DEATH NOTIFICATIONS AND NEGATION OF JUSTICE IN SYRIA
25 February 2019 16:30 – 18:00
Room XXIII, Palais des Nations
United Nations Office in Geneva

While the war in Syria is entering in its ninth year, enforced disappearances, indiscriminate arrests and torture continue to be committed on a wide scale throughout the whole country as a tactic of war. Over the course of the last eight years, a consistent country-wide pattern has been established, in which people have been seized by the Syrian security and armed forces, as well as by pro-Assad militias, during mass arrests, house searches, at checkpoints and in hospitals. The magnitude of this phenomenon was made evident during the first half of 2018, when the civil registry offices in Syria began to receive information in bulk, by the Syrian Military Police, that thousands of individuals were deceased. In some cases, lists referencing the deaths were released by the civil registry offices; in other, these offices confirmed deaths to individuals who requested their family status. The documents offer no details about the deaths except a date, while families still want to know how their loved ones died and where their bodies are. Moreover, these offices only provide confirmations of death, though families must still obtain a death certificate, leaving Syrian families in bureaucratic deadlock.

Under Syrian law, families have one month after obtaining a confirmation of death to apply for an official death certificate; without one, they are unable to move forward on legal aspects of the death and face hefty fines; taking into account the number of refugees and IDPs and the risk of facing the same fate for being associated to the disappeared, hundreds of thousands of Syrians are currently not in a position to perform such obligations under law.

The independent international Commission of Inquiry on Syria (CoI) has dedicated several thematic reports to this phenomenon, most recently in November 2018 with the report “Death Notifications in the Syrian Arab Republic”. In this report, it is concluded that “by updating the records of those disappeared, State officials […] admit to having information about the fates, including purported dates of death, of those deceased. To that end, the State is further tacitly admitting to knowing where the individual was at the time of his/her death, as well as to having played a role in deaths in the cases of executions by court order or extrajudicial executions”.

In previous event organised during the HRC37 and HRC38 it was underscored that there is a need for a comprehensive discussion on the status of detainees, victims of enforced and arbitrary detention and their families and the long-terms effects on Syrian society. This event builds on the previous and serves as a next step; providing a platform to discuss how enforced disappearances, indiscriminate arrests and torture can directly infringe the human rights of relatives of the deceased, including their housing, land, and property rights. In addition, the event opens up the important discussions on the way forward for Syrian families as well as Syrian society as a whole. Questions to be discussed include:

• What appropriate social, political and legislative reforms can be imagined for the victims of political violence to find redress within the Syrian judicial system?
• Which proper mechanisms and procedures can be set up to protect victims of enforced disappearances, the detainees and their families, and how can this be done in the still-ongoing conflict?
• How to ensure that legislative and regulatory measures are elaborated to provide redress for victims, including non-repetition of crimes, as well as fundamental elements for a lasting political settlement?
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PROGRAM

Co-Chairs: Hussein Sabbagh, Secretary General Euro-Syrian Democratic Forum
Nicolò Figà-Talamanca, Secretary General No Peace Without Justice

Welcome remarks: H. E. Anders Samuelsen, Danish Minister of Foreign Affairs

Keynote Speaker: H. E. Peter Matt, Permanent Representative and Ambassador of Liechtenstein

Panel:
- Karen Koning Abuzayd, Independent International Commission of Inquiry on Syria (Col)
- Fadel Abdul Ghany, Syrian Network for Human Rights
- Ghaffran Kholani, eyewitness
- Emad Eddin Al Rachid, Syrian Association for Missing and Conscience Detainees

Interventions by co-sponsors representatives
Interventions from the floor

Closing remarks: H. E. Terhi Hakala, Permanent Representative and Ambassador of Finland

By focusing on the status of detainees, victims of enforced and arbitrary detention and their families and the long-terms effects on Syrian society, this event will provide a platform to discuss how enforced disappearances, indiscriminate arrests and torture can directly infringe the human rights of relatives of the deceased, including their housing, land, and property rights. In addition, the event opens up the important discussions on the way forward for Syrian families as well as Syrian society as a whole.