



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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24 August 2022

Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of the Syrian Arab Republic and welcome the constructive engagement of the Government of the Syrian Arab Republic during the 40th session of the UPR Working Group in January/February 2022.

As the final outcome report on the review of the Syrian Arab Republic was recently adopted by the Human Rights Council at its 50th session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of the Syrian Arab Republic – the Compilation of United Nations information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years, until the next cycle of the UPR. In identifying those areas, I have considered the statements and recommendations made by 91 delegations and the presentation made and responses provided by the delegation of the Syrian Arab Republic. I have also considered the actions taken by the Government of the Syrian Arab Republic to implement the 156 recommendations supported during the second cycle of the UPR. The aforementioned areas cover a range of issues, which appear in the annex to this letter.

I acknowledge the adoption of Law No. 16 (March 2022) to strengthen the national framework for the prohibition and criminalization of torture in line with the Syrian Constitution. I also welcome the establishment of 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.

I am concerned about continued allegations of deliberate attacks against civilian population and infrastructure and encourage the Government to abide by its obligations in terms of international humanitarian and human rights law, and respect the principles of distinction, proportionality and precaution. I am also concerned by allegations relating to arbitrary arrests and detention, abduction, enforced disappearance, torture and ill-treatment, and encourage the Government to strengthen measures against acts of torture and ill-treatment, sexual abuse, forced disappearances, extrajudicial executions and arbitrary detentions.

I encourage the Syrian Arab Republic to establish a national human rights institution, which is considered an important step towards fulfilling Syria's international human rights obligations and for respecting and promoting human rights, which are essential for keeping security, stability and strong and democratic institutions. I call on the Government of Syria to scale up its efforts to establish a national human rights institution in a way that would enable it to carry out its mandate in an independent and impartial manner according to international human rights standards.

H.E. Mr. Faisal MEKDDAD
Minister of Foreign Affairs and Expatriates
Syrian Arab Republic

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I encourage the Syrian Arab Republic to develop a comprehensive national human rights action plan in order to achieve concrete results in the areas highlighted in the annex to this letter and to facilitate preparations for the fourth cycle of the UPR. My advice to all Member States is to develop and implement national action plans in close consultation and cooperation with all stakeholders, in particular all civil society organizations and, where necessary, with the support of international organizations, including my Office and other United Nations entities, under the leadership of the United Nations Resident Coordinator.

I encourage the Syrian Arab Republic to further strengthen its national mechanism for comprehensive reporting and follow-up to recommendations received from all international and regional human rights mechanisms and to treaty obligations, linking them to the Sustainable Development Goals. To this end, I strongly recommend the use of the OHCHR practical guide on this topic, which is available at:

http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf

Please note that I am sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting States with the implementation of the recommendations, following the review. One important measure that can positively contribute to follow-up action is voluntary mid-term reporting. Therefore, I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I encourage the Government of the Syrian Arab Republic to consider submitting a mid-term report on follow-up to the third cycle of the review by 2024.

As stated by the Secretary-General in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *“The Human Rights Council’s universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council’s recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals.”*

My Office looks forward to discussing with you ways in which it may assist the Syrian Arab Republic in relation to the areas identified in this letter and its annex.

Please accept, Excellency, the assurances of my highest consideration.



Michelle Bachelet
High Commissioner for Human Rights

cc.: H.E. Dr. Bashar JA'AFARI
Deputy Minister for Foreign Affairs and Expatriates
Syrian Arab Republic

Mr. Imran RIZA
United Nations Resident Coordinator
Syrian Arab Republic

Annex

Scope of international obligations and cooperation with international human rights mechanisms and bodies

- Ratifying the Optional Protocol to the Convention on the Rights of the Child on the communications procedure, the International Convention for the Protection of All Persons from Enforced Disappearance, the Convention relating to the Status of Stateless Persons, the Convention on the Reduction of Statelessness, the 1951 Convention relating to the Status of Refugees, the Convention against Discrimination in Education, the International Labour Organization (ILO) Migration for Employment Convention (Revised), 1949 (No. 97), and the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143).

Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

Equality and non-discrimination

- Continuing to take policy and legislative measures for promoting gender equality and combatting gender-based discrimination.
- Resuming the work of the Constitutional Committee in building a constitution that protects the rights of all Syrians, without discrimination.

Development, the environment, and business and human rights

- Enhancing national and international coordination to improve humanitarian and development assistance in areas of need.
- Continuing to implement the Syria - Strategic Plan 2030 for development, as well as policies on social development and poverty reduction.
- Taking measures to achieve the Sustainable Development Goals.

Human rights and counter-terrorism

- Ensuring that the legal framework on counter terrorism is compliant with international law.
- Revoking all restrictions to basic rights, including those in counter-terrorism laws.
- Addressing requests for compensation by citizens victimized by terrorism.



B. Civil and political rights

Right to life, liberty and security of person

- Ending attacks against protected civilian infrastructure and ceasing indiscriminate and disproportionate attacks against civilians and civilian infrastructure, including schools, hospitals and humanitarian objects, in accordance with international law, and implementing all UN Security Council resolutions related to humanitarian assistance.
- Immediately halting the practice of arbitrary arrests and detention, abduction, enforced disappearance, sexual violence, torture and ill-treatment.
- Taking measures to protect civilians and their fundamental rights.

Administration of justice, including impunity, and the rule of law

- Carrying out thorough and impartial investigations, through the creation of a national mechanism, on allegations of violations of international humanitarian law and human rights abuses, and ensuring accountability for serious human rights violations and crimes committed, including sexual and gender-based.
- Prohibiting trial of civilians in military field courts.
- Disclosing information concerning all those who have been arbitrarily detained and those who have disappeared, and immediately releasing all individuals arbitrarily detained or forcibly disappeared.
- Protecting mass graves with forensic expertise, in order to preserve the evidence that allows the bodies to be identified and returned to the families.
- Implementing human rights training programmes for the justice sector.

Fundamental freedoms

- Adopting legislation protecting fundamental rights, including the rights to freedom of information and association, in compliance with international standards, and revoking all the restrictions to these rights, including those in counter-terrorism laws.
- Ending all restrictions on religious freedoms for religious minorities.

Prohibition of all forms of slavery

- Allocating the necessary resources to effectively implement its national plan to combat human trafficking, with a focus on trafficking of women and children.

Right to family life

- Expanding the coverage of assistance programs provided to families and sectors in vulnerable situations.



C. Economic, social and cultural rights

Right to social security

- Strengthening social security and social empowerment measures, with a particular focus on vulnerable sections of the society.
- Taking concrete steps to improve the level of well-being and social security of the population.

Right to an adequate standard of living

- Taking all necessary measures to fulfil the right to food, health, education, water and sanitation, and adequate standards of living.
- Seeking international assistance to ensure food security, as well as provision of health and education facilities.

Right to health

- Advancing the right to health, including through a national vaccination program for children.
- Intensifying efforts to ensure access to health services, in particular for women and children, and working with international community and partners to increase functionality and capacity of health-care facilities.
- Exchanging experiences and expertise with other countries in the areas of training health workers.

Right to education

- Intensifying efforts to ensure that all children have equitable access to education, with support from UNICEF and other relevant international partners, especially in areas affected by the armed conflict and with particular attention to girls and boys with disabilities.
- Taking concrete measures to improve access to education to children with disabilities, especially in areas affected by the armed conflict.

D. Rights of specific persons or groups

Women

- Adopting measures to guarantee women's full and equal participation in all forms of decision-making processes in political, economic, social and cultural life, including the national reconciliation process.
- Amending provisions in the Personal Status and Citizenship Laws that discriminate against women, specifically in the areas of marriage, divorce, inheritance, marital property, and the granting of citizenship for children.
- Intensifying efforts to protect the rights of women and girls who have been victims of the armed conflict, and considering adopting a national policy to empower rural women.
- Taking steps to guarantee the political participation of women in public life.



Children

- Strengthening the institutional frameworks to safeguard the fundamental rights of children.
- Taking all necessary measures to impede the recruitment and use of children in hostilities.
- Intensifying efforts to prevent the trafficking of children.
- Adopting a national action plan to combat child labour and sexual exploitation of children, and prohibiting corporal punishment of children and child marriages.
- Strengthening efforts to protect children from all forms of violence through human rights education and awareness-raising campaigns.

Persons with disabilities

- Adopting policies ensuring the participation of persons with disabilities in public life.
- Strengthening efforts to protect persons with disabilities.

Minorities

- Repealing provisions of national law that discriminate against ethnic and religious minorities.
- Ending all restrictions on religious freedoms for minorities.

Refugees, asylum seekers and internally displaced persons

- Introducing alternative and simple identity determination procedures to address the challenges faced by displaced Syrians in accessing civil documentation.
- Ensuring that the property rights of refugees and internally displaced persons seeking to return are protected, and revising all laws and decrees that act as obstacles for their return.
- Taking concrete measures to build an environment conducive to the safe and voluntary return of refugees and internally displaced persons.
- Strengthening cooperation with relevant humanitarian organizations in order to provide assistance to internally displaced persons.