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**STATUS OF HUMAN RIGHTS IN THE SYRIAN ARAB REPUBLIC  
FOR THE 40<sup>TH</sup> SESSION OF THE  
UNIVERSAL PERIODIC REVIEW**

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## **Status of Human Rights in Syria for the 40<sup>th</sup> Session of the Universal Periodic Review**

### **Introduction**

1. The European Centre for Law and Justice (ECLJ) is an international, non-governmental organisation dedicated to promoting human rights around the world. The ECLJ also holds Special Consultative status before the United Nations Economic and Social Council. The purpose of this report is to discuss the status of human rights in the Syrian Arab Republic (Syria) for the 40<sup>th</sup> Session of the Universal Periodic Review (UPR).

### **Background**

2. Syria is located along the Mediterranean Sea in the Middle East with an estimated population of 20.3 million people<sup>1</sup>. It is a predominately Muslim country with 87% of the country identifying as Muslim, 10% as Christian, and 3% as Druze<sup>2</sup>. In its 2021 World Watch List, Open Doors listed Syria as the 12<sup>th</sup> worst place for Christians to live because of severe Islamic oppression<sup>3</sup>. According to Open Doors, “[i]n areas controlled by Islamic extremist groups, public expressions of Christianity are banned and most churches have been seized or destroyed. In government-controlled areas, this threat is less—but there are still abductions of young Christians, and Islamic dissidents, including ISIS militants, are still active”<sup>4</sup>.

3. Syria’s previous review was held on 31 October 2016<sup>5</sup>. As a result of the review, Syria received 231 recommendations, 158 of which Syria supported<sup>6</sup>. One supported recommendation was for the government to “[l]ift all restrictions on humanitarian access to populations in need of assistance, in particular to besieged and hard-to-reach areas, and ensure the safe evacuation of those civilians who wish to leave, particularly those in Aleppo and 15 other territories that the United Nations has classified as besieged by Syria”<sup>7</sup>. It was also recommended that Syria “[c]ontinue its combat against terrorism to restore security and stability to the Syrian Arab Republic and pave the way for the return of displaced persons to their homes”<sup>8</sup>.

4. However, despite the targeting of Christians and other religious minorities by Syrian forces and Islamic State (ISIS) militants, no recommendations were made to put an end to the ongoing, severe religious persecution.

### **Legal Framework**

5. Under Article 3 of the Syrian Arab Republic’s Constitution of 2012:

The religion of the President of the Republic is Islam; Islamic jurisprudence shall be a major source of legislation; The State shall respect all religions, and ensure the freedom to perform all the rituals that do not prejudice public order; The personal status of religious communities shall be protected and respected<sup>9</sup>.

6. Additionally, Syria is party to the International Covenant on Civil and Political Rights (ICCPR) which, in Article 6, states that “Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life”<sup>10</sup>. Further, Article 18 of the ICCPR affirms the following:

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.

3. Freedom to manifest one’s religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others<sup>11</sup>.

7. On 18 December 2015, the UN Security Council adopted Resolution 2254 which called for the UN Secretary General to bring together the Syrian government and opposition forces to create a “Syrian-led” political transition<sup>12</sup>. As stated within the resolution, the Security Council:

Expresses its support, in this regard, for a Syrian-led political process that is facilitated by the United Nations and, within a target of six months, establishes credible, inclusive and non-sectarian governance and sets a schedule and process for drafting a new constitution, and further expresses its support for free and fair elections, pursuant to the new constitution, to be held within 18 months and administered under supervision of the United Nations, to the satisfaction of the governance and to the highest international standards of transparency and accountability, with all Syrians, including members of the diaspora, eligible to participate, as set forth in the 14 November 2015 ISSG Statement<sup>13</sup>;

8. Furthermore, the resolution calls for all parties to halt attacks targeting innocent civilians:

Demands that all parties immediately cease any attacks against civilians and civilian objects as such, including attacks against medical facilities and personnel, and any indiscriminate use of weapons, including through shelling and aerial bombardment, welcomes the commitment by the ISSG to press the parties in this regard, and further demands that all parties immediately comply with their obligations under international law, including international humanitarian law and international human rights law as applicable<sup>14</sup>;

## Violence Against Christians

9. The Islamic State’s religious abuses in Syria are well-documented. These abuses include beheadings, burning victims alive in caskets, and other barbaric “killings, rape, kidnapping, enslavement, theft . . . destruction of religious sites . . . sexual slavery, forced conversion, ransom demands, property seizures, and forced business closures”<sup>15</sup>. Now, we are deeply concerned about reports that ISIS is again growing in the region and renewing its persecution of Christians and other religious minorities.

10. Despite the alleged collapse of the ISIS caliphate in March of 2019, ISIS has continued to carry out hundreds of attacks near the Iraqi border and is still capable of capturing land controlled by Syria<sup>16</sup>. Furthermore, economic conditions in Syria have deteriorated to levels worse than when ISIS first rose to prominence<sup>17</sup>. In fact, of the thirty-three Christian villages located in northeast Syria, only eighteen are still populated and, even then, only a small population remains<sup>18</sup>.

11. In July of 2019, ISIS claimed responsibility for a car bomb that was detonated near a church<sup>19</sup>. While no one was killed, twelve people were injured with some being in critical condition<sup>20</sup>. According to the co-chair of foreign relations for the Syrian Democratic Forces, ISIS “has a large number of sleeper cells that can wage deadly attacks against civilians in our area, particularly Christians and other minorities”<sup>21</sup>.

12. In November of 2019, ISIS carried out two attacks targeting Christians in northeast Syria<sup>22</sup>. In one attack, ISIS militants detonated three car bombs near a church in Qamishli which caused seven deaths and seventy injuries. In the second attack, ISIS militants detonated another car bomb that killed an Armenian priest, his father, and injured a deacon. International Christian Concern’s regional manager for the Middle East stated:

Today’s violence in northern Syria and the targeting of Armenian leadership is a tragedy that deeply wounds the region’s entire Christian community . . . Christians have long warned that ISIS will seek every opportunity to continue its genocide against religious minorities . . . Meanwhile, Turkey’s actions in the area have generated an environment of instability. Armenian Christians, whose ancestors were killed in Turkey’s genocide, find themselves caught between violent actors across all of Syria<sup>23</sup>.

13. According to a weekly newsletter published by ISIS, in March of 2020, “[Muslims] have no pity for the disbelievers and the apostates even as they are at the height of the tribulation . . . They must intensify the pressure on [disbelievers and apostates] so they become more pressured . . .”<sup>24</sup>. In April of 2020, ISIS did indeed “intensify the pressure”, as it carried out a combined 151 attacks in Iraq and Syria—a 50% increase in the number of attacks carried out from the previous month. And in May of 2020, ISIS increased the number of attacks to 193<sup>25</sup>.

14. Religious minorities also face attacks carried out by Syrian forces. According to a report released by the Syrian Network for Human Rights (SNHR), Syrian forces were responsible for 60% of the 124 documented attacks on churches between 2011 and 2019<sup>26</sup>. Additionally, twenty-seven of the twenty-nine attacks on the central province of Homs were carried out by Syrian

forces.<sup>27</sup> According to the founder and chairman of SNHR, “Targeting Christian places of worship is a form of intimidation against and displacement of the Christian minority in Syria”<sup>28</sup>.

### **Humanitarian Crisis and Violence Against Citizens**

15. The ongoing conflict has created a massive humanitarian crisis resulting in millions of Internally Displaced Persons (IDPs). According to the UN, more than 11.5 million people have been displaced, while 20% of housing units have been damaged<sup>29</sup>. Further, the Syrian government has routinely refused to allow displaced persons to return to their homes<sup>30</sup>.

16. Moreover, according to a report by the UN Commission of Inquiry:

Syrian children, women and men endured unfathomable suffering during the military campaign launched late 2019 by pro-government forces to re-take the last remaining areas under armed groups’ control in Syria. Deadly dangers awaited civilians at every turn - from indiscriminate aerial bombardments and ground shelling, to arrests and torture, pillaging and dire displacement conditions at the border . . .<sup>31</sup>

17. The report also detailed the atrocities being carried out against civilians by terrorists:

When civilians fled, Hayat Tahrir al-Sham (HTS) terrorists pillaged their homes. As battles waged, they detained, tortured, and executed civilians expressing dissenting opinions, including journalists. Female media workers were doubly victimized, as the terrorist group continued to systematically discriminate against women and girls, including by denying their freedom of movement. HTS, moreover, indiscriminately shelled densely populated civilian areas, spreading terror amongst civilians living in Government-held areas<sup>32</sup>.

18. In a separate report, the SNHR documented the deaths of innocent civilians caused by the ongoing conflict<sup>33</sup>. In 2021 alone, 1,734 civilians were killed—326 of whom were children<sup>34</sup>. In the year before, opposition forces and the Syrian army carried out a combined 326 attacks against important civilian facilities, including schools, hospitals, and places of worship<sup>35</sup>.

19. Moreover, according to the UN, Syria has carried out military operations in clear violation of international standards of human rights and humanitarian law under the guise of “combatting terrorism”<sup>36</sup>. From 2011 to 2020, the Syrian government allegedly conducted airstrikes and artillery fire in an “indiscriminate manner” and in “clear violations of the right to life”<sup>37</sup>. The UN also reported that:

From the outset of the armed conflict, government forces have indiscriminately bombarded civilian populated areas and deliberately targeted protected objects, in particular hospitals and medical facilities, and what are clearly civilian locations, including markets, bakeries, schools and civilian neighbourhoods. Protected religious sites have also been struck in indiscriminate attacks<sup>38</sup>.

20. For example, in 2020, Syrian forces launched cluster munition attacks in Idlib and Hama resulting in the deaths of 13 civilians and the wounding of another 27<sup>39</sup>. The same year, Syrian forces used helicopters and airplanes to drop 474 barrel bombs on the governates of Idlib, Aleppo and Hama<sup>40</sup>.

21. According to the Commissioner for the Independent International Commission of Inquiry on the Syrian Arab Republic, Paulo Pinheiro:

It is completely abhorrent that, after more than 9 years, civilians continue to be indiscriminately attacked, or even targeted, while going about their daily lives . . . Children were shelled at school, parents were shelled at the market, patients were shelled at the hospital . . . entire families were bombarded even while fleeing . . . What is clear from the military campaign is that pro-government forces and UN-designated terrorists flagrantly violated the laws of war and the rights of Syrian civilians<sup>41</sup>.

22. However, the Syrian government is not solely responsible for attacks on civilian lives. Armed militant groups like ISIS have employed mortars, rockets, and improvised explosive devices indiscriminately, and these “attacks rarely appeared to target or to be able to target military objectives”.

## Conclusion

23. Christians and other religious and ethnic minorities in Syria have long faced daily threats of violence in addition to the growing humanitarian crisis. ISIS continues to carry out violence against the innocent, and, if immediate action is not taken to stop it, these groups will no longer have a home in Syria.

24. Furthermore, the government must stop targeting and killing its own civilians, allow for immediate humanitarian aid and assistance to be delivered to those who most desperately need it, and facilitate for IDPs to be able to return to their home quickly and safely.

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<sup>1</sup> Syria, WORLD FACTBOOK (22 Mar. 2021), <https://www.cia.gov/the-world-factbook/countries/syria/>.

<sup>2</sup> *Id.*

<sup>3</sup> Syria, OPEN DOORS, <https://www.opendoorsusa.org/christian-persecution/world-watch-list/syria/>.

<sup>4</sup> *Id.*

<sup>5</sup> *Universal Periodic Review Second Cycle – Syrian Arab Republic*, UNHRC, <https://www.ohchr.org/EN/HRBodies/UPR/Pages/SYIndex.aspx>.

<sup>6</sup> *Id.*

<sup>7</sup> UPR of Syria Arab Republic Thematic List of Recommendations A/HRC/34/5Add. 1, <https://lib.ohchr.org/HRBodies/UPR/Documents/Session26/SY/MatriceRecommendationsSyria.docx>.

<sup>8</sup> *Id.* at A/HRC/34/5 Add. 1.

<sup>9</sup> Syrian Arab Republic's Constitution of 2012 art. 3,

[https://www.constituteproject.org/constitution/Syria\\_2012.pdf?lang=en](https://www.constituteproject.org/constitution/Syria_2012.pdf?lang=en).

<sup>10</sup> International Covenant on Civil and Political Rights, 16 Dec. 1966, S. Treaty Doc. No. 95-20, 6 I.L.M. 368 (1967), 999 U.N.T.S. 171, art. 6.

<sup>11</sup> *Id.* at art. 18.

<sup>12</sup> *Security Council Unanimously Adopts Resolution 2254 (2015), Endorsing Road Map for Peace Process in Syria, Setting Timetable for Talks*, UN (18 Dec. 2015), <https://www.un.org/press/en/2015/sc12171.doc.htm>.

<sup>13</sup> Security Council Resolution 2245 (2015), adopted by the Security Council at its 7588<sup>th</sup> meeting, on 18 December 2015, [https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s\\_res\\_2254.pdf](https://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2254.pdf).

<sup>14</sup> *Id.*

<sup>15</sup> GENOCIDE AGAINST CHRISTIANS IN THE MIDDLE EAST, KNIGHTS OF COLUMBUS AND IN DEFENSE OF CHRISTIANS (9 Mar. 2016), [http://media.aclj.org/pdf/1-Religious-Freedom-in-Iraq,-UPR,-ECLJ,-2019\\_Redacted.pdf](http://media.aclj.org/pdf/1-Religious-Freedom-in-Iraq,-UPR,-ECLJ,-2019_Redacted.pdf).

<sup>16</sup> Garret Nada, *The U.S. and the Aftermath of ISIS*, WILSON CENTER (17 Dec. 2020), available at <https://www.wilsoncenter.org/article/us-and-aftermath-isis>.

<sup>17</sup> *Id.*

<sup>18</sup> Diana Chandler, *ISIS Kills 9, Injures 71 in Syrian Christian Attacks*, BAPTIST PRESS (12 Nov. 2019), <https://www.baptistpress.com/resource-library/news/isis-kills-9-injures-71-in-syrian-christian-attacks/>.

<sup>19</sup> Sirwan Kajjo, *Syrian Christians Targeted Again by Islamic State*, VOA (12 Jul. 2019), <https://www.voanews.com/extremism-watch/syrian-christians-targeted-again-islamic-state>.

<sup>20</sup> *Id.*

<sup>21</sup> *Id.*

<sup>22</sup> Diana Chandler, *supra* note 18.

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*

<sup>26</sup> *Report: Over 120 Syrian Churches Damaged by War Since 2011*, AP (9 Sep. 2019), <https://apnews.com/article/6369f80f02164c288ca48cfe8a59a726>.

<sup>27</sup> *Id.*

<sup>28</sup> *Id.*

<sup>29</sup> *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic A/HRC/46/54*, UN (21 Jan. 2021),

<https://www.ohchr.org/EN/HRBodies/HRC/IICISyria/Pages/ReportoftheCommissionofInquirySyria.aspx>.

<sup>30</sup> *Id.*

<sup>31</sup> *Rampant Human Rights Violations and War Crimes as War-Torn Idlib Faces the Pandemic UN Syria Commission of Inquiry Report*, UN (7 Jul. 2020),

<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26044&LangID=E>.

<sup>32</sup> *Id.*

<sup>33</sup> *The Most Notable Human Rights Violations in Syria in December and for All of 2020*, SYRIA NETWORK FOR HUMAN RIGHTS (4 Jan. 2021), <https://sn4hr.org/blog/2021/01/04/55797/>.

<sup>34</sup> *Id.*

<sup>35</sup> *Id.*

<sup>36</sup> *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic A/HRC/46/54*, *supra* note 29.

<sup>37</sup> *Id.*

<sup>38</sup> *Id.*

<sup>39</sup> *Id.*

<sup>40</sup> *Id.*

<sup>41</sup> *Fresh Evidence of War Crimes Committed by All Sides in Syrian Conflict, Probe Finds*, UN (7 Jul. 2020), <https://news.un.org/en/story/2020/07/1067761>.