



# International Covenant on Civil and Political Rights

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## Human Rights Committee 141st session

### Summary record of the 4130th meeting

Held at the Palais Wilson, Geneva, on Thursday, 11 July 2024, at 3 p.m.

*Chair:* Ms. Abdo Rocholl

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

**Consideration of reports submitted by States parties under article 40 of the Covenant**  
(continued)

*Fourth periodic report of the Syrian Arab Republic (CCPR/C/SYR/4;  
CCPR/C/SYR/Q/4; CCPR/C/SYR/RQ/4)*

1. *At the invitation of the Chair, the delegation of the Syrian Arab Republic joined the meeting.*
2. **The Chair**, welcoming the delegation of the Syrian Arab Republic to the meeting, explained that additional members of the delegation would be participating via video link.
3. **A representative of the Syrian Arab Republic**, introducing his country's fourth periodic report (CCPR/C/SYR/4), said that the report had been prepared in collaboration with representatives of the People's Assembly, the Bar Association and non-governmental organizations.
4. The Syrian Arab Republic continued to experience exceptional circumstances which had had a profound impact on the protection and exercise of civil and political rights. Since 2011, a select group of countries had been attempting to destabilize the Syrian Arab Republic by providing financial, logistical and media support to armed groups – most of which were classified as terrorist groups by the Security Council – and by publicly encouraging those groups to incite hostility and violence in the country. Furthermore, the “international coalition” illegally established by the United States of America had carried out direct acts of aggression against the Syrian Arab Republic, as had the Israeli forces that were occupying the Syrian Arab Golan, targeting civilian facilities and infrastructure and plundering Syrian resources in direct violation of the principle of sovereignty over natural resources and of the rights protected in the Covenant.
5. The Syrian Government was making every effort to address the repercussions of war and uphold the State's sovereignty, independence and territorial integrity and unity, in line with international law and the United Nations Charter. It was prioritizing the protection of civilians, the exercise of basic rights and access to humanitarian aid without discrimination, including in areas of Syrian territory still under the control of terrorists and the United States and Turkish occupation. It nonetheless remained committed to implementing the Covenant and was working to address emerging challenges in that regard.
6. During the reporting period, the Syrian Arab Republic had carried out radical legislative and institutional reforms, notably the adoption of a new Constitution in 2012 that guaranteed the protection of human rights and fundamental freedoms while maintaining a balance between the rights and duties of the individual and those of the State. In addition, constitutional elections had been held on time and appropriate measures had been taken to ensure participation by citizens both inside and outside the country.
7. The Government had reviewed and updated the legislative and institutional frameworks for the prevention and punishment of crimes that undermined Covenant rights using an approach based on protection and accountability. Certain ministries and institutions had been reorganized and their scope of authority revised, including the Supreme Constitutional Court. In order to promote national reconciliation, more than 20 amnesty decrees had been issued between 2011 and 2023 in an attempt to stop the ongoing violence and protect the sovereignty and unity of the Syrian land and people. Administrative reform was also ongoing, including efforts to bolster the regulatory environment and develop the public sector. Furthermore, the Government was continually assessing the situation of refugees and internally displaced persons in order to ensure that their rights were protected while also working to foster the conditions required to encourage voluntary return.
8. Various laws have been amended to ensure equality between men and women with regard to personal status, eliminate discrimination against women in the Criminal Code and guarantee women the opportunity to contribute effectively and fully to political, economic, social and cultural life. The Government was continuing to make every effort to protect the family, as the natural and basic social unit, especially in the face of the ongoing difficult circumstances.

9. One of the main challenges currently facing the world was the decline of the rule of law at the international level and the persistent efforts of certain countries to impose their economic, political and social values on others and to exploit purported human rights causes to threaten the futures of entire peoples. Certain countries were continuing to use human rights mechanisms to spread allegations against the Syrian Arab Republic in order to cover up the impact of their own destructive and coercive practices and their support for terrorist and separatist groups that threatened the unity and territorial integrity of the Syrian Arab Republic. As the primary responsibility for protecting human rights within a State lay with that State, the international community needed to invest in tools of dialogue and cooperation while showing respect for the specific national context of each State. The Syrian Arab Republic would continue to develop its national legislative and institutional frameworks in line with its international human rights obligations in order to uphold human rights for all its people without discrimination.

10. **Ms. Tigroudja** said that the Committee was well aware of the serious and destabilizing impact that the ongoing armed conflict and presence of armed groups in the Syrian Arab Republic was having on the exercise of civil and political rights in the country. It was also conscious of the difficulties faced by the State party in enforcing the Covenant in areas outside State control and of the impact of the unilateral coercive measures imposed on the Syrian Arab Republic.

11. With regard to the fight against impunity, she wished to know what concrete measures the State party had taken to introduce a mechanism of transitional justice. It would also be useful to learn whether the Government had investigated the alleged killing of 280 civilians, including 12 children, during a military operation in Tadamon, a neighbourhood in southern Damascus, in April 2013 and, if so, what the judicial response to the findings of that investigation had been.

12. The Committee would be interested to know what obstacles stood in the way of the creation of a national human rights institution and whether the State party was willing to work with the capacity-building team of the Office of the United Nations High Commissioner for Human Rights to establish a national reporting mechanism.

13. In addition, she would welcome information on how the Covenant was applied by Syrian courts, how it had been incorporated into domestic law and whether it had had a positive influence on national legislation. Would the State party consider ratifying the first Optional Protocol to the Covenant?

14. **Mr. Gómez Martínez** said that he would welcome information on the composition of the Central Oversight and Inspection Commission and on any cases in which government officials or judges had been convicted of corruption. In addition, in the face of a stark economic crisis, widespread corruption and paralysing sanctions, he wished to know what the State party was doing to relieve the extremely high rate of poverty and prevent government officials and non-State actors from committing extortion, drug trafficking and other illegal activities.

15. He would be interested to hear the State party's views regarding reports that, following the adoption of Legislative Decree No. 55/2011, the 60-day maximum period of detention without charge was often exceeded and that, in allowing the police to delegate arrest and detention functions to any other organization deemed suitable, the intelligence services had been granted greater power to detain and interrogate political opponents and human rights defenders. He further invited the State party to comment on allegations that, between August 2020 and June 2024, 4,013 persons had been detained arbitrarily by the State, 2,109 had been subjected to enforced disappearance and 285 had died as a result of torture.

16. The Committee would welcome information on the potential impact on human rights of the measures taken by the State party to combat terrorist organizations. Counter-Terrorism Act No. 19 of 2012 contained a vague, quite broad definition of terrorism couched in insufficiently precise terms and made no reference to the specific intent to cause death or serious bodily injury, as required by Security Council resolution 1566 (2004). How could that definition be considered compatible with the principle of legal certainty provided for in article 15 of the Covenant?

17. Noting that the legislation establishing the counter-terrorism court did not provide the fundamental legal guarantees required by international human rights law, he wished to know what judges presided over that court and whether its procedures complied with article 14 of the Covenant.

18. **Mr. El Haiba** said that he would welcome updated information on the situation of persons of Kurdish and Yazidi origin in the State party. He would be interested in hearing the delegation's comments concerning allegations that members of those populations were often held in detention, treated harshly as a way of extracting confessions and were subject to forced marriages and sexual violence. He wished to know whether it was true that members of the Kurdish community were prevented from exercising their cultural rights freely, that the participation of Kurds in political life was restricted and that the Government had impeded the delivery of humanitarian aid to Kurdish regions in the aftermath of the 2023 earthquake. He would be grateful to hear about any measures envisaged to afford persons of Kurdish and Yazidi origin equal treatment, facilitate their social integration and respect their right to enjoy their own cultures.

19. It was his understanding that same-sex relations between consenting adults were criminalized in the State party and that lesbian, gay, bisexual, transgender and intersex persons enjoyed no legal protection. Such persons, especially women, were reportedly frequently subject to violence in places of detention, checkpoints and prisons. It would be helpful if the delegation could elaborate on the efforts made to protect the human rights of vulnerable groups, including sexual minorities.

20. It was unclear whether the mechanisms established to handle workers' complaints were effective. He would therefore be grateful for information about proceedings concerning labour disputes and workers' rights and the decisions rendered in those cases by the special court established under Labour Code No. 17 of 2010.

21. Despite the measures taken by the State party to remove gender-discriminatory provisions from its laws, it appeared that Syrian women married to foreign nationals remained unable to confer their nationality upon their children. It would be helpful if the delegation could provide updated information on the outcome of the work of the committee formed to study provisions of Syrian legislation that discriminated against women. In particular, he wondered whether the Ministry of Justice had taken that committee's recommendations on board and whether stakeholders and civil society had been consulted in the course of that process. Could the delegation perhaps provide specifics on the amendments made to the Personal Status Act?

22. It would be useful to learn more about the progress made in developing a national plan for the empowerment of women and the enhancement of their role in various fields. It would also be interesting to hear about the timeline for the plan's adoption and about the role that women played in the national reconciliation process.

23. Since violence against women and girls was not a specific crime and the law did not provide for meaningful sanctions to deter perpetrators, the Committee would be keen to learn about any progress made towards the adoption of the bill that would criminalize all forms of domestic violence, including sexual violence, and prescribe appropriate penalties.

24. Clarification would be appreciated in regard to the application of mitigating circumstances in the context of "honour crimes" under the Criminal Code. Could the delegation kindly inform the Committee of the current legal situation in that regard and elaborate on the notion of "honour crimes"?

*The meeting was suspended at 3.50 and resumed at 4.15 p.m.*

25. **A representative of the Syrian Arab Republic** said that accessions to and ratifications of international treaties were approved by the People's Assembly; upon ratification, treaty provisions became part and parcel of domestic law. The rights protected by the Covenant could thus be directly invoked by Syrian courts.

26. **A representative of the Syrian Arab Republic** said that domestic legislation provided for comprehensive measures to prevent impunity for any type of crime, not only violations of rights covered by the Covenant. Any human rights violations and any attack on

persons or property were crimes. The Prevention of Torture Act No. 16 of 2022 and Legislative Decree No. 23 of 2023, which provided for the abolition of military field courts and the referral of all pending cases to ordinary military courts, were both aimed at combating impunity. Strict measures had been taken to punish perpetrators of illegal acts committed in the context of military operations. Members of the Syrian armed forces were held accountable under the Military Criminal Code and the Code of Procedure. Any victim of a crime allegedly committed by a member of the military could file a complaint with the public prosecutor. Simplified procedures existed for reporting such a crime: the complaint was registered in a special record, and an investigation was instituted under the Military Code of Procedure. The initial review of such allegations by a military court did not exempt the alleged perpetrator from criminal liability under the Criminal Code and public prosecution. Military commanders were responsible for ensuring due respect for the law during field operations. Any violations committed by military personnel in that context were investigated without delay and subject to disciplinary measures or referred to the proper judicial authority.

27. In 2011, a commission comprising military and other officials had been established within the Ministry of Defence to investigate complaints against members of the armed forces, irrespective of the alleged perpetrator's rank or position. The number of complaints filed had been declining over recent years. In 2014, the commission had received 94 complaints, 38 complaints had been filed in 2015 and 24 in 2016. In 2022 and 2023, 8 and 10 complaints had been received, respectively, and only 4 complaints had been filed in 2024 to date. That trend was in large part attributable to the decrease in military operations on the ground.

28. **A representative of the Syrian Arab Republic** said that the Government had facilitated access to humanitarian aid without discrimination across all areas of the country, including in those areas that were difficult to access or controlled by armed terrorist groups. The Government had coordinated efforts with the Syrian Arab Red Crescent and civil society groups and cooperated with United Nations agencies to guarantee the safe delivery of aid to populations in need.

29. **A representative of the Syrian Arab Republic** said that, on the basis of the findings of the national committee tasked with examining laws that might be discriminatory against women, the Ministry of Justice had amended a number of provisions and had provided training to judges in how to apply them. Following a study on early marriage, which was often a coping mechanism in the face of the ongoing situation in the country, a programme of action had been rolled out to end the practice and address its repercussions, and awareness-raising activities had been conducted via the media. The Criminal Code had been amended to prohibit the officiation of a marriage other than by the courts as yet another way to curb early marriages. A large number of women had taken part in the national reconciliation workshops.

30. The Syrian authorities had set up a committee to study Security Council resolution 1325 (2000) on women and peace and security and to develop programmes and an action plan focused on promotion, protection, empowerment and advocacy, among other issues, as well as a strategic plan on gender equality for 2023–2030.

31. Regarding violence against women, the Constitution explicitly criminalized all violations of the rights to life and privacy and of personal freedoms. The Criminal Code and other laws had been amended to make the penalties for such violations harsher and to enhance the protection of women and child victims of trafficking. An integrated law criminalizing domestic violence was being drafted, and the concept of mitigating factors had been removed from the Constitution to ensure that so-called honour crimes were subject to criminal law irrespective of the circumstances in which they were committed.

32. The family protection unit of the Syrian Commission for Family Affairs and Population played a pivotal role in providing a range of personalized medical, social, psychosocial, legal, rehabilitation and reintegration services, including vocational training, to victims of sexual violence. Awareness-raising workshops were held for law enforcement officials, public prosecutors, judges and other officials.

33. **A representative of the Syrian Arab Republic** said that there were two anti-corruption bodies. The Central Oversight and Inspection Commission was responsible

for monitoring all public contracts. It had referred 249 cases to the judicial system in 2018, 412 cases in 2019, 273 cases in 2020 and 307 cases in 2021. Where the circumstances so dictated, misappropriated funds were returned to the State following fair trials. In addition, the Central Financial Oversight Commission conducted audits of business transactions. Where serious financial misconduct was found, the money was recovered, while cases of misconduct amounting to corruption were referred to the courts. In addition to the national anti-corruption strategy adopted in 2019, which provided for partnerships with civil society and the private sector in order to combat corruption more effectively, a number of structural reforms had been carried out to build the capacity and strengthen the integrity of the civil service. So far in 2024, seven judges had been dismissed for having engaged in corruption.

34. **A representative of the Syrian Arab Republic** said that, regarding the so-called Kurdish question, the Constitution provided for equal rights without discrimination of any kind. Prior to the start of the terrorist war waged against it, the country had been proud of its social and cultural diversity and had been a model of national unity. Towards the end of 2015, however, separatist Kurdish militias, supported by the United States of America, had, in the name of self-determination, taken over the north-eastern part of the country, where, exploiting the impact of the terrorist war, they were stealing oil, wheat and other national resources. Furthermore, they had imposed a curriculum based on Kurdish ethnic considerations that was taught in Kurdish, even though most of the population of the area was Arab, not Kurdish. The Ministry of Education cooperated with the Kurdish authorities to enable students from that area to sit their exams in areas controlled by the Syrian Government. It was the rights of Arabs in that area that were being infringed, not the other way around.

35. Similarly, it was the terrorist organizations operating in the north-east that had targeted the Yazidi, not the Syrian Government, which had provided members of that minority with shelter, health care and psychological support.

36. The fact that a bill on domestic violence was being developed did not mean that violence was permitted under national law. All forms of violence against adults and minors had been banned since 1949. However, in the light of the situation in the country, in particular the violations being committed in areas outside State control, it was necessary to provide special protection for families; hence the new bill, which dealt with domestic violence in all its forms, including physical, psychological, sexual and economic violence. The bill provided for the establishment of a protection unit, shelters and specialized police departments and courts and for the introduction of temporary and longer-term protection orders. Legislative elections were scheduled in less than a week, but he was confident that the bill would be among the first on the agenda of the new People's Assembly.

37. **A representative of the Syrian Arab Republic** said that his country had acceded to more than 10 international conventions on combating terrorism and its financing, had set up a special court for terrorism cases and had seized the assets of terrorist organizations. Under Syrian law, like that of other countries, an act of terrorism was defined as an act aimed at sowing fear or undermining State infrastructure or public order using weapons, munitions, explosives, incendiary devices, toxic products, bacterial agents or any other means. The counter-terrorism court must abide by due process and fair trial guarantees, and its judges were independent members of the civilian judiciary whose decisions were subject to review by the Court of Cassation.

38. **Ms. Tigroudja** said that she would welcome an explanation of the rules governing women's transmission of their Syrian nationality to their children and the rules on the naturalization of a Syrian woman's husband. She wondered how, in practice, the Covenant was taken into account in the development of legislation and what action had been taken in follow-up to the reports by special procedures regarding the Tadamon military operation in which 280 civilians had been killed.

*The meeting rose at 5 p.m.*