

Universal Periodic Review of the Syrian Arab Republic
Submission to the Human Rights Council

Violations against Women and the Disproportionate
Impact of the Conflict on them

This report is a joint submission by the following organisations:

(by alphabetical order)

- Badael Foundation
- BIHAR Relief Organization
- Center for Civil Society and Democracy (CCSD)
- Dawlaty
- Musawa - Women's Study Center
- Syrian Female Journalists Network
- Syrian League for Citizenship
- Umammu
- Women Now for Development
- Women's International League for Peace and Freedom

Background and context

Five years after the breakout of the mass protests demanding freedom and justice, which the Syrian regime met with unprecedented repression and violence leading to an open armed conflict, civilians continue to be the first target of hostilities and constitute the majority of victims. They bear on their own the heavy weight of the violence that amounts to war crimes and crimes against humanity. Repressive practices and armed violence impacts women disproportionately as they steadily lose their security, homes, lives, family members and social status in light of systematic targeting of civilians, proliferation of arms, destruction of the legal system, and collapse of the rule of law.

Violations against women in Syria did not begin with the armed conflict. They had experienced violations and discrimination in law and practice for decades. The government did little to stop gender-based discrimination, injustice and violence against women and has not taken adequate measures to improve the situation for Syrian women. The UNDP Gender Inequality Index that measures the discrepancy between men and women in terms of reproductive health, empowerment and access to employment, shows that in 2010 Syria was ranked 118 out of 148 countries, without making any progress since 2000.

The protection and empowerment of women requires a more comprehensive response to the crimes committed against them in particular, and against civilians in general. This requires fighting impunity imposed by the Syrian regime through passing laws and regulations that exempt government staff and collaborators from accountability, setting up unconstitutional special courts, trying civilians in field military courts, and passing terrorism laws that predominantly target peaceful activists. The protection and empowerment of Syrian women also requires full recognition of their active role in leadership, development, conflict resolution, and promotion of durable and sustainable peace, rather than perceiving them as mere victims of the conflict. The cessation of the conflict and the improvement of civilians' situations cannot be achieved without the active and serious participation of women in the legislative, executive and judiciary powers, as well as through supporting local women's initiatives and their meaningful participation in all levels of the political process.

I. Gender-based violence

Gender-based violence has been prevalent in both public and private spheres for decades and was exacerbated by the armed conflict. A number of discriminatory laws, especially the six personal status laws of different sects, the nationality law, and the penal code, legalize and legitimize GBV in different articles and under different pretexts. These include the so-called "honour" killing, forced underage marriage, rape and arbitrary divorce by men. These laws subject women to the control of their male family members and is reflected in civil laws.

The Syrian Government's report A/HRC/WG.6/12/SYR/1 submitted on 22/09/2011 referred to the Tenth Five-Year Plan 2006-2010, which pledged: "the amendment of laws and regulations and application of integrated measures to prevent and reduce violence against women; the modernization and development of national laws and legislation in line with the Convention on the Elimination of All forms of Discrimination against Women (CEDAW); and the issuance of a civil family law that guarantees the rights of family members, establishes gender equality, protects women from violence, limits traditions and customs that hinder their contribution to the building of a modern and democratic society." Nevertheless, the Syrian Government has taken no measures to develop and harmonize national laws with the CEDAW articles to which Syria has made no reservations. The government also did not ratify the CEDAW Optional Protocol or accept the amendment to Article 20 (1) thereof, and none of the reservations have been lifted^[1].

Forms of violence against women during armed conflicts in accordance with Security Council resolutions, in particular resolution 1325:

During the armed conflict, Syrian women have been exposed to various forms of GBV and human rights violations by government bodies as well as by some armed factions. These include:

Sexual violence against women and girls

Several international and national reports ^[2] confirm the increased levels of sexual violence against women and girls. IRC described rape as a "prominent and disturbing feature" in the Syrian war ^[3]. FIDH report^[4] stated that most allegations of rape and other forms of sexual violence seen by their delegation^[5] has been committed by government forces and "Shabiha" (government affiliated militias) during house raids, at checkpoints and in detention centers. There were also sexual abuses against women in public spaces or in front of their relatives. Some victims were raped and killed by the rapists without any accountability, which led to severe traumas among victims and survivors. Some women have also been forced to endure forced and unwanted pregnancy resulting from rape ^[6]. HRW documented the use of sexual violence by the Syrian Government forces to torture detained men, women and children ^[7]. In the same report, witnesses said: "Soldiers and armed pro-government militias have sexually abused women and girls as young as 12 years old in home raids on residential areas." Former female detainees also told HRW that they had been "sexually abused or witnessing sexual abuse in detention,

including rape, penetration with objects, sexual groping, prolonged forced nudity, and electroshock and beatings to genitalia." These crimes violate human rights law and the IV Geneva Convention (Article 27) and may amount to war crimes.

Human trafficking

Despite there being a law to protect people from trafficking, crimes of this nature have occurred prior to the conflict in Syria, which was considered both a destination and transit country for human trafficking. Human trafficking crimes have increased since the start of the armed conflict, although there are no official statistics to reflect it. Reports^[8] demonstrate that human trafficking in the form of child marriage occur in refugee camps in Jordan and Turkey through special offices, justified by religious fatwas. Furthermore, the poor financial conditions and lack of employment, especially in refugee camps^[9], force women to work in prostitution. That is why a number of Syrian women are in Lebanese prisons charged with prostitution^[10].

Recommendations

1. Parties to the conflict as well as the international community should take concrete actions to stop the hostilities, apply confidence-building measures and negotiate a sustainable political solution
2. Implement Security Council Resolution 1325 and its subsequent resolutions that call for the protection of women in times of conflict and include meaningfully women in the peacemaking process.
3. Lift the reservations to CEDAW articles and align all laws and legislations with CEDAW, which requires increasing the marriage age in all personal status laws, applying deterrent penalties for violations, and sanctioning those responsible for unregistered marriages (including lawyers).
4. Pass a law to protect women from domestic violence, including direct and effective enforcement measures.
5. Reactivate the human trafficking law by issuing the related implementation instructions. The law should include measures to protect victims of human trafficking and ensure humane treatment, psychological support and rehabilitation.
6. Find new solutions to documenting the lineage of children born as a result of early and forced marriages, and prepare an effective awareness plan to reduce this phenomenon.

II. Detained and forced disappeared women

In the previous UPR in 2011, the Syrian Government accepted thirteen recommendations in relation to the release of all prisoners and prevention of ill-treatment in prisons, and considered them as fulfilled. However, this is inaccurate and misleading. International reports^[11] and local statistics^[12] refer to the detention of thousands of women since the beginning of the uprising in March 2011; the fate of many of them continue to be unknown^[13].

One major obstacle to documenting violations in Syria is the intimidation and repression exercised by government forces and militias affiliated with the regime against Syrian activists, in addition to denial of access to independent human rights observers^[14]. Social and psychological pressures also may prevent reporting arrest cases for fear of further harassment. Therefore, it was difficult to access information to collect comprehensive data of women detainees. Statistics^[15] show that 76% of the female detainees are detained in security branches and other secret detention places, while only 24% are in the central prisons, among which 83% are detained in Damascus central prison, Adra, regardless of where they are originally from^[16]. Adra prison is a dangerous place because it is located in a battle zone^[17], where military operations prevent the families from visiting their detained relatives, particularly those residing in other governorates.

Detention constitutes an insurmountable difficult experience in the lives of women detainees^[18], even after release. They are not only tortured but also humiliated and dehumanised^[19]. In its ongoing quest to destroy the fabric of the Syrian society^[20], the Syrian Government deliberately arrests women, knowing that this will bring shame to the entire family in a patriarchal society that confines honour to the bodies of women. This has prompted many families to push their daughters to emigrate.

Euro-Mediterranean Rights^[21] and the Independent International Commission of Inquiry for Syria^[22] reported the use of detainees for bargaining purposes in detainee swaps, or as hostages to pressure their wanted relatives to hand themselves in^[23]. In some instances, detention was used merely to punish certain families for their dissidence, or for obtaining ransoms in exchange for their release. Recently, the Syrian government arrested women in order to trade them with weapons of armed opposition groups. This happened in Daraa, at Khirbet Ghazaleh checkpoint on the Damascus-Jordan highway. The last months have witnessed unprecedented arrests, apparently for this purpose only. In July 2015, two women from Dael town in Daraa were arrested for five months and were finally released in exchange of a sum of money and 20 pieces of weapons of the Free Syrian Army delivered to the government troops. Such incidents have been recorded in Tafas and Atman, both in Daraa.

While most victims of arbitrary detention and disappearance are males, a great impact fell on women who lost the family breadwinners. They had to work to support their families and afford the cost of searching for their detained family members, including legal costs. They were also subjected to sexual exploitation at times, by gate-keepers or security officers offering to "help". Even if there are other male family members, women are expected to bear the burden of traveling, sometimes through war zones, from other governorate to the capital^[24]. They then have to wait for a long time in front of the military

police headquarters, while being subjected to humiliation by the police, to inquire about their detained relatives because the male family members do not venture to do so for fear of punitive actions by the authorities.

Recommendations

1. Take urgent action to release all arbitrarily detained persons, especially women.
2. Immediately reveal the fate of victims of enforced disappearance, including providing official statistics on the detainees and the places of detention, and establish inquiry centers in all governorates.
3. Take serious actions to hold accountable those responsible for random or mass arrests of women.
4. Investigate the causes of deaths in detention centers.
5. Ensure a fair trial for women found guilty of certain crimes. If they are sentenced to prison, the government should make sure they are detained in their respective regions and should improve the living conditions in prisons.
6. Establish shelters for abused women and those rejected by their families.

III. Targeting women civil activists and human rights defenders

Repression and violence against women civil activists by Syrian security forces is systematically escalating. Activists are subjected to various forms of abuse, including arbitrary arrests, abduction and torture inside and outside the security branches and official and unofficial detention centers.

Despite the fact that women have not directly participated in military operations and that their participation in the civil movement was limited to civil and relief activities and expressing political opinions, the regime has persistently accused women activists of being terrorists to justify their arbitrary detention and enforced disappearance. During their detention, activists were subjected to torture^[25], solitary confinement, ill-treatment^[26], sexual harassment and sometimes murder^[27] in formal and other non-recognized detention centers, under inhumane conditions^[28]. They are also deprived of their basic rights, including knowing their charges, accessing a lawyer and informing their relatives. Activists are prosecuted in courts that lack the minimum standards of fair trial^[29]. Detention has distinct implications for women in general, and women human rights defenders in particular, even after release. The severe social, economic and psychological impact is not limited to dismissal from work or educational institutions; it could also mean divorce and rejection by the family and community^[30]. The regime has also applied psychological abuse, such as indirect threats and harassment to force civil activists to leave the country^[31]. According to a Syrian feminist activist, these systematic practices sometimes extend to personal property. The Syrian Ministry of Finance has ordered the expropriation of houses and properties of many activists and their relatives under the pretext that they support terrorism. Furthermore, some women are harassed at government military checkpoints only because they happen to be relatives of wanted persons or at checkpoints only because they belong to rebelling regions. Only activists authorized by the government may enter shelters and provide services and assistance and such authorization is highly capricious.

The CEDAW Committee, in its concluding comments on the second periodic review of Syria^[32], expressed serious concerns about the risks facing female human rights defenders and aid workers since the outbreak of the conflict, especially about the following:

- Repeated reports on arbitrary detention, physical abuse and sexual violence by the government forces and militias due to participation in peaceful activities.
- Repeated reports indicating that most activists have been detained upon charges under the Terrorism Law (Law No. 19/2012).
- Lack of information about the number of women in detention on terrorism charges and those prosecuted and sentenced by the Terrorism Court.
- The travel ban imposed by the government on women activists. Seeking security and protection, some of them had to leave the country.

Recommendations

1. Modify the Terrorism Law, particularly its definition of acts of terrorism and financing of terrorism, so as to ensure its conformity with the provisions of other international human rights conventions and instruments.
2. Lift the travel ban on activists.
3. Return the confiscated properties or provide fair compensation and abolish all ministerial decrees issued against activists in this regards.
4. Drop the charges fabricated against activists outside the country.
5. Ensure that activists work in the country without being exposed to arbitrary arrest for peaceful activism.

IV. The proliferation of weapons

Explosive and chemical weapons

In clear violation of UN Security Council Resolution 2139 issued on February 22, 2014, the Syrian government forces continued to launch systematic and extensive indiscriminate air strikes, throwing barrel bombs on civilian populated areas. Human Rights Watch reported that civilians, including 1,892 children and 1,720 women, have been killed in government barrel bomb attacks since UNSCR 2139 was passed^[33]. According to the same report, airstrikes indiscriminately targeted markets, schools and hospitals. On August 16, 2015, one of the most violent attacks took place when government warplanes bombed markets and residential areas in Douma, killing at least 112 people (in one airstrike). According to the Syrian Network for Human Rights, at least 17318 barrel bombs were dropped by regime helicopters in 2015 alone^[34]. Despite joining the Chemical Weapons Convention in 2014, the Syrian regime used toxic chemicals in several barrel bombs attacks in Idlib governorate in March, April and May 2015, according to HRW, which was not able to determine the type of chemicals used. However, rescue workers and doctors reported the distinctive smell of chlorine.

The impact of explosive weapons on civilians is not confined to the number of victims only. They also have many indirect effects, including forced displacement, the erosion of social capital and the destruction of basic infrastructure, which in turn affects women distinctively and disproportionately. The insecurity caused by the use of explosive weapons in civilian populated areas undermines women's social, political and economic participation in a society already suffering from discrimination, patriarchy and gender-based violence. This establishes a stereotype of women as victims in need of protection, rather than active agents in society and in conflict resolution. In addition, women are more likely to face stigma, persecution or marginalization by their husbands and families in the event of injury or disability.

Furthermore, the use of explosive weapons hinders women's access to basic services including medical care. When unable to access emergency medical assistance, pregnant women are at risk of losing their own lives or their unborn children because of fear or severe hemorrhage resulting from explosive weapons. This reflects how women bear further distinct complications from the use of explosive weapons. The World Health Organization reports that complications of pregnancy and childbirth kill approximately 287,000 women every year, making maternal death the second biggest killer of women of reproductive age. With explosive weapons being the main cause of the destruction of healthcare infrastructure, their use in populated areas can exacerbate the threat to women's health^[35].

In addition, the use of explosive weapons in populated areas is the most prominent cause of civilian displacement. Displaced women are more vulnerable to sexual exploitation and gender-based violence including sexual violence, harassment, trafficking and forced prostitution, which makes them rely on others for help and security^[36].

Small arms:

The Small Arms Survey's report, issued in April 2014 by the Graduate Institute of International and Development Studies in Geneva, shows that gunshots were the direct cause of a significant number of victims, accounting for about 36% of the deaths caused by the conflict in Syria in the period between March 2011 and June 2013^[37].

Individual small arms, which have been proliferating since the beginning of the conflict, pose a great threat of growing domestic violence, especially in an atmosphere saturated with tension and external pressures. In light of the low social and economic living standards due to the war (displacement, living in camps lacking basic needs, and poor income), women are usually the most affected by the acquisition of this type of arms. The report of the Women's International League for Peace and Freedom (WILPF) on small arms and their impact on women points out that the presence of a such arms in a household will increase by five times the likelihood of turning spousal violence into murder. On average, one third of women killed are murdered with a small firearm. The proliferation of individual arms increases GBV forms and manifestations already existing in a predominantly patriarchal society. This increases the vulnerability of women, especially in the absence of the rule of law.

Recommendations

1. Take additional measures to ensure the implementation of UNSCR 2139 (2014), which was issued two years ago but has never been enforced, and commit to stop the indiscriminate bombing with all kinds of weapons, especially explosive weapons, against civilian areas protected under the international humanitarian law.
2. Allow humanitarian aid, vaccines and relief crews to access all areas without being targeted, taking into account the special situation of women in conflict; and to provide them with necessary supplies.
3. To allow international observers and human rights organizations to access areas of conflict in order to observe the situation closely and unconditionally, and to investigate the use of toxic gas in attacks against civilians.
4. Abolish legal provisions that grant government officials impunity from prosecution for crimes they commit while performing their duties, especially Decrees 14/1969 and 69/2008.
5. All parties to the conflict must support women's efforts to combat and mitigate violence and reduce the impact of small arms (e.g. the campaign in Atmeh camp)^[38].

Pledges

Any conflict where violations to human rights and humanitarian law are perpetrated is of concern for all humanity and the international community should engage in ending the violations. For this reason, we recommend that in this particularly appalling situation, States also issue pledges to refrain from contributing in any way to the human rights violations and contribute to a peaceful outcome of the conflict:

1. We commit not to contribute to the small arms proliferation through refraining from arms sales and ammunition supplies to the Syrian government. The munitions survey report showed that most munitions had been manufactured in factories located in China, Iran, Syria and the former Soviet countries.
2. We commit to refrain from selling explosives to any of the parties in conflict or countries that might transfer the explosives to them because of their impact on civilians and on women as mandated by articles 6 and 7 of the Arms Trade Treaty.

V. Refuge and displacement

The number of registered Syrian refugees has exceeded 4.6 million^[39] and is on the rise due to the accelerating conflict over the past five years. In addition, at least 7.6 million people have been displaced inside Syria. 50.7% of Syrian refugees are women^[40]. According to the UNHCR "Women Alone" report^[41], a quarter of women refugees head families alone, 55% of the refugees are children under the age of ten, and 78% of those registered with UNHCR to receive aid and seek asylum are women^[42]. The main reasons for displacement are the targeting of civilian populated areas with explosive weapons, especially barrel bombs that are often used by the regime, clashes in civilian areas and demolishing houses, as well as the fear of massacres and rape, which was also used as a tool of war in Syria^[43].

According to UNHCR, besides poverty and the deteriorating economic situation, the Syrian refugees in exile^[44] are suffering from the deteriorating possibilities of returning to Syria. They also suffer from limited livelihoods, declining aid, scarce educational opportunities and insecurity (especially in Iraq); and difficulties in renewing residency permits (especially in Lebanon)^[45].

In addition to the suffering of all refugees, women suffer from the absence of a breadwinner, since many of them have no skills to work and earn a living. Access to education is also limited, especially for girls whose families refuse to send them to mixed schools (e.g. in Lebanon) or to the afternoon school shifts specifically tailored for refugees^[46]. Women who become breadwinners because of their husband's absence (death, injury or military activity) usually face higher pressure than men, given the systematic discrimination against women in the labor market as well as widespread patriarchal traditions in local communities, heightened by insecurity. This makes women more vulnerable to physical abuses and sexual exploitation; for example, they are sometimes forced to provide sexual services to get basic needs and protection^[47]. Amnesty International also reported that refugee women and girls face barriers to reporting such crimes for fear of the consequences of the lack of a valid residency permits^[48]. Child marriage is one of the most critical GBV forms in refugee camps^[49]. Research by the Center for Civil Society and Democracy in Syria showed that this problem has increased after displacement for numerous reasons, mostly the poor economic conditions and the altered nature of social relations^[50]. In addition, 60% of individuals who had previously refused early marriages expressed their acceptance after the war, especially in refugee camps.

Refugee and displaced women also suffer from the absence of reproductive services, as most of them reside in informal camps, where they have no access to service providers. They either do not know where to go, lack the means of transportation, or their husbands prevent them from going. Furthermore, Syrian discriminatory personal status laws deny mothers the guardianship of their children and allow husbands to restrict their travels and freedom of movement. In case of the husband's disappearance, some women have been able to get guardianship for three months to travel. As a result of these laws, Syrian women, in Syria and in neighboring countries, suffer from complex administrative procedures that hinder them from managing their affairs, including preventing them from obtaining family civil registries, which is a requirement to get humanitarian aid for their children.

Recommendations:

1. The basic solution to the displaced and refugees problem is to eliminate the root causes behind displacement. All warring parties to the Syrian conflict should seek a political solution that would allow a safe, dignified and voluntary return for refugees, with international guarantees to ensure their security and stop the violations that led to this exodus.
2. Stop all administrative procedures that hinder women's access to documents that help them find a safe place for their children and receive aid. It should also abolish all charges on civil and administrative proceedings, which allow women, including those widowed and divorced, to get documents in Syria or from Syrian embassies abroad.

3. Provide basic aid and ensure that the humanitarian deliveries reach the areas where displaced persons are located across the country.
4. Secure education for displaced girls and reproductive services for displaced women.
5. Allow all civil activists to access shelters and provide volunteer services to displaced women and girls.

Pledges

Any conflict where violations to human rights and humanitarian law are perpetrated is of concern for all humanity and the international community should engage in ending the violations. For this reason, we recommend that in this particularly appalling situation, states also issue pledges to refrain from contributing in any way to the human rights violations and contribute to a peaceful outcome of the conflict:

1. We pledge to increase aid to countries hosting the largest numbers of Syrian refugees, and guide them to develop appropriate policies on the effective management of financial aid.
2. We pledge to establish secure legal means for refugees to join our country and apply for refugee status according to our national law
3. We commit to refrain from selling explosives to any of the parties in conflict, or countries that might transfer the explosives, as they are a factor of displacement as mandated by Articles 6 and 7 of the Arms Trade Treaty.

VI. Siege and further impact on women

The Syrian regime and armed groups fighting in Syria continue to use siege and starvation of civilians as a weapon in their hostilities. More than 20,000 civilians in the town of Madaya have been under severe siege since July 2015; dozens of them died as a result of malnutrition^[51]. Relief and health supplies are prevented, obstructed or confiscated, while the sick and wounded are denied medical care^[52]. The United Nations estimates that about 400,000 people have no access to life-saving relief items, in over 15 besieged areas across Syria^[53]. The number of civilians in hard-to-reach areas has reached 4.5 million people^[54].

Siege impacts women severely and disproportionately. The lack of food and medical care has negatively affected the health of pregnant and breastfeeding women, and led to higher infant mortality rates [55]. The majority of pregnant women in besieged areas suffer from anemia, and cases of spontaneous abortion and deformity have increased^[56]. Studies show that it is possible to avoid 80 percent of maternal mortality during pregnancy and childbirth when access to health services is available^[57]. While women do the vast majority of work finding and preparing the scarce food^[58], they are the last to eat and eat the least^[59]. In addition, the increased competition for scarce food resources inside besieged areas renders it significantly difficult for a women to secure food and medicine, especially those who have become breadwinners due to their husband's absence.

Recommendations:

1. The Syrian Government and all parties to the conflict that impose siege on civilian areas must lift the siege immediately, allow besieged people to move safely, stop blocking relief aid, allow immediate access of humanitarian aid organizations, and ensure effective protection of civilians in a comprehensive manner, taking into account the multiple and extensive forms of abuse, including the disproportionate impact on women.
2. Allow the International Independent Commission of Inquiry on Syria to enter the country and conduct assessments of the besieged areas and communities. They should be allowed to communicate with the victims and survivors in all areas, including areas that were or are still under siege or hard-to-reach, and issue detailed reports on the conditions of civilians in besieged areas, with a focus on women.
3. Provide the besieged or survivors with gender-sensitive health, psychological and social support, including special support for women.

VII. Targeting health infrastructure and health facilities

According to the 10th report of the Commission of Inquiry on Syria - A/HRC/30/48, released in August 2015, random aerial bombardment by the government forces continued to destroy and damage hospitals, field hospitals, clinics, medical equipment, drug stores, and power generators. These attacks have also caused temporary or permanent closure of health care facilities, which have become the main targets of the Syrian regime, in a significant escalation of its policy since 2011. In the 14th annual report on the human rights situation in Syria^[60], the Syrian Committee for Human Rights documented 167 attacks against hospitals and medical centers^[61], as well as 43 ambulances, 32 fire trucks and a number of cars belonging to Syrian civil defense. They also documented the killing of 62 medical personnel and 44 workers and volunteers in the civil defense and Syrian Red Crescent^[62] during 2015. The Syrian regime and its foreign allied forces were the primary perpetrators of most of the attacks against the Syrian health sector in 2015. They were responsible for 97% of all attacks documented by the Syrian Committee for Human Rights against health facilities and professionals^[63]. This direct and systematic targeting of medical facilities and personnel in Syria caused the migration and displacement of 90% of the

doctors, according to the Medical and Health Organizations Coalition statistics. Many health workers were killed in second attacks, whereby regime forces hit a place and waited for the rescue workers to arrive before they hit again, according to Physicians for Human Rights¹⁶⁴.

The Syrian Committee for Human Rights confirms that 88% of the medical staff victims in Syria have been killed in airstrikes against health facilities or while performing humanitarian and medical duty in the field. The remaining health worker victims have been killed under torture, in detention or by sniper shootings. The Syrian government is fully responsible for the targeting of hospitals, health centers, medical staff and ambulances, and for the failure in the provision of health services on the Syrian territory. It is also responsible for the spread of diseases due to the blockage of vaccines and medicines, the inability of women and children to access basic medical services, resulting in poor medical follow-ups.

The Syrian Committee for Human Rights documented the murder of nurse Islam Ammar Abu Rashid under torture on March 14, 2015 at the Palestine Branch in Damascus, after her arrest by the Syrian regime forces in 2013. On April 28, 2015, the Syrian warplanes targeted Aisha Maternity Hospital in the city of Deir ez-Zor, causing considerable damage to the hospital and depriving a large number of women medical and obstetric services. The Syrian Red Crescent Society also documented the deaths of Hanan Mohammed Hassan and another volunteer on June 28, 2015 after the regime forces bombed Daraa al-Mahatta area. On July 20, 2015, the Syrian warplanes targeted Aisha National Hospital in Manbej, the only free hospital in the city, destroying an ambulance and killing a number of infants. The hospital had provided women with medical services, such as delivery, Caesarean operations and incubators, which were completely damaged. The hospital temporarily stopped providing treatment and follow-up services to a large number of people, especially women and children. Free Aleppo Directorate of Health also documented the bombing of the Syria Women and Children Charity Hospital in Aazaz by Russian airplanes on December 25, 2015. As a result, the hospital stopped functioning partially, depriving women in the border city basic medical treatments, including obstetric services, maternal, postnatal and antenatal care and incubator services.

Recommendations:

1. The Syrian Government and allied foreign forces must stop targeting hospitals, medical centers, ambulances and medical staff while performing their humanitarian work.
2. Refrain from detaining medical staff, especially women.
3. Stop targeting and shelling medical staff. It must comply with the Geneva Convention for the Protection of Civilians Persons in Time of War, issued in 1949, and the Inter-Parliamentary Union 1993 conventions and international humanitarian law, which protect medical workers.
4. Respect and comply with the UNSC Resolutions 2139, 2154 and 2165 (all in 2014), adhere to the principle of medical neutrality, facilitate the free access of medical professionals, medical equipment and medical supplies to all areas and respect and protect medical and humanitarian workers.

Pledges

Any conflict where violations to human rights and humanitarian law are perpetrated is of concern for all humanity and the international community should engage in ending the violations. For this reason, we recommend that in this particularly appalling situation, States also issue pledges to refrain from contributing in any way to the human rights violations and contribute to a peaceful outcome of the conflict:

We commit to refrain from selling explosives to any of the parties in conflict or countries that might transfer the explosives to them as they have been used to target health facilities with an enormous of impact on civilians and as mandated by Articles 6 and 7 of the Arms Trade Treaty.

VIII. The collapse of the educational sector

A UNICEF report ¹⁶⁵, issued in March 2013, indicates that one out of every five schools in Syria has been destroyed, damaged, or turned into shelters for displaced families. The Syrian Network for Human Rights documented different damages to 3873 schools, including 450 schools that were fully destroyed.

The use of explosive weapons in populated areas has limited girls' access to education due to the great security threats they inflict; in addition, the continuation of this form of targeting has fully deprived girls of education. The lack of access to education may also lead to other abuses including early marriage, whereby a center belonging to Women Now for Development has monitored many such cases in northern Syria. For example, a 15-year-old girl dropped out of school because of the shelling and later on, her father forced her to marry, only to be divorced six months later. As documented by the Syrian Network for Human Rights, 1000 schools were turned into detention and torture centers, and video documented the Syrian Government forces' violation in the Sabeel district school in the city of Hama¹⁶⁶.

It is the responsibility of the Syrian Government to take appropriate action to prevent dropout and ensure basic education for all citizens, noting that 40% of school-age children are not enrolled¹⁶⁷. The failure of the Syrian Government to assume this

responsibility has deprived children of education, especially girls, which has led to consequent issues such as child marriage and child military recruitment. Since the government is responsible for unifying and monitoring educational curricula, it becomes therefore responsible for the spread of ideological and uncontrolled curricula, as well as other curricula that perpetuates the subjugation of women and reinforces gender stereotypes against them.

The practices of the Syrian Government¹⁶⁸¹ in universities and other educational institutions against peaceful (student) dissidents prevented a large number of students, especially females, from going to university for fear of abuse, harassment or detention. This was especially the case for girls from opposition-controlled areas.

The Syrian Government has deliberately denied the salaries of teachers and administrators in opposition-controlled areas, which has hampered the educational process and further affected girls disproportionately; many of them have become more vulnerable to sexual and economic exploitation after leaving their education. This also has a distinct and direct economic and psychological impact on female teachers, especially those who have become breadwinners¹⁶⁹¹. Furthermore, ethnic minorities, particularly Kurds, are still denied the possibility of learning their own language, because Article 4 of the current Syrian Constitution states that Arabic is the official language.

Recommendations:

1. Immediately stop bombing educational facilities.
2. Evacuate educational facilities taken as places of detention or arrest or as shelters.
3. Immediately stop the illegal or unconstitutional detention of students, especially those detained on the backdrop of peaceful activities.
4. Refrain from posing collective punishment and immediately pay the salaries of teaching staff in areas out of its control.
5. Amend Article 4 of the Constitution to guarantee the right of minorities to learn and speak their own languages and make positive initiatives to redress the damage caused.

Pledges

Any conflict where violations to human rights and humanitarian law are perpetrated is of concern for all humanity and the international community should engage in ending the violations. For this reason, we recommend that in this particularly appalling situation, states also issue pledges to refrain from contributing in any way to the human rights violations and contribute to a peaceful outcome of the conflict:

We commit to refrain from selling explosives to any of the parties in conflict, or countries that might transfer the explosives to them, as they have been used to target schools and education centres with an enormous of impact on civilians and as mandated by Articles 6 and 7 of the Arms Trade Treaty.

Appendix

- [1] Syria has reservations on articles 2-9 (2) - 15 (4) - 16 (1-2) - 29 (1).
- [2] Report by issued by Euro-Mediterranean Human Rights Network on June 25, 2015, documenting the suffering of women in detention facilities. It also sheds the light on the economic and psycho-social impact of long periods of detention on the lives of women, which include including dismissal, exclusion from educational institution, divorce, and rejection by family and community. <http://goo.gl/IPzLRD>
- [3] See the International Rescue Committee:
International Rescue Committee (IRC), Syria: A Regional Crisis, January 2013: <http://goo.gl/a8AoD5>
- [4] "Violence against women in Syria: Out of Silence" (2013): <https://goo.gl/5HRIUe>
- [5] During visits to three refugee camps, Zaatari, Garden King Abdullah and Cyber City, and meetings with 80 female refugees living outside the "official" camps in Amman, Rusaifa, Zaleel and Sama Al Sarhan (Zarqa governorate).
- [6] According to a shadow report by Syrian activists and organizations to the Committee on the Elimination of All Forms of Discrimination against Women, in response to the 2014 second periodic report of the Syrian Arab Republic: <http://goo.gl/vlD3Ng>
- [7] "Syria: Sexual Assault in Detention: Security Forces Also Attacked Women and Girls in Raids on Homes": <https://www.hrw.org/news/2012/06/15/syria-sexual-assault-detention>
- [8] Revealing violations in the area of gender-based violence against Syrian refugee women in Jordan, "Salma" and "Aisha" women networks, office field research by Suad Abu Diah, 2014; the above source in the endnote No. 4.
- [9] <http://goo.gl/eFSe0a>
- [10] Interview with a Syrian refugee detained in the Qubba prison in Tripoli, 2014.
- [11] Fact Sheet about women's detention in Syria, issued on the International Women's Day 2015. http://euomedrights.org/wp-content/uploads/2015/03/Sheet-Detention-of-Syrian-Women_ENG.pdf
- [12] Ornamo Organization statistics on the number of detained women by age: 3702 over 18 and 193 under 18.
- [13] Fact Sheet about women's detention in Syria, issued on the International Women's Day 2015. http://euomedrights.org/wp-content/uploads/2015/03/Sheet-Detention-of-Syrian-Women_ENG.pdf.
- [14] The Syrian government continues to prevent the Independent International Commission of Inquiry on Syria (and other international human rights organizations) from entering its territory, as stated in several reports of the Committee. For example: A/HRC/30/48 and A/HRC/28/69 and A/HRC/27/60
- [15] Ornamo Organization statistics on the number of detained women by place of detention: 2726 at an unknown location - 772 in civilian jails - 374 in the security detention centers.
- [16] Coordinates: 33 ° 35' 27 " E 36 ° 26' 25" N. It is located in the town of Adra, about 20 kilometers northeast of the Syrian capital. The prison consists of several buildings, administrative departments, entry department and the most important section for prisoners. Political detainees are transferred to it from various security apparatus centres. <https://wp.me/p6BhJg-95>
- [17] Syrian Observatory for Human Rights, news on the Army of Islam attack on the Adra women prison.
- [18] Women, boys, girls and the elderly have suffered from torture and cruel prison conditions and consequently physical and mental trauma. Some died or witnessed the death of others in detention, thematic paper issued by the Independent International Commission of Inquiry on Syria on January 27, 2016 entitled "Out of Sight, Out of Mind: Deaths in Detention in the Syrian Arab Republic" No. 22, p. GE.14-00000 6/30. <http://cutt.us/3N4Bo>
- [19] Samar Saleh, a former detainee, says: "No difference if we are prisoners of conscience or slaves, hostages or captives. We are just a group of people deprived of the right to minimum justice. There is no difference also if we were put in rooms or cells, markets or cages. Human value is the same". <http://aljumhuriya.net/33984>
- [20] The detention of women does not target this category only, but also their communities, which causes a deep shock and long-term effects on the Syrian social fabric and contribute seriously to the continuation of the conflict. A report issued by the Euro-Mediterranean Network for Human Rights on June 23, 2015, conclusion, p. 5. <http://cutt.us/TZFA>
- [21] A report issued by the Euro-Mediterranean Network for Human Rights on June 25, 2015, which documents the women suffering in detention facilities and the economic, social and psychological impact of prolonged detention on the lives of women. <http://goo.gl/IPzLRD>
- [22] Tenth Commission of Inquiry on Syria report A/HRC/30/48, paragraph 50-53

[23] The government forces detained female relatives of wanted men to force them to surrender. In February, a wanted man's mother and sister were arrested in eastern Ghouta, and their photos were sent with a message that they would be killed unless he surrenders. In April, in two separate incidents, two women, one whom had given birth before a short time, were arrested at the Jerjaniah checkpoint. Some women were also taken as hostages in Hosh Arab. 8th Report of Commission of Inquiry on Syria - A/HRC/27/60, 13, August (published on August 27, 2014), B - Taking of hostages 39-44 11. <http://cutt.us/PPVQN>

[24] A number of detainees were transferred back and forth between Damascus (Adra prison) and different security branches in Damascus, as well as from Adra prison to prisons in other areas controlled by the government, including Hama, Lattakia and Sweida, which made legal follow-up and family visits more difficult. A family expressed its intention to appoint new lawyers from the governorates in which the detainees are held. Lawyers face special challenges to the movement between governorates given the risks at checkpoints.

P. 5, No. 22, Secretary General's report on the implementation of Security Council's resolutions 2139 (2014), 0.2165 (2014) and 2191 (2014); Secretary General's report on the humanitarian situation 23/3/2015, <http://cutt.us/VE8kj>, S / 2015/206.

[25] A woman was arrested at a checkpoint in Jaramana, Damascus, and taken to the detention facility in Mazza. During interrogation, government officials hung her to the ceiling and beat her on the head, body and soles of the feet. The scars are still visible on her body. Another dissident woman who was detained in the Military Security Branch 235 in late 2012 was beaten until she bled and was hung to the ceiling from her wrists for hours. She also heard other detainees screaming during interrogation.

Eighth IICI report - A/HRC/27/60 13, August (published on August 27, 2014) D - Torture and ill-treatment 52-7414. <http://cutt.us/PPVQN>

[26] Secretary General's report on the implementation of the Security Council resolutions 2139 (2014), 2165 (2014) and 2191 (2014); Secretary General's report on the humanitarian situation, 22/10/2015, S/2015/813, p 6. <http://cutt.us/h2JDY>

[27] Human Rights Watch report on collective deaths and torture in Syrian jails released on December 16, 2015 / the report documents the death of engineer Rehab Allawi whose photo appeared among the leaked Caesar's photos. <https://www.hrw.org/ar/report/2015/12/16/284536>

[28] Female detainees are held in dirty cells full of insects and subjected to torture and inhuman treatment. Medical care, if found, is insufficient. In particular, the particular medical and physiological needs of women are not met. 10th Report of Commission of Inquiry on Syria - (A/HRC/30/48), August 13, 2015 (published on September 3, 2015), C- The women, 52, p. 11.

Female prisoners also were raped and sexually abused while they were held in the government centers, F- Detainees, 95, p 16. <http://cutt.us/iO1YD>

[29] Non-governmental associations report submitted to the United Nations CEDAW Committee: Lawyers are prevented from reviewing the security branches and not allowed to review or plead in the Field and Terrorism Courts, as they are secret, which deprives detainees of the presence of a lawyer during the interrogation, coupled with torture, and deprives them of a fair trial. <http://cutt.us/ie7r>

[30] See footnote 20.

[31] According to shadow report submitted by Syrian activists and organizations to the CEDAW Committee, in response to the 2014 second periodic report of the Syrian Arab Republic: <http://goo.gl/vID3Ng>

[32] <http://goo.gl/p9BxeG>

[33] "Syria: New Spate of Barrel Bomb Attacks. Government Defying UN Resolution" - Human Rights Watch (2015): <https://www.hrw.org/ar/news/2015/02/24/266970>

[34] Syrian Network for Human Rights report on the victims of barrel bombs: http://sn4hr.org/public_html/wp-content/pdf/arabic/At_least_17318_explosive_barrels_in_2015.pdf

[35] Women's International League for Peace and Freedom Report: Women and Explosive Weapons: Maha, Syrian border, Lebanon, says: "I gave birth at home because I was too terrified to leave. Many pregnant women are losing their children during this war; they are bleeding out because they cannot reach help."

[36] ibid

[37] In addition, the Syrian government has taken no steps to cancel the decrees and legislative provisions that grant state officials immunity from prosecution and punishment for crimes committed while performing official functions, especially

Decrees 14/1969 and 69/2008. This led to the impunity of the security forces, intelligence and police personnel, avoiding punishment and any fair trials.

[38] "Peace-building defines our future now: A study of women's peace activism in Syria" - Badael Foundation, 2015: <http://goo.gl/U0MZt0>

[39] <http://data.unhcr.org/syrianrefugees/regional.php>

[40] UNHCR, February, 2016: <http://data.unhcr.org/syrianrefugees/regional.php>

[41] <http://goo.gl/Q4oRTT>

[42] http://reliefweb.int/sites/reliefweb.int/files/resources/SyriaRRP_0.pdf

[43] <http://www.un.org/apps/news/story.asp?NewsID=44230#.Vp9XUZp95kh>

[44] About 86 percent of the refugees outside the camps in Jordan live under the poverty line at \$ 3.2 dollars a day. In Lebanon, 55 percent of the refugees live in substandard conditions.

[45] "Loss of hope and deepening poverty driving Syrians to seek refuge in Europe," September, 2015, <http://goo.gl/DZfqJo>

[46] Because of late return or in lack of safe means of transport.

[47] Because of the lack of job opportunities for women and the fact that it can be both unsafe and more difficult for women to move around in conflict situations, women face risks of economic impoverishment. Being left to pay expensive medical bills for injured family members (where medical services are still available) or with caring for people directly where (those services do not exist) further aggravates the challenge for women to provide for their families. Source: WILPF report, "Women and Explosive Weapons."

[48] "I want a safe place": refugee women from Syria uprooted and unprotected in Lebanon - 2016 Amnesty International report: <https://goo.gl/3rTKnQ>

[49] UN inter-agency assessment, "Gender-based violence and child protection among Syrian refugees in Jordan, with a focus on early marriage." <http://www.unwomen.org/~media/headquarters/attachments/sections/library/publications/2013/7/report-web%20pdf.pdf>

[50] Field research on the phenomenon of child marriage in displacement camps at the Syrian-Turkish border. <http://goo.gl/UhGva9>

[51] <http://www.msf.org.uk/article/syria-siege-and-starvation-in-madaya>

[52] 8th Report of Commission of Inquiry on Syria - A/HRC/27/60 13 August 2014

[53] <https://www.amnesty.org/ar/latest/news/2016/01/harrowing-accounts-of-life-under-siege-in-syria/>

[54] http://ec.europa.eu/echo/files/aid/countries/factsheets/syria_en.pdf

[55] 10th Report of Commission of Inquiry on Syria - A/HRC/30/48, 13 August 2015 (paragraph 63).

[56] 10th Report of Commission of Inquiry on Syria - A/HRC/30/48, 13 August 2015 (paragraph 101).

[57] <http://www.reachingcriticalwill.org/images/documents/Publications/WEW.pdf>

[58] http://bidayyat.org/films_article.php?id=208#.VtWtNcc45CQ

[59] <http://www.un.org/esa/gopher-data/conf/fwcw/conf/una/950906150325.txt>

[60] The report was released in January, 2016 by the Syrian Committee for Human Rights: http://scirsr.org/userfiles/files/Ar_report.pdf

[61] "Arabi 21: Organization: The United Nations contribute to demographic change in Syria," the Arab Orient Centre for Strategic and Civilizational Studies, January 19, 2016: <http://goo.gl/OVHTyu>

[62] "Human rights report: 619 massacres took place in Syria last year," Quds Press news agency, January 18, 2016, <http://goo.gl/gXuNYD>

[63] 14th annual report on the human rights situation in Syria (January 2015 - December 2015), p. 73.

[64] "Physicians in the line of fire: Four years of attack on the medical care in Syria" (2015)

[65] http://www.unicef.org/files/Syria_2yr_Report.pdf

[66] Syrian Network for Human Rights study, "The destruction of schools and its implications ": <http://goo.gl/ICzUxi>

[67] NO LOST GENERATION 2015 SYRIA CRISIS UPDATE

[68] For example, student Ayham Ghazzoul was arrested on campus by members of the Syrian Students' Union on November 5, 2012. He was transferred to the Air Force Intelligence Branch and killed under torture four days after his arrest. Source: <http://goo.gl/rW0qSC>

[69] According to an activist working in Women Now for Development, there are several women employees in the organization's centers whose salaries are not paid by the regime and are breadwinners for their families. One woman called S.A resides in Kafr Battna.