

10 May 2013

Grave and ongoing violations of women's rights in the context of the conflict in Syria

Written Intervention to the Human Rights Council submitted on behalf of:

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Euro-Mediterranean Human Rights Network (EMHRN)
Assyrian Human Rights Network
Damascus Center for Human Rights Studies (DCHRS)
Etana
Kurdish Syrian Center for documentation of human rights violations
Kurdish Committee for Human Rights (Rased)
Kurdish Organization for defense of Human rights and public freedoms in Syria (DAD)
Syrian Network for Human Rights
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Syrian Organization for Human Rights (Sawasyah)
Syrian Women Network
Violations Documentation Center in Syria (VDC)

In the context of the current internal armed conflict in Syria¹, violence against women has dramatically increased. Syrian women have been exposed to arbitrary detention, enforced disappearances, torture, sexual violence, being taken as hostages and summary executions. These crimes have been perpetrated first and foremost by the Syrian security apparatus and their auxiliary militias - "Shabiha" - yet violations against women have also been committed by opposition armed groups. These violations are committed in a climate of impunity, which is reinforced by the silence of the Syrian authorities and the international community.

Many Syrian women have participated in protests and organized gatherings in support of the victims of the conflict²; this mobilization of women has been particularly important in regions such as the outskirts of Damascus, Homs, and Aleppo. Female lawyers, students, journalists, and political and human rights activists played a distinctive role in this period and continue to be active throughout civil society networks. A number of women are also involved in delivering humanitarian aid to victims of the armed conflict, IDPs, and refugees. However, these peaceful activities fall under law 22/2012, adopted 22 February 2012, which sets up a court specialized in "acts of terrorism". Women are therefore exposed not only to retaliation by government forces but also to prosecution by the state.

Women opposition activists and human rights defenders have been particularly targeted during arrest campaigns in regions known to be opposition strongholds. Between March 2011 and April 2013, more than 5400 women have been arrested by the Syrian government, including 1200 university students. The whereabouts of many remain unknown³. According to the VDC, 766 women and 34 girls under the age of 18 remain in government detention facilities⁴. Syrian human rights organizations estimate that at least 60,000 people have been forcibly disappeared in Syria since March 2011, among them an unknown number of women.

¹ In July 2012 the ICRC qualified the situation in Syria as an "internal conflict," thereby asserting that the principles of International Humanitarian Law apply to the Syrian context.

² See: <http://www.guardian.co.uk/world/2011/may/21/syria-women-unrest-repression>

³ See: http://dchrs.org/english/File/Reports/27-02-2013_Facts_And_Figures_SNHR_Report_En.pdf

⁴ See <https://www.vdc-sy.info/index.php/en/>

Women detained by the Syrian authorities have been subjected to ill-treatment by the security services, the military, and “Shabiha” militias. Syrian human rights activists have repeatedly reported cases of women detained indefinitely without access to lawyers or family, in violation of both domestic law and international standards. Health and sanitation conditions within detention facilities are dire. Physical and psychological torture is routinely used in detention centers run by the government, including against women⁵.

Since March 2011, the use of systematic violence by governmental forces against the protest movement created a context ripe for sexual violence. Abuses against women, including sexual harassment and rape, began in the context of governmental campaigns against the protest movement⁶ to intimidate the population from joining.

Tens of cases of sexual violence and rape⁷ have been documented by human rights groups, but no reliable statistics are available as most cases go unreported⁸ due to the strong social stigma attached to being a victim of sexual violence in Syria. “Honor” killings have also been reported. Sexual abuse is reported to take place in the contexts of house raids, check points, and arbitrary arrest⁹. The growing phenomenon of kidnappings in Syria also facilitates the commission of sexual violence. Women are often abducted as a form of retribution for the political activities of their relatives, whether affiliated with the government or the opposition. Abductions also occur in specific regions known for being either pro- or anti-Assad. In some cases when the abductors cannot use the women for prisoner exchanges, the abducted women have been raped and killed.

Of the 117 cases of sexual violence reported by the Women Media Centre, 80% were against women, whose ages were between 7 and 46. Of these, 89% reported rape; 6% reported groping; 6% reported sexual assault without penetration; and 11% reported detention that appears to have been for the purposes of sexual violence for more than 24 hours. The city in which most incidents were reported (37% of reported incidents) is Homs, which has long been affected by repression of the protest movement. Surprisingly, the city with the second-most reports of sexual violence (12% of reported incidents) is Damascus, the supposedly quiet capital.

Sexual violence against Syrian women has severe repercussions, with 20% of reported incidents leading to the victim’s death (reported when a woman is found dead with signs of sexual assault, or when they were raped and killed in front of witnesses), 10% to anxiety and/or depression, and 5% to pregnancy.

Since March 2011, more than 4000 women and at least 1500 girls have been killed¹⁰. It is likely that these figures only reflect part of the actual number of women killed due to the conflict in Syria, as the Syrian authorities continue to prevent international human rights organizations from officially accessing the country to carry out comprehensive independent investigations.

⁵ See the testimony of a woman activist who was detained by the Syrian authorities: “A woman in the crossfire: Diaries of the Syrian revolution,” Samar Yazbek, 2011

⁶ See: EMHRN Report on women’s rights violations in Syria, to be issued June 2013

⁷ According to the International Rescue Committee “rape is a significant and disturbing feature of the Syrian civil war” <http://www.rescue.org/press-releases/syria-displacement-crisis-worsens-protracted-humanitarian-emergency-looms-15091> The SNHR estimates at more than 6000 the number of woman exposed to rape, in addition to 400 girls.

⁸ The organization Women Media Center runs the project Women Under Siege that publishes a mapping of reported cases of sexual abuses, available here: <https://womenundersiegesyria.crowdmap.com/>

⁹ See: http://fidh.org/IMG/pdf/syria_sexual_violence-web.pdf

¹⁰ The Violation Documentation Center (VDC) has documented 4076 women and 1944 girls who have been killed during the conflict as of 8 May 2013. According to the Syrian Network for Human Rights (SHRN), on 31 March 2013, at least 4257 women have been killed, including 1464 girls under 18 years of age.

Syrian women are also severely affected when their male relatives are arrested, disappeared, or killed due to the armed conflict, including because they are forced to assume responsibility for providing for their families alone. They have very few resources at their disposal and lack basic health care, medicine, food, water, and electricity, in addition to methods for preventing unwanted pregnancies or diseases transmitted as a result of sexual violence. Women and children who have fled the violence represent a significant proportion of IDPs and refugees¹¹ and find themselves in a very vulnerable position. In the refugee camps in neighboring countries, several cases of forced marriage and sexual harassment have been reported¹².

However, Syrian women should not be viewed merely as passive victims of the conflict. They assume key roles in ensuring the survival of their families in the midst of chaos and destruction and are particularly active in the grassroots peace-building movements in their post-conflict communities. However, the absence of women in political forums for negotiating peace is undeniable, in contravention to UNSCR 1325.

In the coming period, all domestic and international actors should ensure that mechanisms for transitional justice are gender sensitive, address the specific needs and concerns of women refugees and displaced persons, and increase the participation of women in peacekeeping, peace-building, pre- and post-conflict decision-making and conflict prevention.

Recommendations to the Syrian government and countries hosting Syrian refugees:

- Comply with their international obligations to protect and promote human rights, in particular UN Declaration on the Elimination of Violence against Women, the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and its Optional Protocol, and the UN Convention on the Rights of the Child and the 1951 Geneva Convention on the Rights of Refugees ;
- Take urgent action to permanently improve the humanitarian and economic situation of refugee and displaced women and children.

Recommendations to the Syrian government, the states concerned and the international community:

- Deploy efforts to put an end to the serious, repeated gross human rights violations against women and girls in Syria;
- Ensure that the necessary investigations are carried out into these violations and to end impunity and that the perpetrators of the crimes of sexual violence against women and girls, including rape, sexual abuse and forced marriages, are held to account;
- Implement programs to rebuild the lives and to ensure the economical, social, and psychological rehabilitation survivors of violence, especially young girls.

Recommendations to the Security Council:

- Refer the case of Syria to the International Criminal Court (ICC) to ensure that perpetrators of international crimes, including against women and girls, be held accountable.

¹¹See <http://www.rescue.org/sites/default/files/resource-file/IRCReportMidEast20130114.pdf>

¹² See: EMHRN Gender Media Guide « Where are the Women?» http://www.euromedrights.org/eng/wp-content/uploads/2012/12/GenderMediaGuide_EN_30NOV2012.pdf