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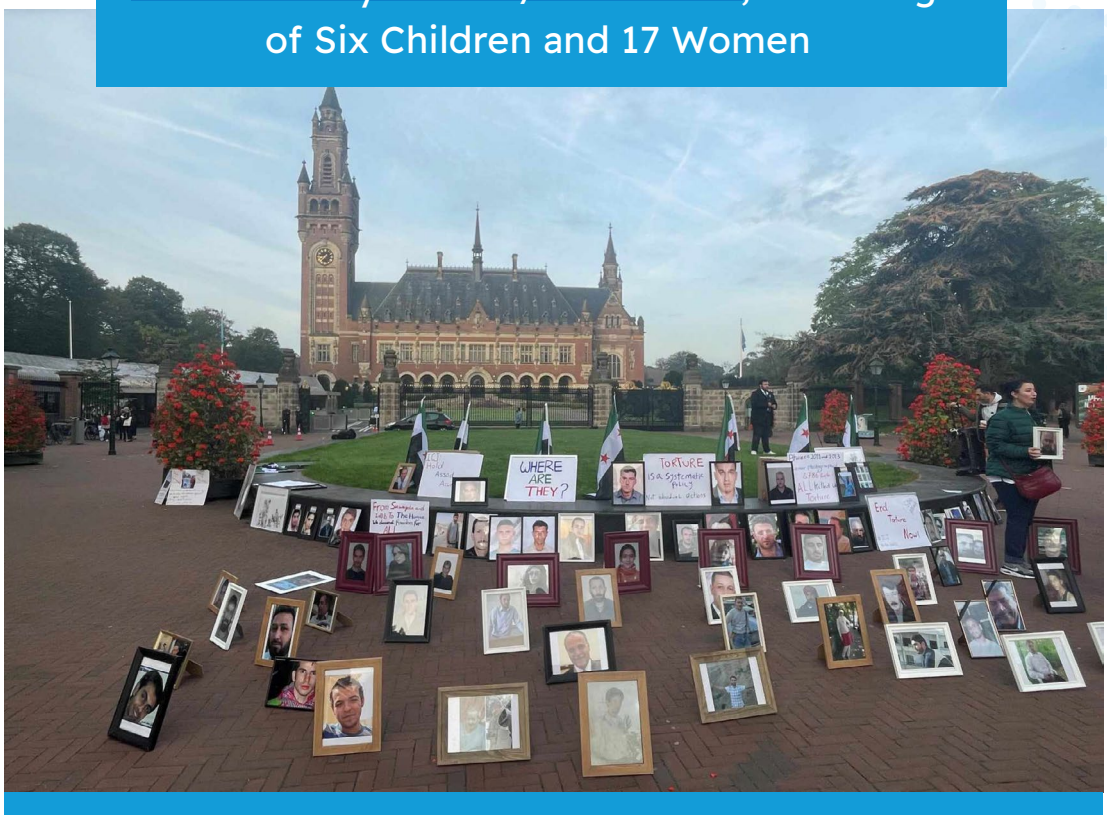
SNHR
SYRIAN NETWORK FOR HUMAN RIGHTS
الشبكة السورية لحقوق الإنسان

Statement

Three Months After the ICJ's Ruling, the Syrian Regime Has Blatantly Breached it, Killing More Syrian Citizens Under Torture

We Documented the Killing of At Least 16 Individuals Due to Torture, and At Least 246 Arbitrary Arrests/Detentions, Including of Six Children and 17 Women



Thursday 22 February 2024

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 analyzes in Syria.

On November 16, 2023, the Hague-based International Court of Justice (ICJ) issued an order to indicate the provisional measures requested by Canada and The Netherlands on the Application of the Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment (Canada and The Netherlands Vs. the Syrian Arab Republic). In it, the ICJ requested that the Syrian Arab Republic undertakes a number of provisional measures in accordance with its obligations to the Convention Against Torture. As specified in the court documents, the Syrian Arab Republic was to "take all measures within its power to prevent acts of torture and other cruel, inhuman or degrading treatment or punishment and ensure that its officials, as well as any organizations or persons which may be subject to its control, direction or influence, do not commit any acts of torture or other acts of cruel, inhuman or degrading treatment or punishment." In addition, the document continued, the Syrian Arab Republic "shall take effective measures to prevent the destruction and ensure the preservation of any evidence related to allegations of acts within the scope of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment."

Since 2011, the Syrian Network for Human Rights (SNHR) has been monitoring human rights violations in Syria on a daily basis. We have built a database containing data on hundreds of thousands of incidents of violations. Since the ICJ issued its ruling, we have closely monitored any procedures taken by the Syrian regime in relation to it.

While we have abstained from releasing any report as we realize that taking such measures requires time and genuine change, we can conclusively say that the Syrian regime has enacted no tangible changes with respect to its oppressive policies and draconian security machine, or even shown any initiative to repeal the laws legalizing torture and impunity. We have not seen any indicators that torture will stop. On the contrary, the Syrian regime has been committing more acts of torture, some of which even reach the criminal level of killing under torture.

Since the ICJ's ruling was issued on November 16, 2023, up until February 21, 2024, SNHR has documented:

First: **246** arbitrary arrests, including of six children and 17 women, who were imprisoned in regime detention centers. Of these, 29 were released, while **217** have been reclassified as enforced disappearance cases.

Second: At least **16** individuals have been killed under torture in regime detention centers.

Third: We documented no fewer than **seven** cases of individuals classified as forcibly disappeared being registered as dead in the state civil registry records between November 10, 2023, and February 10, 2024. One prominent case was that of the well-known poet and activist Nasser Bunduq who has been forcibly disappeared in regime detention centers since February 17, 2014, and ultimately was registered as dead in the civil registry records. In all of these seven cases, the cause of death was not mentioned, the victims' bodies have not been returned to their families, and the Syrian regime failed to announce their deaths at the time they occurred.

All of this data shows that the Syrian regime is still committing acts of torture of every variety, beginning with arbitrary arrest, which is, in and of itself, a form of torture since it is carried out in a manner more akin to an abduction than a legitimate arrest with no judicial warrant shown. The process of arrest also involves the use of excessive violence and beatings of various types and degrees, which usually begin from the very first moment of the arrest, and continue throughout the detention period, which also includes subjecting detainees to cruel and inhumane detention conditions, as well as referring them to exceptional security courts, where trials are conducted in a way that is closer to a interrogation at a security facility than a legitimate courtroom trial.

Moreover, most arbitrarily arrested detainees are subsequently classified as forcibly disappeared persons, with such forcible disappearance being another horrific form of torture in itself. This is all, of course, accompanied by subjecting arbitrarily arrested detainees to brutal forms of torture, with SNHR cataloguing 72 methods of physical, psychological, and sexual torture commonly used in regime prisons, all of which are practiced in a deliberate, calculated, and widespread manner in all regime detention centers. Women, children, elderly people, invalids, and individuals with physical and learning disabilities are also not immune from torture. These barbaric conditions are suffered constantly, every day by all those who have been and, in too many cases, are still unjustly detained by the regime, often for years. These horrendous conditions are the same for almost all detainees in regime detention centers, as almost every detainee has been subjected to one or multiple methods of tortures in detention, even if only for a few hours.

As evidenced by our database on cases of arbitrary arrest, torture, and enforced disappearance at the hands of regime forces, one can find no indication of any willingness by the regime to cease torture, or even to undertake the most minimal and basic of measures mentioned above in response to the ICJ's ruling. Furthermore, at least 135,638 people are still arbitrarily detained and/or forcibly disappeared by the regime, and enduring torture in regime detention centers. Despite being responsible for such unimaginable suffering, the Syrian regime has not launched even one investigation into the disappearance or torture of detainees by its personnel. On the contrary, the regime has enacted "laws" shielding them from accountability.

SNHR condemns the Syrian regime's breaches of the ICJ's ruling in the strongest possible terms, as well as condemning its repeated breaches of the Convention against Torture which was ratified by Syria in 2004. We call on the UN and international community to take all possible measures against the Syrian regime, including issuing a binding resolution by the UN Security Council calling for ending the systematic torture that amounts to crimes against humanity, and condemning the regime's breach of the ICJ's ruling.

SNHR

SYRIAN NETWORK
FOR HUMAN RIGHTS

info@snhr.org
www.snhr.org

No justice without accountability

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