The High Commissioner is hopeful that she will be able to provide a more extensive assessment of the human rights situation in Syria in her follow-up report to the 18th session of the Human Rights Council.**
