

Annex to Position Paper of the UN Special Rapporteur on Torture, Dr Alice Jill Edwards

**International Court of Justice
(CANADA AND THE NETHERLANDS v. SYRIAN ARAB REPUBLIC)**

Torture Allegations in Communications – Syrian Arab Republic

Date	Ref No	Mandates	Summary	Replies	Themes
14/06/2024	<u>SYR</u> <u>1/2024</u>	Torture	Reported lack of implementation of provisional measures ordered by ICJ in November 2023, with the use of torture and other cruel, inhuman or degrading treatment continuing to be practiced widely, and the physical and psychological health and lives of thousands of individuals deprived of liberty in detention centres operated by the Government remain at risk. Fears surrounding the destruction of evidence of acts of torture and other human rights violations. Summarises joint application from Canada and the Netherlands and subsequent reports from the Independent International Commission of Inquiry on the Syrian Arab Republic. Commission findings summarised in the communication as: systemic use of torture and other acts of cruel, inhuman or degrading treatment or punishment in detention facilities leading to extensive deaths; continuing patterns of crimes against humanity; and the abolition of military field courts, with a lack of clarity regarding the fate of those sentenced by such courts, lack of communication with detainees and their families and lack of clarity as to preservation of the courts' archives.	Reply received on 8 August 2024 but translation has not been completed and is not publicly available.	Treatment of detainees; incommunicado detention; destruction of evidence

15/10/2020	<u>SYR</u> <u>4/2020</u>	Arbitrary detention, disappearances, terrorism, torture	Information regarding three individuals who have allegedly been arbitrarily detained and subjected to enforced disappearance and torture by the Syrian Government forces (2012 - 2019). Two individuals were held in Adra Central Prison. They did not have access to lawyers and whilst one individual was able to contact her family, this was only after sentencing, having previously spent 2.5 months in detention without contact. Reports of lengthy interrogation sessions including beating, slapping, kicking, humiliation and threats of rape in order to extract confessions of terrorism related charges, as well as watching co-detainees being called for interrogation and returning to the cell covered in blood.	N/A	Treatment of detainees; the use of information obtained from torture and other CIDTP; enforced disappearances and incommunicado detention; sexual and gender-based violence
23/11/2018	<u>SYR</u> <u>3/2018</u>	Arbitrary detention, executions, terrorism, torture	Imminent execution of eleven individuals (arrested between 2011 - 2015) being held in Hama Central Prison, after they were reportedly sentenced to death during trials which lasted for only a few minutes, were solely on the basis of confessions extracted under torture and were undertaken without individuals being informed of the charges against them or evidence or given access to a lawyer. Reports that individuals have experienced severe beatings on the day of their executions, with multiple executions occurring at the same time without notice to families. Bodies are placed in a grave on military land without medical records of examinations being provided to families.	N/A	Treatment of detainees; Inhuman conditions in places of detention; the use of information obtained from torture and other CIDTP; incommunicado detention

22/10/2015	<u>SYR</u> <u>2/2015</u>	Arbitrary detention, freedom of opinion and expression, human rights defenders, torture	Alleged enforced disappearance and consequent incommunicado detention of a Syrian technology professor and human rights activist, who has been transferred from his cell in Adra Prison to an unknown location. Allegations of severe torture raised with concerns for his physical and psychological wellbeing.	N/A	Treatment of detainees; enforced disappearances and incommunicado detention
21/11/2014	<u>SYR</u> <u>8/2014</u>	Arbitrary detention, human rights defenders, independence of judges and lawyers, torture, disappearances	Alleged arbitrary arrest and incommunicado detention of two individuals in reprisal of their cooperation with the Office of the High Commissioner for Human Rights and participation in a UN workshop in Beirut. Allegations raised include a lack of medical care for pre-existing medical conditions (diabetes and heart condition) and no access to lawyers.	N/A	Refusal of medical treatment; incommunicado detention
30/05/2014	<u>SYR</u> <u>5/2014</u>	Arbitrary detention, independence of judges and lawyers, execution, torture, health	Alleged arbitrary arrest and detention of a Syrian military judge, following inquiries he made regarding the arrest of his sister because of her political activities. Allegations include a denial of access to medical services whilst in detention, torture and ill-treatment, which eventually led to his death in May 2014. During his time in detention his family were allowed to see him for ten minutes and he had lost a lot of weight, had several broken teeth and could barely walk.	<u>06/02/2015</u> Reply states that the Mr Rifayee was arrested for military betrayal in addition to planning to carry out terrorist attacks and was referred to the competent court. Nothing further is addressed.	Treatment of detainees and interrogations; refusal of medical treatment; incommunicado detention

31/01/2014	<u>SYR</u> <u>3/2014</u>	Torture, housing, food, health, water and sanitation	Alleged denial of access and destruction of electricity, fuel, food, safe drinking water, adequate shelter/housing, and medical supplies, facilities and services as a method of war, violating the right to humane treatment and the prohibition of torture. Deprivations of food, water and medical attention is generating intense pain and suffering of a physical and mental nature amongst the targeted civilian population. Reports of deliberate attacks on medical units and medical personnel by government and pro-government forces and opposition armed groups.	N/A	Refusal of medical treatment
22/01/2014	<u>SYR</u> <u>2/2014</u>	Arbitrary detention, freedom of opinion and expression, independence of judges and lawyers, torture, disappearances, cultural rights	Alleged arrest and detention of political cartoonist who has been held incommunicado since his arrest, and allegedly put on secret trial and sentenced to life imprisonment. Information about his well-being is unknown.	<u>31/03/2014</u> Reply confirms arrest and that Mr Raslan is still under investigation. Nothing further is addressed.	Enforced disappearances and incommunicado detention
20/01/2014	<u>SYR</u> <u>1/2014</u>	Arbitrary detention, torture, food, health, water and sanitation	Alleged arbitrary detention and denial of access to food, safe drinking water, warm clothing, medicines and adequate medical care (both within the prison and blocking of prisoners being transported to hospital) for approximately 3,500 persons detained in Aleppo Central Prison. More than 400 detainees have allegedly died since	<u>03/02/2014</u> Reply states that armed terrorist groups have surrounded Aleppo Central Prison which has	Treatment of detainees; refusal of medical treatment; inhuman conditions

			April 2013, many because of a lack of basic necessities. Reported that the prison kitchen has ceased providing food and is entirely dependent on the Red Crescent, although they are frequently prevented from delivering supplies. No medical care is being provided for conditions such as TB, chronic diarrhoea, and gangrene; amputations are required and being performed in the prison under local anaesthetic. Parts of the prison have effectively been converted into a military barrack, making it a centre of conflict between Government forces and armed opposition groups. Reportedly, more than 500 detainees held have completed their sentences and should have already been released	caused major material damage and collateral damage of prisoners; it is armed groups who are preventing prisoners leaving for outside medical treatment and are stopping food, medical supplies and water entering the prison and have interrupted electricity/fuel supply. Measures are in place to ensure that prisoners are not subject to mental and physical coercion. In cases where such coercion is reported, the prisoner concerned sees a forensic physician immediately and the legal proceedings are brought, if warranted based on the evidence. Efforts are in place with the Syrian Red Crescent to provide aid. 366 prisoners were recently released as a result of a two judicial committee	in places of detention
--	--	--	---	--	-------------------------------

16/08/2013	<u>SYR</u> <u>4/2013</u>	Torture, disappearances	Alleged enforced disappearances of father and son held in incommunicado detention. They may be at risk of torture and their location and fate remains unknown. Reportedly Mr Bahrah was arrested for the purpose of finding his son, a 26-year-old medical student and peaceful political activist.	<u>N/A</u>	Treatment of detainees; enforced disappearances and incommunicado detention
28/06/2013	<u>SYR</u> <u>3/2013</u>	Arbitrary detention, freedom of opinion and expression, human rights defenders, independence of judges and lawyers, torture, terrorism, freedom of peaceful assembly and association	Alleged incommunicado detention, torture and ill-treatment of five individuals, and acts of reprisal and alleged incommunicado detention and deteriorating health of two further individuals; in all cases for cooperation with the UN in the field of human rights. Reports of prolonged detention, torture and ill-treatment in Damascus Central Prison. Raises issues of squalid detention conditions, leading to the contraction of several diseases including herpes, and a lack of access to medication (including for a severe lung condition).	<u>31/03/2014</u> Reply confirms the arrest of the individuals and states they were referred to a competent judicial authority on 14/11/2012. Nothing further is addressed.	Treatment of detainees; refusal of medical treatment; inhuman conditions in places of detention; incommunicado detention

13/05/2013	<u>SYR</u> <u>2/2013</u>	Freedom of opinion and expression, human rights defenders, independence of judges and lawyers, torture, freedom of peaceful assembly and of association	Alleged enforced disappearance and torture of an individual, who was last seen in a military hospital bearing serious signs of torture, and the incommunicado detention and denial of medical treatment of another individual with a severe lung condition. It is reported that access to medication has been denied and that the state has denied his detention despite recently released detainees confirming they had seen him detained within the past month. These cases are part of a broader pattern of ongoing arrests and disappearances of a daily basis since Feb 2011.	<u>N/A</u>	Treatment of detainees; refusal of medical treatment; enforced disappearances and incommunicado detention
21/02/2013	<u>SYR</u> <u>1/2013</u>	Freedom of opinion and expression, human rights defenders, executions, torture	Alleged torture and death of a human rights activist by Air Force Intelligence in Mezze. Subject to torture and other severe forms of cruel, inhuman, and degrading treatment - suffered internal bleeding as a direct result of the torture and died on 9/11/2012, four days after his arrest	<u>N/A</u>	Treatment of detainees; refusal of medical treatment
23/11/2012	<u>SYR</u> <u>11/2012</u>	Arbitrary detention, torture	Alleged arbitrary detention and torture of an individual in Al-Khatib state security prison, involved in emergency humanitarian services. Concern about receipt of medical treatment for a prior back injury	<u>25/03/2013</u> Reply states that Mr Raed Al-Tawil was detained for communicating with armed terrorists' groups and was released on 15/1/2013. Nothing further addressed.	Treatment of detainees; refusal of medical treatment

02/11/2012	<u>SYR</u> <u>9/2012</u>	Arbitrary detention, freedom of opinion and expression, human rights defenders, independence of judges and lawyers, executions, torture, freedom of peaceful assembly and association	Addresses various cases of arrest and incommunicado detention, including torture and denial of medication (for a chronic kidney condition and shrapnel wounds. Reports the arrest of a 17-year-old child solely due to the activities of his older brother. No communication has been permitted with family or lawyers. One individual has died from injuries allegedly obtained during torture and two further individuals were fatally shot, in one case following arrest. One individual who may have been transferred to the Military Prison of Sednaya, has a severe lung condition with significant breathing difficulties.	<u>06/06/2013</u> Reply states that one individual Mr al-Hamoud was arrested for participating in unauthorized demonstrations and for membership in the illegal "Sweida Coordination Committee" on the charge of colluding with other individuals and instigating illegal demonstrations and acts of vandalism; as well as calls for foreign military intervention in Syra. Case referred to appropriate judiciary and released on 7/11/2012. Nothing further addressed.	Treatment of detainees; refusal of medical treatment; incommunicado detention; violence against children
------------	-----------------------------	---	---	---	--

21/09/2012	<u>SYR</u> <u>8/2012</u>	Arbitrary detention, torture, disappearances	Alleged arrest, incommunicado detention and enforced disappearance of a 31-year old Palestinian when he was leaving work. He has reportedly been tortured and ill-treated in detention and his whereabouts, reasons for arrest and state of health have not been revealed. He has been denied contact with his family and access to a lawyer. The individual is diabetic and it's not known if he's receiving medical care.	<u>N/A</u>	Treatment of detainees; refusal of medical treatment; enforced disappearances and incommunicado detention
28/06/2012	<u>SYR</u> <u>6/2012</u>	Freedom of opinion and expression, executions, torture	Death in custody of social media activist in support of Syrian opposition movement, who was shot, arrested and transferred to an unknown place. He was allegedly subject to severe torture, which together with gunshot wounds, caused his death. Despite requests, the family were denied access to the body by authorities.	<u>N/A</u>	Treatment of detainees; refusal of medical treatment
08/05/2012	<u>SYR</u> <u>5/2012</u>	Arbitrary detention, freedom of opinion and expression, human rights defenders, independence of judges and lawyers, torture	Allegations of prolonged incommunicado detention and torture in the central prison of Adra in Dmascus, and upcoming military court trials of 14 human rights defenders. Individuals have allegedly been beaten by officials while in detention and subject to torture, contributing to the deterioration in health of an individual which was already poor.	<u>N/A</u>	Treatment of detainees; refusal of medical treatment; enforced disappearances and incommunicado detention

27/03/2012	<u>SYR</u> <u>4/2012</u>	Arbitrary detention, freedom of opinion and expression, independence of judges and lawyers, torture, disappearances, freedom of peaceful assembly and of association	Arrest, incommunicado detention and possible enforced disappearance of two individuals following peaceful protests: a human rights lawyer, and a journalist and human rights activist. Since their arrests, they have allegedly been held in incommunicado detention in an unknown location and concern is expressed about both their physical and psychological integrity.	<u>N/A</u>	Treatment of detainees; enforced disappearances and incommunicado detention
20/02/2012	<u>SYR</u> <u>2/2012</u>	Arbitrary detention, freedom of opinion and expression, human rights defenders, torture	Arbitrary detention of at least 16 individuals, including prominent human rights defenders. Serious concern is expressed that the arrest of these persons may be directly linked to activities in the defence of human rights and may be part of a wider pattern of harassment against human rights defenders in the Syrian Arab Republic. Serious concern is also expressed that several detainees have been subjected to torture and ill treatment.	<u>N/A</u>	Treatment of detainees

30/08/2011	<u>SYR</u> <u>13/2011</u>	Arbitrary detention, freedom of opinion and expression, human rights defenders, torture, disappearances, freedom of peaceful assembly and of association	Harassment, arrest, incommunicado detention and possible enforced disappearances of eight individuals. Allegations include being forced to witness a friend being tortured in order to obtain confessions, physical assault by members of the security services following a sit-in protest against their arbitrary detention (with one individual suffering from severe bleeding as a result), and concerns about physical and psychological wellbeing. One individual was subjected to physical assault in the central prison of Homs. One was subjected to ill-treatment in the facilities of the Air Force Security and the prison of Adra.	<u>N/A</u>	Treatment of detainees; the use of information obtained from torture and other CIDTP; enforced disappearances and incommunicado detention
10/08/2011	<u>SYR</u> <u>10/2011</u>	Freedom of opinion and expression, human rights defenders, torture, health, disappearances, freedom of peaceful assembly and association	Arrest and possible enforced disappearance of a political activist and journalist. He suffers from prostate cancer and high blood pressure, and concerns are raised that he is not being provided appropriate medication. His whereabouts are unknown and there are concerns about his physical and psychological wellbeing.	<u>N/A</u>	Treatment of detainees; refusal of medical treatment; enforced disappearances and incommunicado detention

04/08/2011	<u>SYR</u> <u>9/2011</u>	Freedom of opinion and expression, torture, disappearances, freedom of peaceful assembly and of association	Allegations on the use of excessive force, including shells and machine gun fire, which has resulted in killings and injuries (since the protests began at least 1,500 people have been killed); allegations of torture, arbitrary arrests and incommunicado detention of protestors without charges; targeting of human rights defenders; and unjustified limitations on freedoms of peaceful assembly and expression. Refusal of medication for diabetes and heart disease and instances of reported solitary confinement. Some individuals were detained in Adra prison and the Central prison of Homs.	<u>N/A</u>	Treatment of detainees; refusal of medical treatment; inhuman conditions in places of detention; incommunicado detention
03/08/2011	<u>SYR</u> <u>8/2011</u>	Freedom of opinion and expression, torture, disappearances, freedom of peaceful assembly and of association	Alleged arrests and possible enforced disappearances in the context of the demonstrations that have been taking place since 15 March 2011, including concerns about physical and mental integrity of three individuals arrested and detained.	<u>N/A</u>	Treatment of detainees; enforced disappearance
29/06/2011	<u>SYR</u> <u>6/2011</u>	Freedom of opinion and expression, human rights defenders, torture, freedom of peaceful assembly and association	Arrest of 13 human rights activists following peaceful protests on 20 May 2011. They were detained incommunicado for a total of six days and some were brutally beaten and insulted by state security agents. Part of a wider pattern of allegations of thousands of individuals having been arrested and tortured and ill-treated for having exercised their right to the freedom of opinion, expression and peaceful assembly.	<u>N/A</u>	Treatment of detainees; incommunicado detention

17/06/2011	<u>SYR</u> <u>7/2011</u>	Arbitrary detention, freedom of opinion and expression, human rights defenders, executions, torture, disappearances, freedom of peaceful assembly and association	Worsening of situation in relation to demonstrations, including: enforced disappearances; excessive use of force and live fire; routinely denying wounded protestors access to medical assistance by preventing ambulances from reaching the wounded and on several occasions opening fire on medical personnel or rescuers; mass arbitrary arrests of suspected protestors; detainees, including children, being subject to torture including beatings with sticks, twisted wires, other devices and electric shocks, improvised metal and wooden "racks", and in at least one case a male detainee was raped with a baton. It is alleged that the body of the 13-year-old bore scars of brutal torture, including bruises and burns to his feet, elbows, face and knees. The 13-year-old boy reportedly also had bullet wounds. A 15-year-old, reportedly arrested, was subjected to torture and killed on an unknown date.	<u>N/A</u>	Treatment of detainees; refusal of medical treatment; sexual and gender based violence; violence against children; enforced disappearances
------------	-----------------------------	---	---	------------	--

26/05/2011	<u>SYR</u> <u>5/2011</u>	Arbitrary detention, freedom of opinion and expression, human rights defenders, torture, disappearances	Alleged detentions and possible enforced disappearances in connection with demonstrations of multiple individuals. Detention of two individuals (a prominent human rights lawyer and a leading figure of the opposition); incommunicado detention of two individuals (a Médecins Sans Frontières worker and international observer and interpreter and a political activist), and possible enforced disappearance of six individuals (one human rights activist and his brother, the brother in law of a prisoner of conscience, political members and students). Many human rights activists, lawyers and students have gone into hiding following alleged threats, home searches and persecutions. One individual was held at the central prison in Homs in a cell of 100 square meters with other detainees (mostly demonstration participants). No contact with family has been allowed. There are allegations of torture and a lack of medical attention (for individuals with diabetes and a pituitary tumour).	N/A	Treatment of detainees; refusal of medical treatment; inhuman conditions in places of detention; enforced disappearances incommunicado detention
30/03/2011	SYR 4/2011	Arbitrary detention, freedom of opinion and expression, human rights defenders, executions, torture, disappearances	Alleged assault and arrest in relation to peaceful demonstration on 16/03/2011. Individuals were transported to the Mantaqa branch of Military Security. The next day the authorities reportedly interrogated and charged 32 demonstrators. There was no information concerning the situation of 12 other family members who were reportedly arrested in relation to the peaceful demonstration. Reports included one individual being hit over the eye with a baton.	<u>N/A</u>	Treatment of detainees; incommunicado detention