Screening of Syria UPR Session and Workshop on UPR Process and Advocacy Strategies for Civil Society Engagement
Gaziantep, Turkey 31 October & 3-4 November 2016

Supported by:
Background

The Universal Periodic Review (UPR) is a unique mechanism of the Human Rights Council (HRC) where every UN Member State is reviewed by its peers once every four and a half years. It focuses on the States’ human rights practices and the respect for their human rights obligations.

The Syrian Government had its second review at the UPR Working Group on 31 October 2016. Although this might have been an opportunity for the international community to discuss and, most importantly, provide recommendations on how to break the cycle of violence and impunity in Syria, the conflict in Syria continues to deteriorate and despite the efforts put forward by Mr de Mistura and other international initiatives there are few prospects of an end in sight to the conflict. According to UN sources, between 250,000 and 470,000 people have been killed since 2011; over half the population forced from their homes out of fear and want; some 4.6 million people eke out a minimal existence in places that few can leave and aid cannot reach; and a further 4.8 million people, including an estimated 2 million children, have fled the country.

The range of violations of international humanitarian law and war crimes continues to widen and the number of parties to the conflict allegedly involved in human rights abuses and violation of international norms continues to grow. The conflict has fractured Syria along sectarian lines, divided the country into an unstable patchwork of competing military zones and threatens the peace and stability of the entire region.

The UPR is one mechanism that can try to hold the Syrian Government accountable and pressure it to stop the violations that continue to take place on its territory. It aims to push Syria to uphold the rights it claims to support by signing onto various treaties, such as the Convention against Torture, yet continues to violate. Civil society has a fundamental role to play in the UPR process. Many international and Syrian NGOs and CSOs took part in the preparatory stage of the UPR by submitting reports on the situation of human rights in Syria. Furthermore, the follow up to the recommendations provided by the UPR Working Group is the most critical stage of the whole process. UN Member States have no obligation to report on the implementation of the UPR recommendations, therefore the pressure and follow up of civil society groups is the main way that could lead to the effective implementation of recommendations.

It is crucial that Syrian CSOs share their evaluation and analysis of the work undertaken by the Syrian Government in-between its two reviews, and engage in follow-up at the national and international level.

To that end NPWJ sought to engage Syrian organisations and actors in the UPR process by organising a screening and panel discussion with experts, which was held at NPWJ office in Gaziantep. On 31 October, NPWJ screened the live full session of the UPR Working Group on Syria, for Syrian actors to watch and engage in discussion with each other. This was followed by a two day workshop with experts on the UPR process and international affairs, to discuss and share insider experience of the mechanism. They led a discussion and answered questions on Syria’s session and what to expect for the rest of the UPR process. The second day went over strategies for civil society engagement and possible advocacy steps.
The workshop aimed to build knowledge and increase awareness about the roles and potential of the UPR in the promotion of human rights and to build the capacity of local CSOs in their advocacy efforts towards international actors, as well as improving the cooperation and collaboration of Syrian groups in their planning and implementation of advocacy. It is crucial to continue to support Syrian civil society as they work tirelessly to improve the situation of their country and strive to build a State that upholds and protects the rights of all its citizens. Enhancing the abilities of CSOs to communicate clearer and more effective messages to the government, the UN, other States, INGOs and other Syrians, is one method of trying to achieve that goal.

Structure of the Workshop

The UPR Working Group on Syria Session was on 31 October – therefore NPWJ held the live screening of the session in its office on that Monday afternoon. This was followed by the two day workshop on the Thursday and Friday of the same week to give time for the working group report to be published and to allow for experts and participants to reflect and see the reactions to Syria’s session before meeting to discuss it. It also made sense to hold the workshop in the latter half of the week because the report was adopted in Geneva on the Friday. Due to these time gaps, not all participants were able to join for the screening on the first day; NPWJ therefore shared the link to the live screening and the video of the recorded version to all participants before and after the working group to make sure all participants could view it.

Also affecting the original schedule of the workshop was the decision that Turkey took not to change its clocks back for daylight savings which led to an increased hour time difference between Turkey and Geneva and meant that participants were not able to stay to watch the screening of Syria adopting the report on the Friday. However the link was shared with all to watch in their own time. Another factor that influenced the workshop was the delay of the release of the report from the Working Group. In nearly all cases they come out 2 days (just over 24 hours) after the working group, however due to the highly politicised situation and controversy around Syria’s UPR, they took an extra day to be released. This slightly affected the order of sessions in the workshop, however the team and experts were able to adapt. They gained access to the recommendations as soon as they were released on Thursday afternoon and shared them with participants as soon as possible.

Experts

The workshop was led by three experts with UPR, Human Rights Council and diplomatic experience. Ms Bihter Moschini is a research officer at the Arab NGO Network for Development where she has been working on monitoring and advocacy of EU policies directed to the region and programming work in relation to the UN human rights monitoring mechanisms, particularly the Universal Periodic Review. Since the first cycle review in 2008, she has worked on the UPR of nine countries in the region. Ms Flavia Pansieri is extremely experienced and knowledgeable about the workings of the UN. She was appointed United Nations Deputy High Commissioner for Human Rights on 15 March 2013 and in the past 30 years she has held a number of increasingly responsible positions in a number of UN system agencies and in various countries and headquarters locations.
Mr Hussein Sabbagh is a former diplomat with the Syrian Ministry of Foreign Affairs, serving most recently as Chargé d'affaires to the Benelux and EU before leaving to join the Opposition. He is currently the Secretary-General of the Euro-Syrian Democratic Forum and the Representative of the Syrian National Coalition in Brussels. His knowledge of the processes and working methods of the Syrian Government provided an invaluable view and interpretation of how and why Syria acts in certain ways with the UN and its Member States. The experts were joined by the NPWJ Syria team - Rami Nakhla, Nicola West, Alaa Abed and Mustafa Ghashim - in facilitating the workshop.

Participants

The workshop participants consisted of fourteen Syrians who were representatives from local CSOs, NGOs and coalitions, as well as those who work in journalism or came in their individual capacities as activists and lawyers. All participants have a focus on a number of issues, including human rights, advocacy, accountability, child’s rights, women’s rights.

Day 1 - 31 October

NPWJ Syria Project Officer, Alaa Abed, welcomed guests to the screening, providing a brief explanation about NPWJ work and the schedule for the afternoon. All those in attendance then went around the table to introduce themselves. Ms Moschini then led a session on the UPR process on Syria, describing the various steps that led to the UPR Working Group session and engaging the participants in a discussion on if and how they had been active in the process. The representative from Noon organisation explained that they attended a panel at the pre-session to conduct advocacy, while Hurras explained their participation in a side-event organised by NPWJ during the September regular session of the UN Human Rights Council, which focused on the upcoming UPR.

Ms Moschini described the proceedings of the UPR Working Group Session, namely that the Government of Syria will present its report and then will answer some of the questions already submitted by States before hearing recommendations from other States. She highlighted the role of the TROIKA countries, which are Bangladesh, Paraguay, and Botswana for the Syria UPR, and explained that they lead the drafting of the report and recommendations that will be shared in the coming days. Ms Moschini shared her expectations for the session, saying that she expected the room to be full due to the controversy surrounding Syria’s session and that it will be politicised. She asked the participants to consider a number of questions when watching, such as which countries can be considered as allies, and to think about which issues are being raised as opposed to ones that are being ignored.

Those in attendance then all watched the Syria Working Group Session together, commenting on and discussing interesting points, as well as expressing frustrations and disbelief at the response of the Syrian Government to many of the recommendations.

Day 2 - 3 November

NPWJ Syria Project Coordinator, Rami Nakhla, opened the workshop by welcoming all the participants and thanking them for taking the time to attend. He explained the background of the workshop and highlighted the importance of working on the UPR and the need for civil society to
make full use of this mechanism. He also provided a short brief about NPWJ’s experience and Syria work, highlighting our project’s aim to support Syrian organisations in their advocacy capacity. Mr Nakhla introduced the experts explaining their experiences in the UPR and UN mechanisms and how they hoped to support the participants. The participants then introduced their organisations and the work they do briefly.

**UPR in Brief**

Ms Moschini opened this session by highlighting parts of the British and German statements from the Working Group session on Monday. The German representative started by commenting that it feels very awkward to hold a ‘standard UPR session’ on Syria. She reflected on the absurdity that many countries and Syrians were feeling by holding a ‘regular’ session that looks at the human rights improvements of a country, when the number of human rights violations in Syria has reached exponential levels since its last UPR review four years ago. Many shared the feeling of ridiculousness and anger of watching the Syrian government report on its achievements in human rights while it is accused of continually shelling and killings thousands of civilians, using chemical weapons, and torturing people to death in its prison. While recognising this, Ms Moschini urged the participants to still view the UPR as a useful human rights tool and mechanism that can help in trying to make even a fraction of improvement on some of the rights being violated and a way to try and hold the government accountable to its own words and claims.

Ms Moschini proceeded to go over the UPR process and explained where it fits as a tool for States to influence each other. She described some of the different positions States can take towards each other such as sanctions, “naming and shaming” exercises or, as the UPR is, a peer review mechanism. She acknowledged that the system is not flawless, for example it is the second cycle of the UPR and countries know the rules of the game now and therefore know how to play the system better. However, despite this, Ms Moschini, highlighted her belief that the UPR process is still very useful for civil society. One reason is that, no one escapes the review; all countries have their turn which makes it a fairer process. Another is that it is periodic, what a country commits to will be brought up again in the next review, which helps to increase accountability and make the process a progressive cycle. The UPR also has a comprehensive approach, it is not restricted to a single issue, so all concerns of civil society can be brought to the table.

To give the participants a brief reminder of the process, she explained the four main steps of the UPR process. First, the preparation and submission of reports. These are the national report, the UN compilation of information and the Summary of stakeholders, which is the culmination of civil society reports prepared by OHCHR (26 for Syria). The second stage of the process is the Working Group Session. Third, the TROIKA report will be prepared and finally the UN Member States adopt the outcome at the next HRC.

In regards to the role of civil society, Ms Moschini highlighted some key challenges including: limited formal opportunities for CSO engagement, a lack of knowledge amongst CSOs about the UPR, financial restrictions of CSOs to conduct activities in relation to the UPR, a lack of ECOSOC status for many NGOs, which restricts their access to the HRC, and minimal media engagement – especially in the Arab region. On the other hand, the added value of engaging in the UPR process is
that it is an internationally recognised and supported way to hold governments to account and to challenge them under international law. It is also a good opportunity to work on monitoring and documentation and to raise awareness. Furthermore, CSOs can engage in multi-stakeholder dialogue and enhance civil society engagement by forming strategic and coordinated coalitions.

Ms Moschini concluded her session by highlighting that the most important aspect for civil society is the follow up. Some of the ways this can be done are by making the UPR session and the pledges public, planning and adopting roadmaps for implementation and monitoring of the recommendations and reporting on implementation. The ways in which CSOs can work on follow up of recommendations was discussed in more detail on the second day of the workshop.

Questions and discussion

An initial question was asked to clarify who is able to make recommendations and whether is it all UN Member States who can do so. Ms Moschini explained that every country who is part of the UN can take the floor. The fact that it is open to all is important. Unfortunately, on the one hand, this has been used to dilute dialogue. On the other hand, they can also work together to make a bigger effect, for example countries that share a common concern make recommendations with similar language so it is recorded that a large number of countries asked for the same thing.

One question was raised regarding the refusal of recommendations and what this means. One participant highlighted that Syria had refused a number of recommendations, such as those from the USA, UK and France. Ms Moschini explained that in principle is it hard to refuse them as all the recommendations are meant to be under the UN Charter and one cannot reject the UN Charter. However, in practice, for political reasons some countries will not recognise the recommendations of some other countries. For example, Lebanon did not accept Israel’s recommendation during its last UPR. Also, countries may reject recommendations due to the use of certain words, as the Syrian government did because of the word ‘regime’.

Accordingly, Ms Pansieri urged the group to be realistic about what the UPR is and what civil society can get out of it. The process was designed to be an unbiased peer review mechanism, however as the process is led by UN Member States it undoubtedly becomes political and then is prone to political considerations. In agreement with Ms Moschini’s earlier comment, Ms Pansieri also noted that during the first cycle all the countries were very mindful of the process and were conscious of their appearance. They were happy to accept many recommendations so that they could also have their own turn at criticising other countries – highlighting the effectiveness of peer pressure. However, in the second cycle there have been a number of countries that have tried to use the system to their advantage, which has created a relative dissolution in effectiveness in comparison to the first cycle.

Another factor that can decrease effectiveness is the language of recommendations. It is the member States that develop the recommendations, not human rights experts, so sometimes the wording is not to the highest standard. Furthermore, too often there were many recommendations in the second cycle that were simply a repetition of the recommendations submitted during the first cycle, showing a lack of action in implementation. This highlights the need to make countries accountable for the recommendations they have already accepted.
Yet, despite some manipulation of the system, Ms Pansieri believes the concept of image in front of peers is a powerful one. No country wants to be named and shamed internationally. She highlighted that even Syria, who is violating so many rights, still came to the session and prepared for it so as to appear as “good” as possible.

One participant shared his feeling that the UPR only has an impact for countries that are not in a state of conflict and are democratic. But for countries like Syria, which continues to commit an enormous number of violations, it is hard to see how the UPR works. Ms Pansieri acknowledged that UN mechanisms are not helpful enough, but disagreed that the UPR is only for peaceful countries. The UPR is not as ‘sharp’ as it should be but we need to ensure it can fulfil its purpose. She urged the group to ‘use whatever tools available’ and to understand it will not make miracles but that it can do something. Ms Moschini also reflected on her UPR work with many other Arab countries and highlighted that although none of them are ‘flourishing’ in democracy, they have made a number of advances. It is still important to engage in the process even if just to build coalitions and use certain tools.

Other positive impacts that Ms Moschini has observed over time is that statements are becoming more policy specific and that treaty bodies may take on the follow up of recommendations more than States. Also, the UPR has been used in the Sustainable Development Goals monitoring process. Finally, she felt that even for Syria’s UPR, the fact that it brought all of the participants together in one room for the meeting to see what we can be done better, is important.

‘A view from the inside’

After a short break, Mr Sabbagh discussed the perspective of the State, providing insight from his previous work to enable a realistic look at the URP process. He began by acknowledging that everything in the HRC is much politicised. Sadly, he feels that the intention of some States to participate in the HRC is not really to work on improving human rights and there is a large number of human rights violators in the HRC. They want to be represented in the Council to feel equal to other countries and to support other States who may also have a bad track record with human rights. They can ‘scratch each other’s backs’ and work to minimise criticism towards them as it is in their self-interest.

In regards to the UPR, Mr Sabbagh highlighted that the argument of States acting ‘politically’ is a way to avoid recommendations. If a Member State does not like something, it will say that it is politicised. In the case of Syria, they use the pretext of sovereignty to reject nearly everything. He feels there is no desire to work on improving their Human Rights records nor on implementing most recommendations, they just want to manage their image. Prior to 2011, when civil society barely existed, there were few actors to challenge the government and hold it accountable for upholding resolutions and treaties they have signed up to. He shared his hope that civil society can do something in the follow up for the UPR.

One participant shared his thoughts on what he described as a ‘gap’ in the session, namely that the government feels comfortable giving answers by using the law. They respond to allegations of the use of torture by saying they have a law that criminalises torture. He wanted to know how the UPR
can help to show that regardless of having the laws, they are not enforced on the ground. They do not want to simply listen to the government lie and leave it at that. Ms Moschini explained that the three parts of the monitoring process include the monitoring of recommendations, the implementation of recommendations and the stopping of violations. States will often only respond to the monitoring side of things, explaining that they already have laws addressing a specific human rights violation. On the other hand, CSOs often look at the second two parts, seeing the UPR as a whole and a tool to use for pushing for actual implementation of recommendations to halt abuses. If a State says they implemented a law on women’s rights, civil society needs to say that for this to really happen we need indicators and ways to prove improvement. They can also put pressure on implementation to happen by, for example, issuing press statements highlighting the discrepancy between what Syria said and what they have found in their reports.

Mr Sabbagh highlighted the importance of advocacy to challenge the claims of the State and to raise awareness of the reality on the ground. Despite the current black outlook on human rights in Syria, without the great efforts that have already taken place by civil society, NGOs, and activists, we might be worse off and have more countries accepting the regime. The world is very aware of the violations of the regime, as well as of those committed by other actors in the Syria context, such as Russia. Mr Sabbagh raised the example of Russia recently losing its membership in the Human Rights Council as a result of the hard work of human rights groups, which provides some hope for people to keep working on these issues. Ms Pansieri encouraged the participants not to give up despite these difficult days. She urged them not to look only at results in the immediate term and shared her belief that there will be results in the future.

First review to second review

Ms Moschini then made a comparative reading between the first review in October 2011 and the second review in October 2016. In regards to the national report, she noticed that in 2011 the Syrian Government reported about a huge media campaign of lies supported by Western governments and attacks by terrorist groups. In 2016, they still mention terrorism, but they focus on Arab States being part of this blame and still focus on media misleading the public. In regards to civil and political rights, and economic, social and civil rights, the government focused on the role of civil society listing their achievements and challenges in 2011. At this UPR, their focus was the same as before, as well as focusing on the current crisis and its impact on human rights, particularly the sanctions implemented on Syria. They used these sanctions to say this is the reason why they are unable to improve human rights in the country. New elements includes the referendum of the Constitution and a new Child Rights body. In 2011 there was a big focus on the Israeli occupation; five years later, the focus was on internal migrants, refugees, human trafficking, sexual violence and humanitarian access.

Many of the same countries asked questions in advance. Ms Moschini encouraged civil society to target these countries with advocacy. However there was a big increase in the number of States who took the floor this time round. For the first session it was 45 and this time round, 71 States took the floor (80 registered). The other big difference that Ms Moschini focused on was on the number of people who attended the UPR from the Syrian delegation. In 2011, 7 delegation members attended
from Syria, while this time 4 delegates were there. She highlighted that the number of delegates attending usually reflects how prepared a State is and how seriously they take the session, as they bring key representatives and subject experts to be able to answer questions in detail. In Syria’s case the presence of less delegates showed that they were not willing to go into details nor prepared to discuss issues further.

Afternoon

The afternoon session began by watching a few sections of the UPR Working Group session that took place on Monday in order to refresh participant’s memory of the session and prepare them for a discussion on the recommendations. The group watched the first 10 minutes of the Syrian delegation’s speech, the statements of Iran and Iraq, as interventions that were not critical of the Syrian Government, and the statements by Ireland, UK, Turkey and the USA, who took strong stances on the atrocities in Syria and the responsibilities of the Syrian Government.

Initial views shared by participants focused on the statements of Syrian ‘allies’ and the many contradictions in their statements, such as Iraq saying that there should no external interference in the internal affairs of Syria, while sitting next to Iran him. They also reflected on the need for civil society to be more united and join forces to target specific countries on different focuses such as child rights. There was agreement that Syrian civil society is not being strong or collaborative enough and highlighted the need for civil society to be stronger than the regime on messaging and advocacy.

This led to a conversation on the way the government presents and handles itself. From those participants and experts who are more familiar with being in the UN environment, there was an acknowledgement that the government presents itself ‘well’. They commented on how Syria’s report used strong language and how Syria is an active participant at the HRC and presents reports that are considered “good”. This is due, as several participants mentioned, to the efforts by Syria to present itself as a legitimate and functioning State. This is evident in their extreme sensitivity when other countries call them a “regime”, which seems to affect them more than the accusations of killing their own people. Mr Sabbagh agreed that the Syrian delegation did everything in its power to address the concern that Syria is a failing State, they stressed the fact that Syria is not a failing country and that they can deal with a peer review just like any other country. In doing so they have different strategies in responding to different recommendations. For example, for recommendations such as the CEDAW reservation, Syria has been saying they will review this for the past 15 years but they just keep saying it is ‘being revised’. In this way they easily ignore many social and cultural rights. For the ones directly targeting the government, they will ignore these by saying they are political.

Ms Pansieri commented that she does not expect a huge change in tactic. They always use the same language ‘we are great everyone else is bad’. The government has played its cards rather well. They undoubtedly lied and ignored key issues, but that is how they played it. What she wants the group to think about is how they can call their bluff. She also commented on Mr Sabbagh’s comments about socio-cultural rights, saying this is something that the second cycle has highlighted. Countries come and report on recommendations they accepted and say ‘we are working on it’ and ‘we will keep working on it’. If member States continue to make the same recommendations and countries just
keep saying they are ‘working on it’, the whole process loses legitimacy. There needs to be a focus and pressure on greater implementation. She hopes that for the third cycle, States will not only focus on new recommendations but look specifically on the recommendations accepted in the previous reviews.

One interesting part of this Syria UPR was the delay with which the Working Group’s report was issued. It had been expected on 2 November but was published only in the afternoon of 3 November. Ms Pansieri explained that the report being late is rather unprecedented, in nearly every other UPR case it took 24 hours. Her assumption was that the problem was with the clustering of the recommendations and that the Troika were in disagreement on how to put them together. She also guessed that the Syrian delegation refused to accept recommendations they consider politically motivated, but that they would not say ‘we reject’ but ‘we do not accept their legitimacy’.

By the beginning of the afternoon break, the report and recommendations had become available. During the break, the experts and NPWJ staff reviewed them quickly and then Ms Pansieri provided a brief analysis to the group at the beginning of the last session. The Syrian Government had said they would consider 203 of the recommendations, while 25 had been rejected outright, which was probably the reason for the report being late. These 25 recommendations were from countries that the Syrian Government felt they were being attacked by, however they were therefore clearly the most relevant, so it is still important to look at them. Ms Pansieri pointed out that within the 203 accepted recommendations, there were some that were very similar to the ones that got rejected, but the language they used was slightly different. For example while they rejected a recommendation to “respect human rights” which implies they do not already, they accepted recommendation to “continue to respect human rights”, which made the wording more acceptable.

The participants split into 2 groups to review the recommendations. The participants went through the list and discussed relevant and important recommendations. Participants whose work involves a specific focus group such as child rights or women’s rights looked out for recommendations on those. The groups spent the rest of the session reviewing the recommendations in preparation to discuss them further the next day.

Day 3 - 4 November

Morning

The third day began with the presentations by the two groups of their findings.

The first group focused on the recommendations related to detainees, torture, protection of the rights of women and children and accountability. They tried to identify countries that gave recommendations that aligned with their values. They recognised that there was a large bloc of countries, mainly Western ones, who were serious about demanding accountability. They also mentioned that they did not expect the Russian recommendation to focus on human rights and wondered whether this was actually sincere and a potential for advocacy or not. Finally they
expressed their uncertainty about what to do regarding the recommendation that were refused by the government.

The second group felt that most of the recommendations were in the interest of the Syrian people. Even Iran and Russia acknowledged the human catastrophe, which shows that no country can ignore what happening in Syria. This group listed the recommendations into a number of categories including those with a focus on the Rome Statute, humanitarian access, reconciliation processes and Transitional Justice, the cessation of hostilities and political process, Women’s Rights, Child Rights and protection, stopping indiscriminate bombings, protection of civilians (stopping the bombing of schools and hospitals) and demanding the government to commit to IHL.

The presentations were followed by a more in depth discussion on the recommendations. This began with looking at the Russian recommendation of creating a human rights body in Syria. Some participants initially thought that they should take advantage of this and follow up on the recommendation to ensure that such an institution is actually independent. However, most participants felt that Russia’s recommendation was not genuine. Mr Sabbagh pointed to the weakness of the language in the recommendation, they used the words ‘study the possibility…’ they play with the words to make it an easy recommendation to be accepted, helping to improve the position of the Syrian government. Ms Pansieri also felt that it was no surprise that Russia’s recommendation was a ‘non-recommendation’ and that their idea of having an independent human rights body is just a tool for white washing of the government rather than to address human rights seriously.

Another question was whether there had been any recommendation about CSOs gaining access and for them to be able to monitor State institutions. Some participants expressed their desire to put pressure to have access to regime-controlled areas. The regime has been claiming they have access to all Syria through the Red Crescent but this is not enough nor a reality. Some groups really want to be recognised as neutral purely humanitarian groups and therefore feel they should be able to gain access. Mr Nakhla highlighted that although there were recommendations for humanitarian access there were no recommendations specifically on the reach of civil society. Even for Syrian CSOs who partner with the UN it looks unlikely and it is certain that there will no access for those who work on the documentation of crimes. Ms Moschini commented that normally there are recommendations on having an enabling environment for civil society, peaceful association and freedom of speech, but for Syria there was no mention of this. There was only mention of the Commission of Inquiry but nothing on CSO access.

Some people pointed out that the reason that the situation in Aleppo came up a lot in the session was due to a lot of media attention recently. People were far more aware of that rather than, for example, the number of detainees. This reinforced the power of media and advocacy campaigns and encouraged a number of participants to see the value in continuing the advocacy work they are doing. Some participants felt that many of the countries in the session did not have a full understanding of the conflict in Syria and therefore focused on issues more familiar to them such as the recommendation from Sierra Leone on rape. Ms Pansieri pointed out, however, that there are a lot of tactics used in the UPR. If it is only the countries who think there are big issues in Syria who speak, then there will be a lot of strong recommendations, which is not in favour of the Government. So countries close to Damascus or those who have their own internal issues will give
recommendations that are not specific and a bit soft. So that when you look at the total recommendations there is a mix and not a majority condemning the government.

Mr Nakhla suggested that CSOs also make connections with a more diverse range of countries. It is important that our advocacy persuades them more than the Syrian Government does. Ms Pansieri reminded the group that the 203 recommendations are not accepted yet and that we should expect that some of them will not be accepted. At this stage, the important step is to decipher which recommendations will have a greater promise of allowing some progress, try to see where there is a consensus within Syrian CSOs and some member States and understand what arguments they give us to strengthen our own advocacy work.

**Next Steps**

Ms Moschini explained that of the 203 recommendations left, the government will accept some and reject others. She thinks they will accept Russia and China’s and a number of other ‘ally’ countries as they ask Syria to do something to fight terrorism. There are 17 recommendations on women and 16 on treaties, which she assumes Syria will accept as they are considered ‘soft’ in comparison to the others. They will also likely accept those relating to education as they are under the covenants rules so they cannot really reject them.

Ms Moschini then broke down the key next steps in the UPR process. On 4 November, there was the procedural adoption and in March 2017 there will be the formal adoption. From now to then Syria needs to reply with an answer, it has to present a document explaining why they accept certain recommendations and why not others. During the next HRC session in March, there will be 20 minutes dedicated for the Syrian delegation to speak and 20 minutes for civil society. Ten CSOs will be able to speak, giving each organisation only 2 minutes each to speak. Therefore civil society has to be strategic. For example, the Syrian delegation will likely interrupt organisations that will use certain language. Regardless though, it is difficult to even get a spot as one of the 10 CSOs who could attend. One reason is the very small number who can attend, the other is that you need to have ECOSOC status to register. Ms Moschini did mention that if organisations do not have this status, an organisation that does, like NPWJ, can register them. Those who cannot go to Geneva can also engage effectively by delivering a video statement. Or CSOs can also send a written statement, which will in the end become a UN document and stays in the records of the UN.

Ms Moschini explained that Syria has no obligation to report, which is why monitoring and advocacy is so important. She highlighted a recommendation made by Slovenia about increasing the number of women in peace negotiations and suggested that this is something Syrian women’s rights groups could focus and do advocacy on. Ms Pansieri highlighted that the work is not done for the UPR, but the real work begins now. She urged the group not to have high hopes in what they expect from the adoption in March. During the review of the first cycle the Syrian delegation went to the HRC and accepted a few ‘easy’ recommendations, while others were rejected because they were claimed to be not relevant since “there are no enforced disappearances” or because they have been working on certain issues all along and therefore do not need to accept recommendations on them. The Syrian delegation will not take the process on board in the way human rights activists think they should, therefore there is a need to find the best way to work between now and March to present a
strong case. Then from March onwards, work as much as possible to keep the pressure on and to make sure they implement the recommendations they accepted. She suggested to the group to form a strategy from now until March and then a new strategy after March.

Regarding the HRC event, Ms Pansieri said that the most valuable way to participate as civil society is to work together. One example is to get an NGO with ECOSOS status to register people. Then for those who get accepted, to try to work together on tactics for the session. The decision should be made to go one of two ways in the session. The first would be to do it ‘smoothly’ by ensuring interventions do not use political language and therefore minimise the risk of getting interrupted, allowing use of the full 2 minutes to make a clear statement. The second option is to use more political and provocative language and expect a lot of interruption with the aim of highlighting tension and making a scene and drawing attention to a topic in this way. Whichever way is chosen has to be tactical and planned together, not done haphazard, or positive effects will be lost.

One participant asked if the NGOs could work together to make a longer slot. Ms Pansieri said to expect that Amnesty, Human Rights Watch and CIVICUS would each have a spot, which leaves 7 others. She said that CSOs can see who would be willing to work together to extend a particular topic over a few time spots, but this requires a lot of planning and cooperation. Ms Moschini also suggested that for the video statement, it could be effective to have a room full of CSO representatives visible in a video with one person speaking on behalf of them all.

What can Civil Society do?

After the break there was a brainstorming session on what civil society can do. One of the ideas discussed was to continue to communicate with States who have a strong stance against the Syrian government. Identify States who show a possibility of strengthening their stance against the regime and develop an advocacy plan to communicate with them and try to change or strengthen their stances. In agreement other participants suggested following up intensely on the recommendations by supportive States as a first step. Some participants felt that there is already a strong relationship with certain countries such as the USA, UK, Turkey and Qatar, they already coordinate with CSOs and get facts from us, and therefore we should focus more attention on bringing other countries on board such as Latin American countries. One participant suggested meeting with countries one by one and asking them why they have a certain stance, as CSOs have more margin than politicians to speak to other States. SN4HRs highlighted that they already sent many letters to States and send regular reports with updates figures, and will continue to do so. For effective interaction with States, participants highlighted the need for better organisation amongst themselves initially, so as to create an effective framework and divide up tasks.

There was also the mention of creating a fact checking committee, to correct incorrect information the government gives. Participants voiced the need to be gender aware and sensitive in all aspects of follow up and advocacy. Another suggestion was to communicate and coordinate with all 9 Syrian CSO networks present in Gaziantep. There was agreement to invite the representatives of the coalitions to meet with some participants from the workshop and bring them on board for UPR follow up efforts. One participant suggested to organise and attend more side events at main UN or international events, possibly with NPWJ organising the event and inviting target States. There was a
consensus on the idea of writing a statement, signing it, publicising it and sending it to State
delegations. NPWJ agreed to draft the statement and then send it to participants to comment and
sign onto.

There was also discussion regarding the continuity of the process so that after March, activities and
motivation for the UPR does not fizzle out. One participant suggested having a meeting every
6 months to see what can be done in the coming months. Another discussed reconsidering the
design of their programs so as to integrate follow up to the UPR within them. The group agreed that
it is not necessary that everyone documents on a daily, weekly basis, but organisations who work on
specific focus areas such as child rights can make an effort to follow up on the recommendations
regarding that topic. Ms Moschini agreed that there is no need to report every month, it will
probably create more work and have little result. However she did recommend, as Mr Sabbagh also
suggested, looking for specific dates where issues on Syria can be raised, such as the anniversary of
the chemical weapons attack, or when Syria will be under scrutiny at the HRC.

Ms Pansieri then offered her advice on ways to follow up. First, she urged civil society to look at
ways to work together: ‘the more you can present yourself together the more weight you have’.
Second, she urged the participants to plan in two steps, one being between now and March and the
next, beyond March. Between now and March she mentioned a few important things to think
tactically about. On advocacy, she urged the participants to think about when meetings and
discussions are taking place and to make statements at those moments as the media will be more
ready to pick up on it. This may require work with NPWJ or other colleagues in Geneva, Brussels,
New York etc so they can provide access and information about events beforehand, allowing time
to prepare and ensuring statements are released at a tactical time. On making a statement and/or
side event at the HRC in March, Ms Pansiseri explained that this HRC session is the biggest and
longest one. There is a lot of attention on the part of Member States for them to have an impact, so
you get the biggest return on advocacy efforts for that event. In regards to a running a side event,
Ms Pansieri reflected that this requires a lot of work as there is a big demand for time and space.
There will be many side events taking place and there is a risk that you spend a lot of time and effort
without getting a lot in return. Therefore she advised asking Member States to request a space for
you early and to focus on an interesting topic to attract States and OHCHR members to join. The
event can be made more attractive by bringing voices from inside Syria, as this will be more
powerful while providing strong visibility and more in media attention.

As a final point, Ms Pansieri raised the suggestion of being in touch or coordinating more with the
UN in Damascus. She told the group that she had called the resident coordinator of the UN in
Damascus before this workshop to discuss how Syrian civil society could benefit from them. The
coordinator wanted to share that his reason for being in Damascus is to make sure that to the
maximum extent possible, the UN is a force for promoting and protecting human rights. She
acknowledged the often tense and difficult relationship with UN Damascus, but highlighted that
people often attribute failures to the UN that are the result of the UN Security Council and this
means the UN has enormous limitations in how it can move. However, while there is a UN mandate
to work with the Syrian Government to try and ensure progress, they are not there to support the
government to stay in power. Ms Pansieri explained that the UN in Damascus is in a difficult
position and reflected on her time in Myanmar when, in her position in the UN, she had to work
with and against the government at the same time. She recommended that participants look at what the UN in Damascus is doing and possibly find ways to engage with the UN there. She felt that they would be very interested to see if they can facilitate some access for organisations to places that are difficult for them to go to.

In response, some participants highlighted that there are major trust issues with Syrian CSOs and the UN in Damascus. One participant explained that when they agree on things in the OCHA platform here they are done differently in Damascus. They bring things to the table in reports with the UN in Gaziantep but they disappear in Damascus. They felt that Damascus manipulated the last OCHA report by claiming that Damascus needs more assistance than Aleppo. He also highlighted an incident where Syrian NGOs in Gaziantep shared GPS coordinates with OCHA for aid and soon after these places were bombed. This created a huge lack of confidence in the UN’s work on Syria. Another participant reflected on her experience of working in certain cities directly with UN Damascus and shared her feeling that they are totally controlled by the regime and therefore quite helpless. They know that aid convoys are raided and robbed by security forces but UN Damascus cannot and do not do anything about it. Ms Pansieri was not aware of the incident with the GPS location and expressed how terrible it is. She explained that she does not disagree with what the participants were saying but still felt that some kind of interaction with them is better than none.

Afternoon

From the ideas discussed, participants worked in groups to discuss and prioritise them and the practical ways they can help to make them happen. Some of the ideas they presented and were interested in following up on included:

- Coordinating a side event with NPWJ.
- Developing a joint statement in response to Syria’s working group session and getting signatures on it from Syrian CSOs.
- Communicating and coordinating with the main Syrian networks to get them on board in follow up work and to get them to sign onto the statement.
- Developing an annual report and then merging this for a final 4 year report that documents and analyses the implementation of recommendations.
- Developing an advocacy plan for international actors, ‘ally’ countries and ‘neutral’ countries.
- Planning activities for the March HRC. Developing a plan for which CSOs may try to apply for a slot and work on statements together.
- Identifying key days and events such as International Day of the Child and releasing statements on recommendations relating to this topic.

Conclusion

The experts expressed their thanks to the participants, for their work, their participation in this workshop and for helping them to learn more. Participants also thanked the experts for sharing their experience and insight and for listening and offering advice. In conclusion, the workshop created a space for a fruitful and in depth discussion on the Syria UPR. It was a successful learning experience for the participants who gained a lot from the experience of the experts of working in the UN and
on previous UPRs. This increased not only the knowledge of the group on the UPR process, but their motivation to be more involved in the process as a way to hold the Syrian Government to account. As Ms Moschini, had previously mentioned, the mere act of bringing the civil society actors in the room together to work and plan together, reflected a positive outcome of the UPR process.
Annex 1 – Biographies of experts

Bihter Moschini

Bihter Moschini is a research officer at the Arab NGO Network for Development, a regional network, working in 12 Arab countries with an extended membership of 250 CSOs from different backgrounds. ANND aims at strengthening the role of civil society in monitoring and advocacy for economic and social rights. ANND advocates for more sound and effective socio-economic reforms in the region, which integrate the concepts of sustainable development, gender justice, and the rights-based approach. At ANND, Bihter has been working on monitoring and advocacy of EU policies directed to the region and programming work in relation to the UN human rights monitoring mechanisms, particularly the Universal Periodic Review.

Since the first cycle review in 2008, she has worked for UPR of Egypt, Lebanon, Palestine, Sudan, Yemen, Jordan, Bahrain, Tunisia and Syria at various steps open for civil society including research and data collection and submitting reports and midterm reviews, coordination, coalition-building and advocacy at national level and international level.

Flavia Pansieri

Flavia Pansieri was appointed United Nations Deputy High Commissioner for Human Rights on 15 March 2013.

In the past 30 years she has held a number of increasingly responsible positions in a number of UN system agencies and in various countries and headquarters locations. Most recently, Ms. Pansieri served as the Executive Coordinator of the UN Volunteers (UNV) Programme, from February 2008 to December 2012. Prior to joining UNV, she served as the United Nations Resident Coordinator and Resident Representative of the United Nations Development Programme (UNDP) in Yemen (September 2004 – January 2008).

Ms Pansieri started her UN career in 1983 with UNDP in China, where she was responsible for the UNV and TOKTEN (Transfer of Knowledge Through Expatriate Nationals) programmes, as well as for projects in the energy sector. She continued with UNDP in Bangladesh (1987 – 1990) and Myanmar (1990 – 1993), followed by a posting to Laos as Director of the United Nations Office on Drugs and Crime (UNODC), and thereafter from 1995 to 1998 at UNODC Headquarters in Vienna directing, planning and evaluating activities.

As the Deputy Executive Director of the United Nations Fund for Women (UNIFEM) in New York (1998 – 2001), she engaged in promoting women’s economic, social and political participation and in raising awareness about gender equality issues. Before taking up the Resident Coordinator / Resident Representative position in Yemen, she was in charge of the Country Division of the Regional Bureau for Arab States at UNDP, providing guidance and support to programme activities in the various countries of the Arab region.
Ms. Pansieri is an Italian national with a doctoral degree in Philosophy from Milan University, and one in Chinese Language and Literature from Venice University. She is a fluent speaker of English, German, French, Spanish, Chinese and Italian. Ms. Pansieri retired from the UN in December 2015 and is living in Italy alternating the care for her farmhouse and olive grove with consulting engagements in the areas of human rights, women's empowerment and development.

Hussein Sabbagh

Hussein Sabbagh is a former diplomat with the Syrian Ministry of Foreign Affairs, serving most recently as Chargé d'affaires to the Benelux and EU before leaving to join the Opposition. Mr Sabbagh joined the Foreign Service in 1998 and worked at the Syrian Mission to the UN in New York between 2000 and 2006, where he participated in several international conferences. He is currently the Secretary-General of the Euro-Syrian Democratic Forum, and the Representative of the Syrian National Coalition in Brussels.
## Annex 2 – Workshop Program

### Day One – Monday, 31 October 2016

<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
<th>Presenter(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.30 - 3.00</td>
<td>Guests take seats and are welcomed to the screening Where are we now regarding the UPR Syria process? Tour de table</td>
<td>Alaa Abed, Bihter Moschini</td>
</tr>
<tr>
<td>3.00 - 3.15</td>
<td>Brief explanation about the upcoming session</td>
<td>Bihter Moschini</td>
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<tr>
<td></td>
<td><strong>Break</strong></td>
<td></td>
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<tr>
<td>3.30 - 7.00</td>
<td>Watch and discuss the UPR Working Group Session on Syria</td>
<td>NPWJ staff assist with translation</td>
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<tr>
<td>7.00 - 7.30</td>
<td>Round up discussion</td>
<td>Bihter Moschini</td>
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</tbody>
</table>

### Day Two – Thursday, 3 November 2016

<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
<th>Presenter(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>10.00 - 10.45</td>
<td>Participants arrive and take seats Introduction to workshop Introduction of Experts</td>
<td>Rami Nakhla</td>
</tr>
<tr>
<td>10.45 - 11.30</td>
<td>UPR in brief</td>
<td>Bihter Moschini, Flavia Pansieri</td>
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<tr>
<td></td>
<td>• What is the process? What can civil society get out of it?</td>
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<tr>
<td></td>
<td><strong>Break</strong></td>
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<tr>
<td>12.00 - 1.00</td>
<td>Discussion on Syrian Government actions</td>
<td>Hussein Sabbagh, Bihter Moschini</td>
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<tr>
<td></td>
<td>• ‘A view from the inside’</td>
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<tr>
<td></td>
<td>• ‘From first review to second review’</td>
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<tr>
<td></td>
<td><strong>Lunch</strong></td>
<td></td>
</tr>
<tr>
<td>2.00 - 3.15</td>
<td>Discuss and analyse the Syria session on Monday</td>
<td>Flavia Pansieri, Hussein Sabbagh</td>
</tr>
<tr>
<td></td>
<td>• Relevance to the situation in Syria</td>
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<td></td>
<td>• Experts and participants share thoughts on Monday’s session.</td>
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<tr>
<td></td>
<td>• The week in Geneva</td>
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<tr>
<td></td>
<td><strong>Break</strong></td>
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</tbody>
</table>
### Review the recommendations

**Review the recommendations in groups**

- Do the recommendations cover CSOs concern? Are they useful?
- Are the recommendations easy to monitor?
- Are there repetitive recommendations?
- Are there issues not tackled?
- Which issues further CSO work?

### Day Three – Friday, 4 November 2016

<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
<th>Presenter</th>
</tr>
</thead>
<tbody>
<tr>
<td>10.00 - 10.15</td>
<td>Welcome participants</td>
<td>Rami Nakhla</td>
</tr>
<tr>
<td>10.15 – 11.00</td>
<td>Feedback from groups review of recommendations</td>
<td>Participants</td>
</tr>
<tr>
<td></td>
<td><strong>What will happen next?</strong></td>
<td>Bihter Moschini</td>
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<td></td>
<td>- Review of what the official process/ upcoming HRC</td>
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<tr>
<td>Break</td>
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<tr>
<td>11.15 - 1.30</td>
<td>Follow up and monitoring phase of UPR</td>
<td>Flavia Pansieri</td>
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<tr>
<td></td>
<td>- <strong>What can civil society do at this stage?</strong></td>
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<tr>
<td></td>
<td>- Who to engage? When to engage? Where to engage? How to engage?</td>
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<tr>
<td></td>
<td>Participants Brainstorm ideas</td>
<td>Participants</td>
</tr>
<tr>
<td></td>
<td>Experts add additional ideas</td>
<td>All experts</td>
</tr>
<tr>
<td></td>
<td>Other available tools</td>
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<tr>
<td>Lunch</td>
<td></td>
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<tr>
<td>2.30 - 4.00</td>
<td>Group work</td>
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<tr>
<td></td>
<td>- Participants divide into groups to discuss action be taken and the practical ways they have help to make them happen</td>
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<tr>
<td>Break</td>
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<td></td>
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<tr>
<td>4.15 - 5.00</td>
<td>Presentation of group work</td>
<td>Participants</td>
</tr>
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</table>
Joint statement by a group of Syrian Civil Society Organizations on the Universal Periodic Review of Syria

Second Cycle Universal Periodic Review of Syria: a missed opportunity to ensure accountability

The first Universal Periodic Review of Syria took place in 2011, right after peaceful protests had started to take place in the country. In the 5 years since then, the Syrian context has altered significantly. Today the conflict in Syria is affecting the lives of millions, both in and out of Syria. There have been and continue to be gross human rights violations on all levels. Over 400,000 people have been killed and over 60,000 people have died in prisons, most having experienced torture. Four million, eight-hundred thousand Syrians have fled the country as refugees, while 6.5 million people have been displaced within the country. Sexual and Gender Based Violence is widespread and has been used as a weapon of war. Access to clean water, food, education and health care is extremely restricted in some parts of the country, with schools, hospitals and residential areas being directly shelled and targeted by the Syrian government.

Under these circumstances, the Syria’s second UPR cycle that took place on 31 October 2016 became another missed opportunity to ensure accountability for human rights violations occurring in Syria. As civil society groups based in Gaziantep working on monitoring and documenting of human rights violations in Syria on a wide range of issues from women’s rights to enforced disappearances, child rights to Internally Displaced People (IDPs), we came together on 31 October, at the office of No Peace Without Justice (NPWJ) to watch the live webcasting of the Working Group session. In follow up of the Working Group session and the 231 recommendations directed to the Syrian delegation, we came together for a post-UPR consultation meeting on 3 and 4 November.

This statement is adopted by consensus by the participants of this post-UPR session (list of signatories enclosed), after an in-depth discussion on the process, recommendations and strategies for follow-up and advocacy.

First of all, with regard to the process, we note that for many countries at the Human Rights Council and certainly for thousands of fellow Syrians, there was a shared feeling of absurdity of holding a regular session and watching the Syrian Government’s presentation of its National Report and its “achievements”, when the number of Human Rights violations in Syria has reached exponential levels since its last UPR review. In fact, the session had great potential with ‘the eye of the world’ focusing on Syria, and the actions of its government, but sadly, the interventions of the 71

delegations remained limited in achieving an effective and comprehensive review of the human rights conditions in the country.

With regard to the recommendations, we are glad to see a varying set of recommendations directed to the Syrian delegation. These included ratification of the Rome Statue of the International Criminal Court, ensuring accountability for all cases of violations and abuses of international human rights law and international humanitarian law as well as several recommendations on women’s rights, humanitarian access and so on. However, we remain concerned that the formulation of these recommendations were not Specific, Measurable, Attainable, Relevant and Time-bound (SMART) and treated the UPR session as a ‘regular session’ only, while not acknowledging or tackling the root causes of the conflict and the extreme suffering currently happening in Syria. On the other hand, we note that the recommendations that asked for a real change in actions by the Syrian Government were already grouped separately by the Syrian delegation and will probably be silenced within the process. A final group of recommendations, delivered by the Syrian Government’s political allies, limited an effective review as well, by restricting it to the topic of ‘terrorism’ rather than acknowledging the responsibility of the Syrian Government in the human rights disaster in the country.

In this context, we consider the Syria UPR session as a missed opportunity in working to alleviate the suffering of the Syrian people. In the follow-up and before the adoption of the outcome in March 2017, we call Human Rights Council member States to urge the Syrian delegation to engage with the UN human rights monitoring mechanisms more effectively. By the next HRC session in March 2017, Syria should present its addendum to the Council together with its pending replies to the 231 directed recommendations.

We take this statement as an opportunity to call on UN member States to remain accountable to the recommendations that they directed to Syria and to follow and monitor their implementation to contribute to the promotion and protection of Human Rights. We as Civil Society groups should be considered as counterparts in the monitoring of the implementation of the recommendations and ask member States to support, include and coordinate with civil society actors in their strategy and implementation for achieving this.

We, as Syrian Civil Society Actors, will continue to do our utmost to monitor and document Human Rights violations and continue working with all our energy on the path to creating a free, democratic and peaceful Syrian State, which respects and upholds the rights of all its citizens.