

Introduction

1. This report was prepared by a steering committee that was formed from the **Alliance for Writing and Advocating the Syrian Universal Periodic Review (UPR) Reports “AWASUR”**¹.
2. The report focus on the main themes that form major violations of human rights, while being sensitive to the international treaties and the International Humanitarian Law, and highlighting the recurrent patterns and crimes against humanity. The steering committee made sure to scrutinize and confirm the information received, analyze it in a systematic and methodological manner to identify the recurrent violations, and link them to the relevant legal references.
3. There have been various changes to the Syrian Republic State since the first cycle of the UPR (12th session in 2011). Some of these changes were positive while others were negative ².
4. The nature of the Syrian crisis changed since the start of the early peaceful protests in March 2011 due to the Syrian regime - SR (de' jure) use of overwhelming political violence. The protesters turned to violence to face the violence of the state, which escalated to an armed conflict in November 2011. The conflict was further complicated with the involvement of local and foreign parties and the import of munitions, arms, and combatants. The Parties to the Conflict - PtC committed various violations that differ in their geographical ambit, location and spread³.
5. PtC sought to control and monopolize natural resources and humanitarian relief and aid provisions and set to trade in them. They also extorted passers-by on check points, demanded tributes from residents living in areas under their control, managed a human trafficking networks⁴, attacked civilian structures to seize trophies and financial gains, abducted and took hostages for ransoms, and smuggled munitions, arms.
6. PtC violated the rights and endangered the safety of the people living in areas under their control. Both the de' jure and the de' facto, through their paramilitary and recognized affiliates, are responsible for all acts of violations which constitute breaches to their obligations in accordance to international treaties.
7. Despite that SR accepted the recommendations outlined in “working team of Syrian UPR” report⁵, the 100 (38) recommendations it implemented by issuing the 3/2010 law to prevent crimes of human trafficking, yet did not commit to take the necessary steps to protect the victims of human trafficking, the 100 recommendations (1 to 37 and 39 to 60) accepted and there is no tangible progress in the implementation of them and SR has therefore failed to uphold its commitments to the Human Rights Council (HRC) review 2011.

8. SR claimed in the “working team of Syrian UPR” report⁶, that the 101 (1 to 26) recommendations have been implemented while the 102 (1 to 13-15) recommendations implementation was in progress. Yet it did not prove any progress or change but rather took part in engendering the violence and the human rights violations by issuing the counter-terrorism laws (19-20-21) and establishing the counter-terrorism court (law 22). SR responded to the 103 recommendations and promised to provide a reply about it, but have not responded to 104 (8-10-15) recommendations. SR did not accept or interact with the 105 (1-13) recommendations, which could have limited the escalation of the conflict between PtC.

9. The Right to Safety and Protection

9.1. Forced Displacement

PtC⁷ set out to evict those civilians living in areas under their control due to religious⁸, nationalist⁹, or sectarian reasons, or due to the perceived political inclinations of residents. To do so, they destroyed civilian communities¹⁰, and civilian objects crucial to the survival of civilians. In some cases, residents were prevented from returning to their homes even when the civilian infra-structure and residential buildings were intact.

Despite the full control of SR in several areas¹¹, SR did not intervene to protect the civilians in these areas from the depredation of some sectarian militant groups. Despite its repeated claims all civilians could return to these areas, it in fact SR permitted the return only of families of militant groups loyal to SR, while preventing other families from returning to the same areas.

JabhatNusra also refrained from protecting civilian residents in areas¹² under its control from those armed groups which endeavored to force civilians out.

9.2. Forcing Civilians to Labor

PtC¹³ forced civilians, prisoners, and detainees to hard labor with no pay¹⁴ for long hours and sometimes near-continuously, making those forced to labor sleep in the open, and leading to deaths among prisoners and detainees¹⁵, especially in absence of any health care.

9.3. Violations against Protected Groups

9.3.1. Targeting individuals and vehicles and locations carrying signs protected by IHL

PtC¹⁶ targeted individuals, vehicles, and locations with no respect for the protected signs they carried¹⁷, causing aid, medical, and emergency support groups¹⁸ to suffer, and for their work to be hindered, accidentally or on purpose. In some cases, these PtC even set out to detain, torture, and kill individuals working with aid, medical, and

emergency support groups, with complete disregard to the protection provided to these groups under IHL.

9.3.2. Recruitment of Children into Dangerous Armed Conflicts and Subjection of Children to Sexual Abuse

PtC¹⁹ did not protect children under the age of 15 years, instead recruiting children and subjecting them to ideological and nationalist enlistment. Using practices of intimidation and encouragement, some parties²⁰ recruited male children who were used in dangerous military operations²¹, and criminal operations. Multiple testimonies of these actions were repeatedly recorded, all of which reported the systematic rape of children in training camps by some parties as part of training regimes²², and for aims of extortion and intimidation. Testimonies identified children of non-Syrian nationalities among them.

9.3.3. Forcing Women to provide entertainment services and Subjecting Women to Sexual Abuse

SR forced women to participate in a number of televised entertainment activities and “national” celebrations, of which a celebration to boost morale of soldiers was the most recent²³. While being forced to participate in these entertainment services, some of these women endured sexual abuse from some of officers and soldiers.

9.4. The Internally Displaced²⁴

9.4.1. Denial of Adequate Shelter

SR forces established improper and inadequate temporary shelters for civilians, who, in these shelters, were heavily subjected to police and intelligence procedures and arbitrary treatments²⁵.

9.4.2. Difficulties in Obtaining Official Records and in Registering Public Records

People who are forcefully displaced and in particular women, have faced various difficulties in obtaining official records and papers to benefit from certain important services²⁶. Also, people face various difficulties in registering deaths and new births, especially those births resulting from marriages not registered yet due to the situation²⁷.

9.5. Targeting Clerics

PtC²⁸ hindered the work of Clerics, even targeting them with a series of assassinations while they were carrying out their religious work, when a large number of attacks were recorded against clergy men and against religious structures or objects.

9.6. Targeting human rights defenders

PtC²⁹ targeted human rights defenders while they were documenting human rights violations. These parties pursued them inside and outside of Syria and succeeded in causing them intentional harm³⁰.

9.7. Violations against non-civilians and their families

PtC subjected prisoners of war, an extremely vulnerable group during armed conflict, to torture, for the purposes of humiliating and interrogating them. They did not provide them with adequate health care, shelter, and nutrition, nor with legal protection, and they were not allowed to contact their families. They also refrained from revealing identities of those prisoners whose arrest was not documented by any official party. In addition, women prisoners were subjected to crimes of sexual assault and forced labor³¹.

Some PtC relied on human trafficking to import foreign combatants into their ranks. The families of these individuals suffered the worst kind of exploitation and degrading treatment.

The wide displacement of civilians from areas based on – in many cases – their ethnicity and religious affiliations, raises concerns about plans for deliberate demographic change, especially given that testimonies have been recorded on the settlement of populations in areas originally inhabited by other populations.

9.8. Minorities

9.8.1. Kurds

Legislation numbered 49/2011 did not recognize many Kurds as Syrian nationals, despite their indigenous inhabitation of Syria, stating that it would “provide the nationality for the foreigners who are registered in Al-Hasakah public³²”. In doing so, it did not include Kurds who were registered after 1962, and all those other members of minorities in similar situations³³, who do not have civil records in the public registries, and are thus called “stateless” and are still denied their right to nationality and to their legal identity.

9.8.2. Palestinian Refugees

SR and its militias³⁴ enacted a long siege on some of Palestinian refugee camps in Syria³⁵, and hindered establishment of safe passages out of these camps, which put refugees in danger of violence and exploitation as they attempted to flee. These besiegement made it difficult for medical and food supplies indispensable for the survival of the population to reach these camps, and hindered return of their residents after the hostilities had ended³⁶.

SR and its militias did not break siege on these camps and gatherings when other PtC³⁷ took control of them, and nor did they attempt to secure safe passages to evacuate their residents. SR refrained from providing services indispensable for survival of residents of the camps³⁸, and they did not commence serious negotiations for establishment of safe passages for residents, as they did for residents of surrounding areas. Palestinian refugees are no longer treated near-equitably as they were pre-conflict, when they enjoyed the protection of SR.

SR and its militias targeted structures and working teams of UNRWA while they were carrying out their humanitarian work. They also hindered³⁹ UNRWA's aid work and did not allow medical and food supplies to be distributed safely and fairly to refugees⁴⁰.

PtC did not provide the security and the protection needed for UNRWA to carry out and/or continue its relief work and provide adequate shelter. They rather hindered delivery of aid supplies to those refugees⁴¹, and they targeted and occupied public objects, including medical and academic ones⁴².

SR deliberately and systematically destroyed most of neighborhoods in Yarmouk Camp, making life inside some areas of the camp almost impossible and forcing remaining residents to gather in a location which still had some services. SR escalated siege and hindered the evacuation of injured, and hindered medical and food supplies, as well as money, from reaching the camp. These methods of warfare have led to fatalities among residents, especially among children and newborns, and long lasting physical and psychological damage to many others. These actions raise serious concerns that SR may be targeting Palestinian refugees as an ethnic minority with the aim of cleansing their presence in Syria.

9.8.3. Lesbian, Gay, Bisexual, and Trans (LGBT) identified individuals

LGBT identified individuals are persecuted and stigmatized socially and legally⁴³, where they are denied equal opportunities to education and work through the denial of employment in public services and sometimes in private establishments⁴⁴. They are also persecuted by the law⁴⁵ through security trailing and detention, where many men⁴⁶ have been beaten, tortured, and raped – individually and in groups – at checkpoints due to their sexual orientation⁴⁷.

9.9. Protected groups

9.9.1. Protection of women

The Syrian law does not criminalize marital rape and provides a reduced penalty for sexual assault crimes if the perpetrator marries his victim⁴⁸ as well as if the crime is ascertained to be carried out for a “noble motive” (honor crimes)⁴⁹. There is no law that specifically protects women from violence.

During the war, those who committed “honor crimes” and rape enjoyed impunity from justice⁵⁰. Women have also experience more frequent violence in all of its forms: verbal, physical, psychological, and sexual⁵¹. This has escalated due to the chaos brought about by the proliferation of many newly formed religious courts.

9.9.2. Early Marriage

The Syrian legislator did not protect children from early marriages and it allowed young girls to be wedded by their parents and guardians, who exploited vagueness and contradictions within civil status laws for Muslims and others⁵², which provide little protection for them. Early marriages increased during the civil war out of fear of

widespread sexual assaults and due to economic hardship, where need and vulnerability of parents was exploited.

9.9.3. Marriages outside official courts

Due to widespread need and fear, marriages outside the official courts increased during the civil war, and especially in the religious courts of PtC. This has led to many women giving birth at a young age, and deterioration of mothers and infants' health, and in some cases, to death.

9.9.4. Forced marriages and conjugal contracts

PtC⁵³ forced women to marry Syrian and foreign fighters. The Islamic State organization issued a *Fatwa* allowing males belonging to the group to have intercourse with the women of any member of the group who goes absent for more than two days without word on his whereabouts or his excuse, as a lawful punishment of said person (*Woquu* contracts)⁵⁴.

9.10. Pursuits and raids

PtC did not make sufficient effort to protect civilians from pursuits, raids, and other action of retaliation that they carried out themselves, or were carried out by other armed groups in the areas under their control. These acts of retaliation included searching houses and arresting people⁵⁵. Corpses of those arrested were later returned to their families, or they were disposed of by burying it.

9.11. Recommendations

9.11.1. PtC must adhere to article 17 of the Second Optional Protocol of the Geneva Convention and article 7 of the Rome Statute, and refrain from committing war crimes by deporting and expelling populations outside of their original areas of residence.

9.11.2. The international community must oblige PtC to take the necessary procedures guaranteeing the return of the forcibly displaced to their original areas of residence, provide the protection that these people need, and rehabilitate the residential areas damaged in the conflict.

International parties that are carrying out military actions in Syria must stop supporting PtC that are committing crimes against humanity by expelling civilians from their areas of residence.

9.11.3. PtC should commit to Article 5 of the Second Optional Protocol of the Geneva Convention and Article 44 of the First Optional Protocol of the Geneva Convention, and refrain from subjecting the prisoners and the detained to inhuman treatment, release the prisoners and the detained in their possession, and allow for truth and reconciliation commissions to visit all relevant locations.

- 9.11.4.** PtC should commit to Articles 9, 10, and 11 of the Second Optional Protocol of the Geneva Convention and Article 12 of the First Optional Protocol of the Geneva Convention, refraining from targeting medical personnel and teams, provide protection and support to them, and stop punishing them for performing their tasks.
- 9.11.5.** PtC must respect the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. The international community must compel PtC increase the protection of children from any form of participation in armed conflict.
- 9.11.6.** PtC should commit to the Optional Protocol for the Convention on the Rights of the Child concerning the recruitment of children into armed conflicts, and to the Optional Protocol for the Convention on the Rights of the Child concerning trafficking in children, and the exploitation of children for the purposes of prostitution and the production of pornographic material.
- 9.11.7.** PtC should commit to article 77 of the First Optional Protocol of the Geneva Convention and article 4 of the Second Optional Protocol of the Geneva Convention and refrain from recruiting children into military actions and protect them from exploitation and sexual harassment.
- 9.11.8.** SR must implement Article 76 of the First Optional Protocol of the Geneva Convention guaranteeing the protection of women and refrain from forcing them into prostitution or any other form of indecency.
- 9.11.9.** SR must take the necessary procedures to provide adequate and sufficient shelters for the displaced, and guarantee them safeguard from any inhumane treatment due to police and intelligence procedure that might be put in place.
- 9.11.10.** SR must take the necessary procedures to record the deaths and births and marriages which could not be registered by the displaced populations, and facilitates them to procure needed official documents.
- 9.11.11** PtC must commit to Article 9 of the Second Additional Protocol to the Geneva Treaties, and Article 15 of the First Additional Protocol to the Geneva Treaties, respecting and protecting members of the clergy and refraining from targeting them.
- 9.11.12** PtC must respect the Declaration on Human Rights Defenders, protecting them, and guaranteeing that they will refrain from harming them, and revealing the fate of those who have been disappeared.
- 9.11.13** SR must ratify the Declaration on Human Rights Defenders, taking the necessary arrangements to guarantee the safety of human rights defenders, and abstaining from targeting them.

- 9.11.14** The international community must place pressure on individual states surrounding Syria⁵⁶ to take all necessary measures and precautions to prevent the trafficking of fighters entering Syria.
- 9.11.15** SR must take measures to guarantee that no human trafficking of the families of foreign fighters will take place.
- 9.11.16** PtC must refrain from recruiting foreign fighters to Syria and using them in military operations.
- 9.11.17** International communities must place pressure on PtC to guarantee the protection of the families of foreign fighters, and to return them to their countries of origin if the families so wish it.
- 9.11.18** SR must issue legislation that returns the formal and legal Syrian nationality of all Syrian Kurds, and of all those whose nationalities were removed by Law 93/1962, and allow for them to have all their civil and political rights.
- 9.11.19** SR must take all required procedures to repair and compensate for the damage done to the Kurds, and those in similar situations, for the years of deprivation they have experienced as a result of their nationality being removed.
- 9.11.20** SR must apply Article 23 of the Fourth Geneva Treaty, providing safe passages for medical and food supplies to camps and gatherings, and halt the imposition of sieges.
- 9.11.21** SR must commit to Article 17 of the Second Additional Protocol to the Geneva Treaties, and Article 7 of Rome Statute, refraining from committing the war crimes of displacement of the Palestinian refugees from their camps, and allow Palestinian refugees to return to their camps.
- 9.11.22** PtC must commit to Articles 9, 10, 11 of the Second Additional Protocol to the Geneva Treaties, and Article 12 of the First Additional Protocol to the Geneva Treaties, abstaining from targeting individuals and crews working for UNRWA, and protecting them so that they can provide relief and adequate shelter to those in need.
- 9.11.23** SR must adjust article 520 of the Criminal Code Ordinance to guarantee the decriminalization of any kind of sexual relations between people of the same sex.
- 9.11.24** SR must respect the right of all LGBT people to a private and family life, and protect them from any kind of oppression mounted on the accusation that they harm or have harmed general politeness, morals and/or public manners.
- 9.11.25** SR must issue a law or laws criminalizing marital rape and providing protection for women from domestic and gender based violence.

- 9.11.26 SR must adjust Article 548 of Syrian Criminal Code which provides reduced sentences in the case of “honor crimes”.
- 9.11.27 SR must define the minimum age of marriage, care for married minors and their children, and provide protection and guidance to guarantee the well-being of their health and psychological state and to minimize death rates among them. SR must take all required arrangements to guarantee the protection of minors from the depredation of all PtC.
- 9.11.28 SR must appropriately penalize marriage outside of specialized courts, bring to justice those responsible for marrying minors, and take all required measures to protect married minors and their children.
- 9.11.29 PtC must respect the Convention on the Elimination of All Forms of Discrimination Against Women, and SR must lift its reservations to CEDAW. SR must commit to Article 76 of the First Additional Protocol to the Geneva Treaties, guaranteeing protection of women and abstaining from subjecting them to demeaning and inhuman practices.
- 9.11.30 International communities must place pressure on all parties the conflict to protect vulnerable women and the first degree women relatives of fighters.
- 9.11.31 PtC must abstain from persecuting activists, opponents, and human rights defenders.
- 9.11.32 PtC carrying out raids must respect the sanctity of private homes, stop terrorizing civilians during the course of raids, and abstain from the expropriation of private property during raids.
- 9.11.33 PtC must reveal the fate of all those arrested.

10 **Right to Free Speech, Political Participation, and to Public Affairs:**

SR deprived people of their right to participate in and give their opinions on issues related to public affairs. For example, only the President could sue the prime minister and ministers, a state of affairs which was enshrined in the 1973 Constitution, Article 117, and restated in the 2012 Constitution, Article 124, section 2.

The right of political participation before 2011 was exclusive to Arab Baath Socialist Party. Certain other specified parties were allowed to work under what is called the ‘National Progressive Front’ led by Al baath party.

Legislation 2011/ 100, Article 7, required that political parties could only be formed with the agreement of the “parties affairs committee” led by interior minister, a judge

assigned by the head of court of cassation, and three independent public figures assigned by the president.

Legislation 2011/ 100, Article 12, deprived former political parties, whose members were less than 1000 among governorates, of carrying out any political activity.

Although the emergency code was canceled, the violent and repressive practices of political parties under Baath control created a hostile environment to political participation. For example, less than 12% of representatives in parliament were women, and women in National Coalition for Syrian Revolutionary and Opposition Forces number less than 7%.

PtC⁵⁷ forbade any political activity in opposition to their political cause, and also deprived women from participating in local councils and being given feudal titles⁵⁸ (under the Islamic State).

12.1 Recommendations:

- 12.1.1** SR must adjust Article 124 of Syrian constitution, so citizens can prosecute public servants.
- 12.1.2** SR must cancel the authorities of the 'National Progressive Front', and require its parties to adjust their local legislations and bylaws to conform with minimum human rights standards.
- 12.1.3** SR must adjust Article 7, from Law 2011/100 regulating party licenses, to guarantee the power and independence of the Higher Constitutional Court, and allow for political parties to practice their political activities without restrictions.
- 12.1.4** SR must adjust the Constitution to guarantee woman's political participation with at least 30% quota, and create clear, straightforward, legal texts surrounding this issue.
- 12.1.5** The international community must place pressure on PtC to allow activists and political parties to practice their activities.

13 Right to Freedom of Movement and Residence:

13.1 Roadblocks and Checkpoints:

PtC must end military and security roadblocks restricting civilians movement, exposing them (especially grown and men young men who are over 12 years) to detention and arrest while passing, especially roadblocks imposed to collect tribute to support warfare⁵⁹ Roadblock personnel took advantage of vulnerable civilians; women had the larger share of abuse and were discriminated against while attempting to pass through⁶⁰.

13.2 Safe Passages:

PtC did not make the necessary efforts to protect civilians, nor supplied indispensable and essential medical and food stuff for survival, during their military operations and near and in their places of operation, and also took part in the enforced displacement of many under extremely difficult conditions.

13.3 Recommendations:

13.3.1 SR must respect freedom of movement for civilians without restrictions, and conditions, and end intelligence procedures and group punishments carried out in and around roadblocks and checkpoints.

13.3.2 The international community must place pressure on PtC to guarantee the refrain from taking advantage of vulnerable civilians, and protect women from sexual abuse and harassment while moving.

13.3.3 PtC must commit to Article 23 of the Fourth Geneva Treaty, finding safe passages for relief, food and medical stuff to regions where military operations are underway.

13.3.4 The international community must place pressure on PtC to open safe passages into conflict areas for the provision of relief supplies.

14. Right to Freedom of Expression and Association:

Syrian Law did not distinct between protests, sit-in, and strikes. SR used its power to suppress peaceful protests, sit-in, and gatherings, and exposed activists to arrest and detention without the legal procedures required under the 2012 Constitution, Article 44.

SR required all people wishing to protest to obtain a license, and obligated organizers to agree to unreasonable conditions before a protest license could be obtained.

The Law of Organizations and Private Associations, 1958/93, imposed procedures and unfeasible restrictions⁶¹ on the ability of people to forming organizations, which even if they were to be licensed, could later be dissolved or merged forcibly⁶².

14.1 Recommendation:

14.1.1 SR must respect the freedom of expression and enshrine this in the Syrian constitution.

14.1.2 SR must amend the law governing demonstrations, to guarantee the freedom of expression, and remove the restrictions placed on the ability to receive a license for protest, and guarantee the protection of peaceful protestors.

14.1.3 SR must issue a new law guaranteeing the freedom of association, in accordance with minimum human rights standards.

15 Right to a Fair Trial

15.1 Laws Governing Civil Procedure

15.1.1 Detention and Arrest Centers

The detention centers of PtC, in particular of SR, do not uphold human dignity, many are secret, and many subject the arrestee to verbal and physical scolding, sexual harassment, rape, demeaning and inhuman treatment, and isolation.

15.1.2 Investigations:

SR's Security Departments forcibly extract arbitrary confessions from detainees and arrestees, using torture and rape (which in most recorded cases, occurred in front of their relatives, or arrestees were forced to watch the torture and rape of their relatives in front of them), harassment, and ill-treatment⁶³ based on false indictments⁶⁴.

15.1.3 Law Sponsorship and Impunity:

Civilians in Syria were deprived of their right to prosecute members of the security services who committed crimes against them, through the "Law of the Foundation of National Security"⁶⁵ and the "Interior Regulations of National Security", Legislation⁶⁶ 64/2008, that gave immunity to security force members and workers of national security, guaranteed impunity, and encouraging the perpetration of further grave human rights violations.

The Anti- Terrorism Law⁶⁷ of 2012 embedded and consecrated the state of emergency laws, under the pretext of ensuring homeland unity, which in fact functioned to allow the authorities to practice abuses of power and guarantee the impunity of SR actors from prosecution. The use of vague and ambiguous definitions in the Law meant that the scope of incrimination was massively expanded, and could be used to carry out false indictments.

The law 19/2011, Article 1, endangers peaceful activists and opposition figures, organizations and civil society organization, media, political parties, in the name of protecting against dangerous extremists.

The Law 20/2011 endangers laborers, public sector employees, and conscientious objectors.

The Law 22/2011 allows courts to ignore the principle of due process when prosecuting individuals accused of particular crimes.

SR used the Counter-Terrorism Laws 19, 20,21, and 22, and the newly established specialized courts, against activists, opposition figures, journalists, human rights defenders, and others⁶⁸.

15.1.4 Religious law enforcement Courts:

Religious law enforcement courts imposed⁶⁹ by PtC in the areas under their control differ in the laws and judgments they adhere to, which led to discrimination based on gender, religion, and ethnicity, and led to miscarriages of justice.

15.1.5 Judgments of Newly Established Religious Courts

PtC executed judgments under fatwas, (judge legit), from religious courts, to expropriate the property and assets of civilians.

The Islamic State executed judgments under fatwa (judge legit), from religious courts, using inhuman and unprecedented methods (using techniques such as crucifixion, maiming, and burning) to punish, kill⁷⁰, and ensure the mutilation of the bodies of the dead.

15.2 Improper Checks on Presidential Authority

The Constitution of 2012 granted the President massive authority over the judiciary and legislation, severely limiting the ability of these institutions to function independently or to hold the Executive (the President) to account. The President is the head of Supreme Court Council, assigns the members of Higher Constitutional Court, and has the authority to head legislation sessions and dissolve parliament.

15.3 Recommendations:

15.3.1 SR must reveal all secret temporary and permanent detention centers, and allow for specialized UN commission to access their data.

15.3.2 SR must withdraw all reservations concerning the Convention Against Torture and other Cruel, Inhuman, or Degrading Punishments”.

15.3.3 SR Obligate to amend the law of “interior regulation of national security”, and legislation 64/2011, lift the immunity of security force members and take required measure to ensure the bringing to justice of all those who are suspected to have committed crimes against humanity, which no statute of limitation.

15.3.4 SR must abolish the Counter Terrorism Laws, and include in their replacements clear and unambiguous definitions of terrorism and related terms which adhere to minimum human rights standards.

15.3.5 SR must dissolve Counter-Terrorism Court judgments against activists opponents, journalists, and human rights defenders, release them immediately, and compensate them for injury endured.

15.3.6 The international community must ensure that all PtC cancel religious law enforcement courts that discriminate on the basis of ethnicity, religion, and gender, and compensate all discriminated against by the judgments of these courts.

- 15.3.7** International parties operating militarily in Syria must mount concerted efforts to stop the war crimes and crimes against humanity that the Islamic State is currently committing.
- 15.3.8** SR must include articles in the Syrian constitution to ensuring the proper functioning of checks and balances of power between the Legislative, Executive and Judicial branches of government, and prevent abuses of power therein.
- 15.3.9** SR must abolish Article 117 of the 2012 Syrian Constitution, to ensure that the President may be held accountable while officiating his or her duties.

16. Right to Property:

16.1 Expropriation of Properties and Estates

SR issued the Urban Planning and City Building 23/2015 law, which subjected all areas subjected to conflict to urban regulation, regardless of the rights of the owners of the properties therein, which allow SR to expropriate property and build public works. That committee established by the 23/2015 law to estimate the value of property and thus determine the amount of compensation provided to property owners generally held hearings in locations difficult for the owners to reach, ensuring that many could not successfully appeal against property values which were fixed unreasonably low.

16.2 Recommendations:

- 16.2.1** SR must amend the 23/2015⁷¹ Urban Planning and City Building law to uphold the right of property for those whose properties were damaged in the conflict.

17 Right to Education:

PtC through engaging in military endeavors destroyed educational institutions and schools⁷², which become ineligible to use or shelter for displaced people, and in some cases used these buildings as military installations, depriving children⁷³ the right to receive education.

PtC⁷⁴ imposed educational syllabuses that did not match the standard education criteria agreed upon the United Nations Educational, Scientific and Culture Organization (UNESCO)⁷⁵.

The Islamic State enforced an educational syllabus on the population under their control that was drawn exclusively traditions and customs religious they attributed to Islamic origin, which encouraged the cultivation of violence, discrimination against women, and towards people from others religions, and moreover acted to deprive children from their right to education.

PtC did not make efforts to provide treatment for the physical and psychological hurt sustained by children during the war in schools, or alternate educational institutions, which led to children suffering from long-term, negative fallout.

The educational system sustained enormous damage as a result of the conflict and the ensuing destruction of educational infrastructure and massive displacement of people. Children suffered from overcrowded classrooms in public schools, which negatively affected their ability to benefit from the educational process.

17.1 Recommendations:

17.1.1 The international community must assist those PtC that are committed to international agreements and truces in providing an educational syllabus with conforms with minimum UNESCO standards, in reintegrating of children into the educational system, in the reconstruction of damaged schools, and in the ensuring of safety for all children so that they may enjoy their right to education.

17.1.2 The international community must place pressure on PtC to ensure that schools are not used for acts of war or as military bases or installations.

17.1.3 The international parties operating militarily in Syria shall make all possible efforts to end war crimes and crimes against humanity that the Islamic state is promoting against women and people from other religions through the propagation of racist and hate speech.

18 Economic and cultural rights:

18.1 Cultural Identity:

SR denied appropriate burial rites for the bodies of the dead from particular religious and cultural minorities. Many bodies were not delivered to their relatives, or to recognized spiritual authorities, who were instead provided with death certificates only or hard -to-recognize disfigured bodies, or delivered with only a death note, making the funeral and burial procedures desired by the relatives of the deceased difficult to enact.

18.2 The Demolition of Archaeology, Worship Houses, Shrines, and Churches:

SR established military bases inside and around highly historical cultural places, and used them as launching points for military operations, exposing them to bombing and destruction⁷⁶.

PtC engaged in fighting in Maaloula, which led to the looting and destruction of churches.

PtC deliberately and willfully destroyed property of great significance to the cultural heritage of the Syrian Arab Republic, in contravention of international law.

18.3 Recommendations:

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- 18.3.1** PtC must fulfill all obligations under the International Convention on Economic, Social, and Cultural Rights (ICESCR).
- 18.3.2** SR must take required measures to guarantee the delivery of the bodies of the dead held to relatives and take all reasonable measures to ensure that they may be buried according to the wishes of relatives.
- 18.3.3** PtC must commit to Articles 4, 8, 9, and 10 of The 1954 Hague Treaty for the Protection of Cultural Property during Armed Conflicts.
- 18.3.4** PtC must commit to Article 53 of the First Additional Protocol to the Geneva Treaties, and Article 16 of the Second Additional Protocol of Geneva Treaties, and abstain from using religious and historical objects in military operation and from targeting them in the same.