

Statement

Report by UN Special Rapporteur Alena Douhan Overlooks the Syrian Regime's Responsibility for Its Facing Sanctions

Sanctions Were Imposed on the Syrian Regime Because of the Crimes Against Humanity That the Regime Has been Committing for Over 12 Years



Saturday, 29 July , 2023

The Syrian Network for Human Rights (SNHR), founded in June 2011, is a non-governmental, independent group that is considered a primary source for the OHCHR on all death toll-related analyses in Syria.

On July 3, 2023, Alena Douhan, the UN Special Rapporteur on the negative impact of the unilateral coercive measures on the enjoyment of human rights, released [her report on her visit to Syria](#) that took place between October 30, 2022, and November 10, 2022. The report is set to be submitted and included on the agenda of the 54th session of the Human Rights Council, which is scheduled to begin on September 11, 2023, and conclude on October 13, 2023. Alena Douhan, a Belarusian national, is a professor of International Law at the Belarusian State University. Ms. Douhan assumed her duties as the UN Special Rapporteur on the negative impact of the unilateral coercive measures on the enjoyment of human rights on March 25, 2020.

The Syrian Network for Human Rights (SNHR) has reviewed the report, which describes the sanctions as “unilateral measures against the Syrian Arab Republic and its nationals and entities that are imposed without the authorization of the Security Council and the use of which cannot be justified as retortions or countermeasures in accordance with international law, and that prevent, among others, the much-needed rebuilding and reconstruction of the country, as well as the rebuilding of the lives of the Syrian people.” This is just one of many fallacies contained in the report in relation to both international law and the situation in Syria. These are fallacies for three main reasons:

First: A state does not need to seek the authorization of the UN Security Council in order to impose sanctions on another state. In the case of Syria, the sanctions imposed are not UN sanctions, but are imposed by states and entities against the Syrian regime. In other words, it is not within the Security Council's jurisdiction to approve or block such sanctions.

Second: Ms. Douhan has failed to recognize the Syrian regime's responsibility for its facing sanctions. As any observer of the Syrian situation knows, the sanctions were imposed because of the multiple grave violations committed by the Syrian regime, some of which amount to crimes against humanity and

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1. Syrian Network for Human Rights (SNHR). (January 18, 2023). SNHR's 12th Annual Report: Most Notable Human Rights Violations in Syria in 2022. From: <https://snhr.org/?p=59062>
 2. Syrian Network for Human Rights (SNHR). (July 26, 2023). The COI Report Confirms that Torture is still Being Practiced in Syria in a Systematic and Widespread Manner Against Both Residents and Returnees. From: <https://snhr.org/?p=59972>
 3. Syrian Network for Human Rights (SNHR). (May 25, 2023). The Laws Employed by the Syrian Regime to Control Real Estate Ownership and Lands Before and After the Beginning of the Popular Uprising in March 2011. From: <https://snhr.org/?p=59674>

war crimes, with many still taking place during Ms. Douhan's visit to Syria; these include forcible disappearance, with the regime having forcibly disappeared at least 95,696 Syrian citizens to date, including 2,316 children and 5,734 women, in addition to torture, with all detainees and forcibly disappeared persons enduring non-stop as well as the seizure of political dissidents' properties and many other horrific violations that have been exhaustively documented in the recent report by the Independent International Commission of Inquiry on the Syrian Arab Republic (COI). The UN Special Rapporteur seems to have completely disregarded the COI reports, as well as all the UN Human Rights Council resolutions explicitly condemning the violations of the Syrian regime and holding it responsible.

Third: The report fails to mention the impact of the unilateral practices by the regime's allies, Russia and Iran, which include coercing the Syrian regime to sign agreements enabling them to steal the Syrian people's resources in exchange for reinforcing the regime militias with weaponry and manpower. It is no secret that those so-called allies have looted, pillaged, and stolen vast quantities of resources, areas, and land in Syria, and this is before even mentioning the colossal and devastating impact that all of this has had on the Syrian economy and the Syrian people.

Sanctions undoubtedly affect the lives of civilians. ⁴Sanctioning a dictatorial regime such as the Syrian regime and its deeply intrusive security agencies that have encroached on every aspect of Syrians' lives without affecting the Syrian people is an impossibility. However, there are other aspects to the economic suffering of the Syrian people that are far more significant and more pressing than the sanctions against the Syrian regime, such as the displacement of 14 million Syrian citizens in Syria and abroad and the arrest and forcible disappearance of approximately 136,000 Syrian citizens at the hands of the Syrian regime. It should also be noted that the Syrian regime is one of the world's most corrupt regimes, [having been ranked as the second-most corrupt on the corruption perception index.](#)

4. Abdul Ghany, F. (2022). Should there be different standards on how UN sanctions are imposed depending on whether the sanctions are intended to enforce human rights or to maintain peace and security? *Syrian Journal for Humanitarian Sciences 'Qalamoun'* 21, 271-280. <https://bit.ly/47bro56>

Sanctions alone are not enough to apply meaningful pressure on the Syrian regime. This is evidenced by the fact that the regime has been able to commit war crimes and crimes against humanity for the last 12 years. Economic sanctions must go hand-in-hand with other forms of punitive measures, including military sanctions. In tandem with these steps, there should also be real political will and serious action within a strict timetable to set Syria on the path of genuine political progress that aims to bring about a political transition towards a democratic government that respect democracy and human rights.

We believe that Ms. Douhan should have called on the Syrian regime to end all forms of violations, including torture and enforced disappearance, return properties and lands to their rightful owners, and compensate all victims. This is the only way to lift sanctions. On the other hand, the Human Rights Council should thoroughly familiarize itself with the details of the work of the UN Special Rapporteurs and with their political and ideological views. The Human Rights Council should also assess the sanctions imposed on the Syrian regime in a professional and objective way, and call on the Security Council to take action and impose UN sanctions on the Syrian regime that includes an arms embargo. Falling short of doing so is effectively perpetuating the Syrian regime's impunity and attracting other totalitarian and dictatorial regimes to follow in the Syrian regime's footsteps.



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