Report: Side Event on
“Syria: The UPR process and civil society’s role in promoting justice and accountability”
21 September 2016 15:30 - 17:00
Room XXV, Palais des Nations
United Nations Office in Geneva

Co-sponsored by the Governments of Belgium, France, Germany, Italy, Lichtenstein, The Netherlands, Qatar, the United Kingdom, the United States, the European Union Delegation and the National Coalition of Syrian Opposition and Revolution Force.
**Overview**

During the first week of November 2016, the Human Rights Council will meet for the Universal Periodic Review of Syria. This will be a further opportunity for the international community to discuss and, most importantly, provide recommendations on how to break the cycle of violence and impunity in Syria.

Despite the efforts put forward by Mr de Mistura and other international initiatives, the situation in Syria continues to deteriorate and 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 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.

Civil society in Syria has evolved dramatically over the course of the conflict. When the uprising started, Syrians began to organise themselves, united in a common desire to promote human rights and prepare for the eventual political transition. Syrian civil society has increasingly developed the breath of their knowledge and understanding of the needs of the country and on international standards and mechanisms for the protection of human rights. All this accumulated experience can, and has to, contribute to the foundations for a halt to the conflict and a political solution.

**Side event summary**

### 1.1 The participants

Panellists of the meeting - co-chaired by [Niccolò Figà-Talamanca](#), Secretary General of No Peace Without Justice, and [Hussein Sabbagh](#), Secretary General of the Euro-Syrian Democratic Forum - included [Ola Ali Aljounde](#), Women Now for Development; [Husam Alkatlaby](#), The Violations Documentation Center in Syria; [Riyad Al-Najem](#), Hurras Organisation; [Diab Serrih](#), The Day After. Welcome remarks were made by H.E. Amb. [Peter Matt](#), Lichtenstein Permanent Representative to the UN, H.E. Amb. [Julian Braithwaite](#), U.K Permanent Representative to the UN and H.E. Amb. [Maurizio Enrico Serra](#), Italy Permanent Representative to the UN. H.E. Amb. [Keith Harper](#), US Ambassador to the United Nations Human Rights Council, provided closing remarks.

The side-event offered an opportunity for a chair-moderated debate with civil society leaders of organisations working on human rights inside Syria to share their views on the need for accountability and documentation for a lasting peace process. The meeting ensured that civil society voice was heard and raised awareness about the role that the UPR process can play in reinforcing the inclusion of the Syrian civil society to gather around a peace solution. Following the remarks from representatives of the co-sponsors States, the format consisted of a series of questions from the co-chairs and answers from each of the panellists, which elicited clear and strong positions on key issues from human rights activists based on perspectives from the civil society on the ground in Syria.

### 1.2 The panel discussion

In their welcome remarks, [Ambassadors Matt](#), Braithwaite and [Serra](#) stressed the central role of accountability for the violations of International law occurring in Syria since the inception of the conflict. Although accountability is not the only element for ending the conflict, it remains a fundamental issue for a political settlement to the conflict in Syria which can foster national peace and reconciliation and bring justice to the hundreds of thousands of victims. The Ambassadors highlighted the dramatic consequences of the ongoing conflict and the need to strengthen and
support the work done by the Independent International Commission of Inquiry on the Syrian Arab Republic (CoI), as the violations of essential rights documented so far by the CoI demand justice and accountability. In addition, Amb. Braithwaite recalled the UK support to establish a High-Level Panel focusing on detention and forced disappearances. This High-Level Panel should aim to reinforce the work made by the Syrian human rights defenders on the field and ensure that the international community can directly hear from Syrian activists. The Ambassadors stressed how the international community must redouble its efforts to provide assistance and humanitarian aid as well the need to welcome refugees without any constraints according to humanitarian laws. All ambassadors agreed on both the need of including the Syrian civil society in the peace process and on the fact that too much is said and too little is done.

Co-Chairs Mr Figà-Talamanca and Mr Sabbagh led the panellists through a number of questions designed to explore the complexities of what is happening in Syria and draw out the panellists’ views on how the UPR process can reinforce the role of the Syrian civil society community in the pursuit of a political solution to the war in Syria and develop effective recommendations to promote justice and accountability.

Mr. Al-Najem, from the organisation “Hurras-Syrian child protection network”, works with children and for children in Syria, providing psycho-social support, formal and informal education to children; the organisation works on child protection, peace education, education in emergency situations and provides training and support for parents and caregivers on how to deal with the particular needs of children in wartime. Hurras has contributed to the UPR by submitting a shadow report to the UN. Mr. Al-Najem described the variety of existing mechanisms to document violations of human rights in the country and highlighted how there is still a lack of appropriate and flexible mechanisms to ensure that the data collected by Syrian organisations can be usefully used by international mechanisms. As an example, while Hurras provides documentation on children rights violations to UNICEF, these data cannot be used due to the constrain binding the UNICEF documentation system, which allows only primary sources. This process is not suitable for monitoring and reporting due to the imposibility for International Organisation to access Syria and meet directly with victims to validate the information collected by Syrian NGOs. Mr. Al-Najem urged the international community to develop more flexible mechanisms to document human rights violations, which will ultimately support accountability. Without denying all the effort that has been done for peace by the international community, Mr. Al-Najem warned all the concerned actors not to confuse human rights with the political process; the international community must understand that human rights are not negotiable and above any possible compromises. This principle is most visible in the case of besieged areas and town, where even recently the sieges were lifted only at the expenses of the rights of local populations.

Mr Diab, from The Day After, an independent, Syrian-led civil society organization working to support democratic transition in Syria and the host of the Transitional Justice Working Group, provided concrete examples of the inadequacy of the accountability system in place since the beginning of the conflict. In particular, he recalled how although the CoI announced more than one year ago that “not to publish names at this juncture of the investigation would be to reinforce the impunity that the Commission was mandated to combat”, it is not yet clear what has been done to bring alleged perpetrators of crimes to justice; what we know though is that the list of crimes is continuing to expand, including the continued use of chemical weapons. One and a half years later, we can all agree that not having published the names at the time or at any point did in fact reinforce the impunity that the Commission was mandated to combat. Nevertheless, Mr Diab agreed on the benefits of the CoI list, which can shed a light on criminal acts and could have a dissuasive impact, stressing how putting alleged perpetrators on notice could maximise the potential deterrent effect of the CoI findings and could help to protect people. Mr Diab finally acknowledged that no Syrian

1 9th Report of Commission of Inquiry on Syria - A/HRC/28/69, par. 140
family has yet got through the loss of a member and stressed the importance for international actors to hear Syrians voices and their call for accountability.

Ms. Aljounde, from Women Now for Development, reinforced the uncompromising character of human rights and reaffirmed that the protection of women is part of the human rights and as such it should not be conceded to any part of a deal. Ms. Aljounde described briefly how “Women now for Development” works to protect the rights of women and children, across socio-economic backgrounds, and empower women to exercise their political rights and strengthen their voice. Women Now for Development has contributed to the UPR by submitting, together with other Syrian organisations, a shadow report to the UN. Ms. Aljounde stressed how Syrian women are targeted specifically because of their gender and irrespective of the areas in which they live. Women now has collected testimonies of women living in regime-controlled areas who have been subject of sexual attacks for daring to ask for compensation and support after their husbands and sons were killed fighting for the regime. It is well known that violations against women occur in a widespread manner, at military checkpoint, during house-searches, and it will continue while complete impunity persists. Violence against women is not a coincidence, it has been exacerbated by the war and will continue as long as the war will do. It worth paying attention to women rights violations as the violence against them is difficult to document and to make them talk about their experience.

Mr. Alkatlaby, from The Violations Documentation Center in Syria, conveyed the message that Syrian people are losing faith regarding the possibility to achieve justice. VDC is an independent, non-governmental organisation that started its work of monitoring and documenting the violations of human rights in Syria since April 2011. Since the beginning of the conflict VDC has registered more than 500,000 victims and systematic violations occurring in Syria. VDC has contributed to the UPR by submitting, together with other Syrian organisations, a shadow report to the UN. Mr. Alkatlaby stressed how ignoring accountability and justice is against any political settlement and will lead to retaliation, which will only leave the wounds open and the war persist. Justice and accountability are vital tools for peace. The lack of focus by the international negotiations on justice and accountability will not only reinforce the perpetrators, who are empowered and see that there are no limits or no consequences to their acts, but it will also impact the victims by discouraging them in telling their stories. That is why the international community should not put aside justice and accountability during the political negotiations, maybe hoping to speed up the negotiating process, but rather fully integrate these elements within any discussion related to the political solution of the conflict in Syria.

In his conclusions, Ambassador Harper underlined how the interventions made by the panellists are a clear demonstration of the unparalleled situation in which Syrian have to live and for which they are paying unimaginable human costs. The international community has a big role to play in providing accountability to Syrians, protect the non-negotiable character of human rights while recalling for the cessation of crimes and the need for an inclusive process of civilians in the transition system.

1.3 Discussion from the floor

During the open debate several Permanent Missions in Geneva² and civil society representatives took the floor to thank the panellists, underscore their commitment and ask them a series of questions ranging from how they could help making their voice heard and what Syrian civil society leaders hope for from the UPR meeting in early November. H.E. Amb. Faisal bin Abdullah Al Henzab, Qatar Permanent Representative to the UN, stated that in light of the serious deterioration

² Representatives from Permanent Missions attending the meeting included: Australia, Belgium, Canada, European Union, former Yugoslav Republic of Macedonia, Germany, Greece, Italy, Jordan, Lichtenstein, The Netherlands, Turkey, Qatar, UK and USA.
of the situation of human rights and humanitarian situation in Syria, which resulted in hundreds of thousands of deaths and prisoners and millions of displaced people and refugees, mostly women and children, and the complete collapse of the infrastructure and services within the country, the international community must remember that all of this is the great price paid by the Syrians for demanding freedom and democracy. He stressed that the solution to the Syrian crisis must be led by the prevalence of impunity from accountability. The representatives of the Permanent Missions of Belgium and Turkey stressed the importance to directly hear the voices of the Syrian civil society community and the importance that the documentation produced by Syrian NGOs on the serious human rights violations perpetrated in their country will play during the UPR on Syria and on the transitional process in Syria. Mr. Fadel AbdulGhani, from the Syrian Network for Human Rights, voiced the concerns of the panellists relating to the weaknesses of the documentation process and the risk that critical information, fundamental for analysing the dynamics of the conflicts, will be lost. Mr. Ghany underlined how it is critical that, also on the basis of the documentation collected by Syrian activists, the UN start to provide again information on the number of victims and analyse the relations between the proportion of casualties and the responsibilities of the crimes committed.

Conclusions
By focusing on the situation of children, young people and women, the efforts to document the widespread violations committed in the last five years and on how achieve justice and accountability for the victims of these crimes, this side event raised awareness about the role that the UPR process can play in reinforcing the importance of including the Syrian civil society community in the pursuit of a political solution to the war in Syria. In particular, the panellists underscored how the UPR meeting in November will need to reflect the gravity of the situation in Syria, considering the volume of human rights violations committed in Syria since 2011, and that the international community need to prepare for it with a view to assist the ongoing diplomatic discussions on how to put an end to the war in Syria and ensure that Syrian civil society’s recommendations will be taken into account during the inter-governmental discussion. The November UPR session cannot, and should not, be considered a routine meeting within the UN reporting mechanism but a crucial moment for the international community to step up its efforts to find a political solution to the worst humanitarian crisis since WWII. The meeting served as a reminder that the urgent priority of reaching a lasting political solution requires an inclusive and participatory process capable to ensure that the root causes of the conflict be addressed.