

SYRIAN ARAB REPUBLIC

Submission to the Human Rights Committee for the 130th Session (Information for Adoption of List of Issues Prior to Reporting)

The International Center for Transitional Justice (ICTJ) welcomes the Human Rights Committee’s request for information regarding human rights issues for transmission to the Syrian Government. We respectfully submit this memorandum listing the issues and questions in the hope that it will inform the Human Rights Committee’s assessment of the Syrian Arab Republic’s compliance with its obligations under the International Covenant on Civil and Political Rights (“Covenant”).

I. INTRODUCTION

ICTJ has been working across society and borders to challenge the causes and address the consequences of massive human rights violations.¹ We work with victims, civil society groups, national, and international organizations, and governments to ensure redress for victims and to help prevent atrocities from happening again. We affirm victims’ dignity, fight impunity, and promote responsive institutions in societies emerging from repressive rule or armed conflict as well as in established democracies where historical injustices or systemic abuse remain unresolved.

This submission reflects ICTJ’s expertise working in over 40 countries since 2001 and the diverse mandates and expertise of the organizations with whom ICTJ has worked collaboratively on issues relating to Syria and the broader region, including The Day After; Women Now; Violations Documentation Center; Badael; Syrian Institute for Justice; Dawlaty; Center for Civil Society and Democracy; Lawyers and Doctors for Human Rights. Since 2017, we have been working together to document and to respond to grave breaches of international humanitarian and international human rights law, as well as long-established customary norms, perpetrated by the Syrian Arab Republic, including those contained in the International Covenant on Civil and Political Rights (ICCPR). The information provided in this submission is based on documentation efforts spanning years, as well as meetings and other related activities organized by ICTJ and by the Syrian organizations.

Some of the issues identified here are elaborated upon further in the report [“We Didn’t Think It Would Hit Us:” Understanding the Impact of Attacks on Schools in Syria](#) prepared as part of the [Save Syrian Schools Project](#), and in the recent publication [Gone Without a Trace: Syria’s Detained, Abducted, and Forcibly Disappeared](#) published jointly with the Center on International Cooperation (CIC) at New York University. This memorandum also reflects information gathered during joint ongoing projects in support of transitional justice, documentation, and support for victims, in particular families of the missing and forcibly disappeared, in advancing their rights to justice, acknowledgment, reparations, and reform.

¹ The International Center for Transitional Justice (ICTJ) is a not-for-profit organization, incorporated under the General Corporation Law of the State of Delaware. ICTJ is classified as an organization exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code of the United States.

II. OVERVIEW OF THE LEGAL FRAMEWORK

The Syrian Arab Republic acceded to the Covenant on April 21, 1969.² The rights referred to in the International Covenant on Civil and Political Rights are guaranteed in the Syrian Constitution, including most pertinently articles 19 (“respect for the principles of social justice, freedom, equality and maintenance of human dignity of every individual”), 20 (“take care of young children and youth and provide the suitable conditions for the development of their talents”), 29 (“Education shall be a right guaranteed by the state”), 34 (“right to participate in the political, economic, social and cultural life”), 42 (“Every citizen shall have the right to freely and openly express his views whether in writing or orally or by all other means of expression.”), 44 (“Citizens shall have the right to assemble, peacefully demonstrate”), 51 (“Every defendant shall be presumed innocent until convicted by a final court ruling in a fair trial”), and 53 (“No one may be tortured or treated in a humiliating manner”).³

The State Party is also a party to the Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment (CAT) and has signed and ratified the Convention on the Rights of the Child and the Optional Protocol on the Rights of the Child on the involvement of children in armed conflict.

Although the rights under the Covenant should be enforceable in accordance with the provisions of the 2012 Constitution, the Syrian government has failed to implement the Covenant in both law and practice. UN treaty bodies,⁴ the Independent International Commission of Inquiry on the Syrian Arab Republic (COI), and numerous civil society organizations have reported upon, documented, and expressed concerns about Syria’s failure to meet its obligations under the ICCPR.

Among many others, in June 2012, based on documented reports, the Committee against Torture for instance expressed its grave concern about “the habitual [and deliberate] use of torture and cruel and inhuman treatment as a tool...to instill fear and to intimidate and terrorize civilian population.” These reports included among the violations: the “widespread use of torture and cruel and inhuman treatment of detainees, individuals suspected of having participated in demonstrations, journalists, web bloggers, defectors of security forces, persons wounded or injured, women and children “sexual violence committed by public officers, including against male detainees and children; “extensive gross violations of children’s rights committed by the Syrian authorities, including the torture and ill-treatment of children, the killing of children during demonstrations and their arbitrary detention.”⁵

Likewise, the Committee on the Rights of the Child expressed its deep concern in March 2019 “about the impact that the armed conflict has on the right to life, survival and development of children” in Syria and about the “extensive and consistent reports of cases of torture and other cruel, inhuman or degrading treatment or punishment of children detained by government forces and non-State armed groups.”⁶

ICTJ and its partners have identified numerous acts and omissions on the part of the State Party which together constitute a failure to fulfill its commitment under the Covenant to respect the civil and political rights of individuals, including the right to life, freedom of speech, freedom of assembly, freedom from torture and other ill treatment, and the rights to liberty and security of person, due process and a fair trial, and the right of the child to measures of protection by the State.

² It has also ratified the Geneva Conventions (I-IV) of 12 August 1949, as well as Additional Protocol I relating to the Protection of Victims of International Armed Conflicts. See United Nations Treaty Collection, Status of Treaties, https://treaties.un.org/Pages/ViewDetails.aspx?chapter=4&clang=en&mtdsg_no=IV-4&src=IND

³ Syrian Arab Republic's Constitution of 2012.

⁴ See, e.g., Committee on the Rights of the Child, Concluding Observations on the fifth periodic report of the Syrian Arab Republic, CRC/C/SYR/CO/5 (March 6, 2019).

⁵ Concluding observations of the Committee against Torture, CAT/C/SYR/CO/1/Add.2 (June 29, 2012).

⁶ Committee on the Rights of the Child, Concluding Observations on the fifth periodic report of the Syrian Arab Republic, CRC/C/SYR/CO/5 (March 6, 2019).

III. THE SYRIAN ARAB REPUBLIC HAS FAILED TO MEET ITS OBLIGATIONS UNDER THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

Relevant ICCPR Articles

Articles 6, 7, 9, 10, 14, 18, 19, 21 and 24

A. Right to Life (Article 6)

Indiscriminate and disproportionate attacks on schools

During over nine years of war, the Syrian Arab Republic has repeatedly violated the limitations and prohibitions imposed on the conduct of war to protect life and dignity, especially when civilians are at risk of being harmed, in violation of article 6 of the Covenant. These violations have taken many forms, including intentionally targeting civilians, conducting attacks without distinguishing between civilians and combatants, and causing civilian harm disproportionate to an anticipated military gain and through the deployment and use of weapons and methods of warfare, including sieges, that constitute a violation of the right to life.

For instance, the Syrian government and its affiliated militias have committed widespread violations of IHL and international human rights law, including of the right to life, by targeting without distinction between military objectives and civilians or civilian objects. As documented in our 2018 report, although the total figure is not precisely known, we were able to document 1,292 schools attacked during the period 2011-2017. Since that time, the number has increased significantly. From January to the end of June 2019 alone, the UN verified 74 attacks on schools.⁷

Schools, by virtue of the function they serve in society, are by nature civilian objects and have been singled out for special mention in international law. This includes the Rome Statute, which defines as a crime, in both international and internal armed conflicts, intentionally directing attacks against “buildings dedicated to...education,” provided they are not military objectives. Children, too, are entitled to special respect and protection given their special status as persons not only under article 24 of Covenant, but also are entitled to special care and assistance under the Fourth Geneva Convention (1949) and Protocols Additional I (1977) and the Convention on the Rights of the Child (1989), all of which Syria ratified.

As our 2018 report documents, there is little doubt that the school attacks are part of a disproportionate military campaign that was excessive in relation to the anticipated military objectives and likely to cause collateral harm or incidental loss of life or injury to civilians. Weapons, such as cluster munitions and incendiary bombs, have been used in areas of Syria where schools were located and operating, despite being banned by much of the world.

In addition, the Syrian government and its allies made extensive use of barrel bombs which are considered indiscriminate by nature because of the magnitude of suffering they are likely to inflict. As recently reported by the Syrian Network for Human Rights (SNHR), Syrian forces have deployed at least 81,916 barrel bombs between July 2012 and March 2020.⁸ These strikes include 140 school attacks in which barrel bombs were recorded as having been used, including 73 that occurred after Security Council Resolution 2139 (2014), which demanded that the combatants cease attacks against civilians and identified barrel bombs as being by nature indiscriminate and prone “to cause superfluous injury or unnecessary suffering.”

These attacks have caused countless deaths and injuries of students, teachers, and staff. Although it is impossible to know the exact number, the overall numbers of casualties in Syria reveal the full extent of Syria’s

⁷ UNICEF, Syria Crisis Fast Facts (August 2019), <https://www.unicef.org/mena/reports/syria-crisis-fast-facts#:~:text=%E2%80%BAFrom%20January%20to%20end%20June,has%20been%20damaged%20or%20destroyed>

⁸ SNHR, On the Ninth Anniversary of the Popular Uprising (March 15, 2020), http://sn4hr.org/wp-content/pdf/english/On_the_ninth_anniversary_of_the_popular_movement_documenting_the_killing_of_226247_civilians_en.pdf

failure to meet its obligation to respect the inherent right of every human being to life and to ensure that no one is arbitrarily deprived of his or her life. Recent reports estimate that 226,247 civilians, including 29,257 children and 16,021 women have been killed since the beginning of the conflict.⁹

Extrajudicial, Summary and Arbitrary Executions

Article 6 of the ICCPR permits the use of the death penalty in limited circumstances, “only for the most serious crimes” and pursuant to a final judgment following a fair trial by a competent court.

The death penalty has been and continues to be applied in Syria without due process or respect for fundamental standards of fair trial before a competent, independent, and impartial court. According to Amnesty International, between September 2011 and December 2015, the Syrian government carried out weekly mass hangings, sometimes of as many as 50 people at a time, in the Saydnaya prison facility near Damascus.¹⁰ In total, it is estimated extrajudicial executions at Saydnaya numbered between 5,000 and 13,000 in five years.

The prison, which is run by the Military Police of the Department of Defense, is responsible for carrying out execution orders of the field military courts approved by the minister of defense and the president. Additionally, the Syrian government forces and its allies have carried out many extrajudicial and summary killings of surrendered fighters and escaping civilians who were believed to be supporters of opposition fighters.

As discussed in our report [Gone Without a Trace](#), it appears that in many instances the death penalty is not being imposed consistent with the Article 6’s requirement that that this form of punishment must be limited to the most serious crimes. Instead, political detainees may be facing death for political crimes and other vaguely defined offenses under the Penal Code.

The Human Rights Committee should pose the following questions to the government of Syria in regard to the right to life—

- What steps is the State Party taking to ensure that all military operations are conducted in a way that do not violate international legal prohibitions on disproportionate attacks and indiscriminate attacks?
- What steps is the State Party taking to ensure that all branches and agencies of the state security apparatus are trained in International Human Rights Law and International Humanitarian Law and that they act accordingly?
- What steps are being taken to ensure the harm inflicted (intentional or not) on civilians and civilian targets such as schools is minimized and is in line with the principles of international law?
- What is the State Party’s plan to immediately cease the use of all banned weapons, such as cluster munitions and incendiary bombs, or the use of those weapons whose very nature renders them unlawful due to the inability to control the scope of the harm (such as barrel bombs)?
- How does the State Party plan to remedy the violations of the rights to life, liberty, education, and other rights of children whose schools were attacked, who were killed or injured in such attacks, or whose schools were destroyed, thus limiting their opportunities for education?
- What are the State Party’s plans for releasing the many thousands of detainees being held unlawfully, incommunicado, in clandestine detention sites or on fabricated charges?
- In light of the global coronavirus pandemic, what is the State Party doing to accelerate plans for the release of detainees, as a way to cease any ongoing violations and prevent any further violations of the right to life?
- What is the State Party doing to ensure that the conditions in lawful prison and detention sites are immediately and vastly improved so as to protect the right to life and health of the detainees inside?

⁹ Ibid.

¹⁰ Amnesty International, Human Slaughterhouse: Mass Hangings and Extermination at Saydnaya Prison, Syria, 6 (2017).

- What is the State Party doing to ensure that the practice of summary execution of detainees and any other practices of enforcing the death penalty without due process or a truly fair trial immediately cease?

B. Arbitrary arrests and incommunicado detentions (Article 9) and fair and public hearing by a competent, independent and impartial tribunal established by law (Article 14)

In its 2005 Concluding Observations, the Committee recommended that the Syrian Arab Republic “take firm measures to stop the use of incommunicado detention.”¹¹

That has not occurred. During the past nine years of conflict, Syrian government forces and affiliated militias have arbitrarily or unlawfully detained approximately 100,000 individuals in official and makeshift detention centers without due process, access to legal representation, or contact with their families. These detentions are part of a widespread and systematic policy of rounding up civilians, “dissidents, as well as those perceived to be sympathetic to armed groups.”

Formally, Syria’s 2012 Constitution and Code of Criminal Procedure establish fundamental due process and fair trial guarantees and protections against unjustified arrest, cruel treatment, torture, and false imprisonment. Under the Constitution, for instance, no one may be investigated or arrested except by the order or decision of a judge. Defendants “must be informed of the reasons” for their arrest, they are entitled to legal aid if they cannot afford their own counsel, and they are presumed innocent until convicted by a court after a fair trial.

In practice, however, for those deprived of their liberty in Syria, any existing guarantees within the nation’s constitutional and legal framework to ensure that those accused of a crime can exercise their rights consistent with international human rights law have been eviscerated by the issuance of decrees and the passage of laws establishing extraordinary courts, such as the counter-terrorism court (CTC), and anti-terrorism or emergency measures. Although much of this happens behind a facade of legality, the Syrian system works at every level in contravention of fundamental principles of human rights law designed to protect individuals from unlawful and arbitrary deprivation of liberty, as spelled out in the Covenant.

As described in detail in our report [Gone Without a Trace: Syria’s Detained, Abducted, and Forcibly Disappeared](#), the CTC, military field courts, and military courts are exempted from following the same fundamental procedures as Syria’s ordinary courts. Consequently, they operate outside of the Syrian Code of Criminal Procedure and do not respect the basic rights guaranteed to suspects and defendants, including the imperative for a public trial, the right to an attorney, and the ban on incommunicado detention. In the field military courts, for instance, trials usually last a few minutes, with the judge reading out the charges and asking the accused persons if they are guilty and their answering “yes” or “no.” Although it is widely known that many confessions were made under torture, judges still follow the sentence recommended by the intelligence director, in contravention of human rights standards. Those convicted of crimes are often held after serving their sentence.

As such, detainees are not given the opportunity to challenge the legal basis of their detention, nor are they provided the assistance of counsel or the right to appeal, as Articles 9 and 14 require. This subversion of due process and rule of law norms afflicts the entire system, at each stage of the process (pre-trial, trial, and post-trial). Limitations on pre-trial detention are ignored, as is the right to appeal.

As a result, tens of thousands of Syrians are languishing today in detention, often held incommunicado, under inhumane living conditions, many for exercising their political and civil rights guaranteed under the Covenant. They face unspeakable torture and risk execution. These detention centers are already known to be breeding grounds for illnesses as detainees are physically broken down by repeated use of torture and deprivation of food.

¹¹ Concluding Observations of the Human Rights Committee, CCPR/CO/84/SYR (August 9, 2005)

Furthermore, as the COVID-19 crisis in Syria transforms into an uncontrollable outbreak due to the regime's negligence, secrecy and mismanagement of the situation, conditions for Syria's detainees becomes even more dire. While the official number of COVID-19 cases as of August 4th was 847, with 463 of those cases concentrated in Damascus and its suburbs, it is likely that those numbers are far from reality¹². Syria's detainees are extremely vulnerable in this situation as they are usually held in underground, overcrowded and unsanitary conditions.

At the same time, their families face the debilitating uncertainty as well as longstanding emotional, psychological, social, legal, and economic impacts.

The Syrian government must meet its obligations under the Covenant to ensure that no is subjected to arbitrary arrest or detention and that its trial standards and processes are fair, meaningful, and take place before a competent, independent and impartial tribunal.

The Human Rights Committee should pose the following questions to the government of Syria in regard to arbitrary arrest and incommunicado detention—

- How does the State Party ensure the protection of the rights of an accused and make the exercise of these rights effective?
- Are persons arrested, detained or accused of a crime provided with access to effective legal counsel and, where needed, free legal aid?
- Is there a separate defense office within the Syrian court system? If yes, what was the annual budget for the defense office during the period 2011-2019?
- What is the State Party doing to ensure that detainees' families who do not currently know the whereabouts of their family members are immediately informed of them, and in the event that the detainee has died, informed of their fate and the whereabouts of the deceased, returned any personal effects, and if still possible, given the corpse or remains?
- How is the state ensuring that families who are seeking their loved ones are not being harassed, subjected to violence or threats, or themselves arbitrarily arrested or detained during their search?

C. Freedom from torture and other ill treatment (Articles 7 and 10)

Under international human rights and humanitarian law, state and nonstate parties to a conflict have an obligation to treat those in custody humanely and to protect them from violence, torture, and deprivation, as well as cruel, humiliating, or degrading treatment. In addition, all feasible measures must be taken into account for missing persons and to provide their family members with information about their fate.

Yet torture and ill-treatment of detainees, including of children who were subjected to torture and mutilation while detained, is widespread. Conditions across Syria's network of prisons and the makeshift detentions centers, whether official or unofficial and including those set up by various armed groups working with the regime and its allies, are notoriously inhumane. The health and well-being of those in detention, including women, the aged, the disabled, and possibly children, are very much at risk. As documented by the Independent International Commission of Inquiry (COI), detainees are being brutally tortured, with many dying from starvation and neglect or as a result of injuries sustained at the hands of their captors.¹³

Torture is a longstanding practice that began under Hafez Assad and continues under the current President Bashar Assad. For decades, the regimes have employed arbitrary detention, torture, summary executions, and enforced disappearance as tools of repression and control. Once detained, prisoners endure various forms of brutal torture and sexual and gender-based violence, while forced to subsist in inhumane conditions, in

¹² MEI, Syria is Facing a COVID-19 Catastrophe. August 6 2020

¹³ Independent International Commission of Inquiry on the Syrian Arab Republic, Detention in the Syrian Arab Republic: A Way Forward (March 8, 2018).

contravention of minimum standards under international law for the treatment of prisoners. Detainees are also often held incommunicado and usually tortured before being tried by the appropriate jurisdictional court.¹⁴

In its 2005 Concluding Observations, the Committee recommended that the Syrian Arab Republic “eradicate all forms of torture and cruel, inhuman or degrading treatment or punishment by law enforcement officials, and ensure prompt, thorough, and impartial investigations by an independent mechanism into all allegations of torture and ill-treatment, prosecute and punish perpetrators, and provide effective remedies and rehabilitation to the victims.”

Since that time, significant evidence of continuing torture and ill-treatment has been revealed. The thousands of photos from the “Caesar” report, taken by a military Syrian photographer, are but one source of proof. The evidence in the record of the case currently pending against Anwar R in Koblenz Germany for complicity in the torture of at least 4000 people between 2011 and 2012 in the General Intelligence al-Khatib Branch in Damascus is another.¹⁵

The Human Rights Committee should pose the following questions to the government of Syria in regard to torture and other ill-treatment—

- What is the State Party doing to ensure that torture, sexual violence, and all other forms of cruel, degrading and/or inhuman treatment within detention sites immediately cease?
- What safeguards does the State Party have in place to prevent torture, sexual violence, and all other forms of cruel, degrading and/or inhuman treatment within its detention facilities?
- How many investigations have been initiated into incidents of torture, sexual violence, and all other acts of cruel, degrading and/or inhuman treatment?
- What is the State Party doing to ensure that those who have committed torture, sexual violence, summary executions, arbitrary detentions, enforced disappearances, and other similar crimes against detainees are held to account in a court of law?
- Has the State Party passed legislation to revoke immunity from prosecution granted members of the security forces under Syrian Arab Republic Decree No. 61 of 1950, which gave members of intelligence agencies immunity from prosecution, and Decree No. 69 of 30 September 2008 which expanded that immunity?
- Has any member of the military, security, and intelligence services been tried for acts of torture, sexual violence or other acts of cruel, degrading and/or inhuman treatment within Syria’s sites of detention?
- What is the State Party’s plan to provide redress to detainees who have experienced torture, sexual violence, or other forms of cruel, degrading, or inhuman treatment while in detention or otherwise under state authority?

D. Right to freedom of thought, conscience and religion, right to freedom of expression and right of peaceful assembly (Articles 18, 19 and 21)

Since before the uprising in Syria, countless prisoners have been arrested, detained and are serving sentences for nonviolent offenses related to the exercise of fundamental guarantees set out in the ICCPR, in particular freedom of thought, freedom of expression and information, and freedom of assembly and association.¹⁶

Since 2011, the human rights situation has deteriorated further, and state powers have grown increasingly arbitrary. After the government lifted the state of emergency in April 2011, following the start of the uprising,

¹⁴ ICTJ, *Gone Without a Trace: Syria’s Detained, Abducted, and Forcibly Disappeared*, 29 May 2020.

¹⁵ <https://www.ecchr.eu/en/case/first-criminal-trial-worldwide-on-torture-in-syria-before-a-german-court/>

¹⁶ ICTJ, *Gone Without a Trace: Syria’s Detained, Abducted, and Forcibly Disappeared*, 29 May 2020.

the regime continued justifying arrests and detentions under various provisions of the penal and military penal codes. During that period, demonstrators were charged with crimes such as destruction of public property, assault on the security of the state, and spreading false or exaggerated information.

Under the Syrian Penal Code, individuals could also be incarcerated for exercising their right to peaceful expression, including for instance Articles 278, 288, 307, 335, 336 and 376.

The Human Rights Committee should pose the following questions to the government of Syria in regard to the right to freedom of thought, freedom of expression, and right of peaceful assembly—

- What is the State Party’s plan (including a timeline) for the immediate release of all detainees who are detained or serving sentences for nonviolent offenses related to the exercise of fundamental guarantees set out in the ICCPR, in particular freedom of thought, conscience, and religion, freedom of expression and information, and freedom of assembly and association?
- What is the State Party doing to ensure that all domestic laws that are in direct contravention with international law or could be easily interpreted so as to allow for behaviors that are illegal under international law are immediately repealed or amended?

E. Right of the Child to Measures of Protection by the State (Article 24)

In its 2005 Concluding Observations, the Human Rights Committee commended the Syrian Arab Republic’s accession to the Convention on the Rights of the Child, but since then, Syrian children have suffered enormously, particularly in the context of the armed conflict, and their rights have been violated on a wide scale despite the Syrian government’s clear national and international legal obligations to protect them. In fact, the Committee on the Rights of the Child’s 2019 “Concluding observations on the fifth periodic report of the Syrian Arab Republic” expressed grave concern about the status of children in Syria, with particular attention given to the areas of the right to life, survival and development, birth registration and nationality, torture and ill-treatment, mental health, education, and children in armed conflict.¹⁷

Article 24 of the ICCPR recognizes the right of every child, without any discrimination, to receive from the State the protection required by his or her status as a minor. The implementation of this provision entails the adoption of special measures to protect children, in addition to the measures that States are required to take under article 2 to ensure that everyone enjoys the rights provided for in the Covenant. Article 20 of Syria’s constitution reiterates this obligation in requiring the Syrian government to “protect . . . childhood, take care of young children and youth and provide the suitable conditions for the development of their talents.”

The indiscriminate attacks on schools in Syria severely jeopardize the specific rights afforded to children. More than one in three schools in Syria are currently nonoperational, having been destroyed, turned into displacement centers, or repurposed for military functions. Schools that remain in use suffer from massive shortages of teachers and supplies, and face challenges related to water, sanitation, and hygiene conditions.¹⁸ UNICEF estimates that over 2 million children are out of school, and that 1.3 million more are at risk of dropping out.¹⁹ Our joint report, [“We Didn’t Think It Would Hit Us:’ Understanding the Impact of Attacks on Schools in Syria”](#) elaborates on the extreme trauma children experience when their schools and the schools of their siblings

¹⁷ Committee on the Rights of the Child, “Concluding observations on the fifth periodic report of the Syrian Arab Republic,” CRC/C/SYR/CO/5, 6 March 2019.

¹⁸ Save Syrian Schools, “We Didn’t Think It Would Hit Us:’ Understanding the Impact of Attacks on Schools in Syria, September 2018.

¹⁹ UNICEF, “Syria Crisis: Fast Facts,” August 2019.

and friends are viciously and indiscriminately attacked, rendering it unsurprising then that UNICEF also estimates that one in eight children per classroom requires specialized psychosocial support.²⁰

These are clearly not suitable conditions for the full development of Syrian children's talents, as indicated in the Syrian constitution. Rather, statistics like these and the many other ways we know children's rights are being violated show without a doubt that the harms being committed against them are both unlawful and will have long lasting effects on their lives. Clearly, the Syrian government is failing outright to take adequate steps to employ the measures of protection required of it to fully uphold the rights of Syrian children.

The Human Rights Committee should pose the following questions to the government of Syria in regard to the right of the child to measures of protection by the State—

- What is the State Party doing to ensure that all children inside Syria are fully protected, not only from direct forms of violence but also violations of their rights to education, security of person, and the other rights provided them as per the ICCPR?
- What are the special measures being taken to ensure that all Syrian children can enjoy the rights afforded to them by the Covenant?
- Has the State Party considered the creation of a visible and recognizable special emblem for schools, similar to that used to protect hospitals, medical vehicles, and cultural sites, that would serve to guarantee both schools and children the special protection to which they are entitled, and what is the status of such a step if so?
- How is the State Party working to ensure that all children who are in need of specialized psychosocial support in order to achieve the full development and enjoyment of their rights have access to it?

²⁰ UNICEF, "Syria Crisis: Fast Facts," August 2019.