

Situation of Detainees and Disappearance of Civilians in Syria

Forum: Human Rights Council

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Introduction

What are the roles of a government? Besides providing guidance, and exercising executive function and regulatory powers, one of the core roles of the government is to protect the people of the nation. However, the government of Syria does not fulfill its role.

Syria is technically a republic. However, it is an authoritarian administration that merely displays the outward signs of a democratic democracy. Despite the fact that voters nominally elect the

President and members of Parliament, they are unable to overthrow the current administration.

Going back to 2011, Syrian civilians were unsatisfied with the high levels of unemployment, widespread corruption, and lack of political freedom. As a response, the government took actions, including arbitrary detention, enforced disappearances, extrajudicial killings, and torture. In other words, the government of Syria violates the ideal government's roles, principles of democracy, and basic human rights.

Furthermore, article 5 of the Declaration of Human Rights states, "No one shall be subjected to be tortured or to be cruel, inhuman or degrading treatment or punishment." As the Declaration of Human Rights conveys, it is obvious that the Syrian government's wrongdoings are violating the basics of human rights.



Picture of Syrian Civilians Waving their Flag

Background

Before the Syrian war, there were chronically high rates of young unemployment in Syria because of the high labor supply pressures and low labor demand from the governmental and private sectors. Moreover, unlike how the Universal Human Rights states, "Anyone has the right to leave a country, including his own, and return to his own country," the Syrian government imposed restrictions that disallowed civilians' freedom of movement. As such, high unemployment, pervasive corruption, and a lack of political freedom all contributed to popular discontent. Protests began peacefully in March, influenced by the 'Arab spring' upheavals in

MUNiSQ 2023 Human Rights Council

Tunisia and Egypt. The administration, however, responded quickly and forcefully to the nonviolent protests. Violent Protests broke out throughout the country as the government responded to the opposition with lethal force. The situation deteriorated quickly into a bloody conflict.

“More than eleven years have passed, and we are still documenting the disappearance of Syrian citizens in Syrian territory.” Stated Fadel Abdul Ghany, the director of the Syrian Network for Human Rights (SNHR). The history of detainees and the disappearance of civilians in Syria goes back to March 15th, 2011, when the Syrian civil war started, followed by various national problems such as humanitarian and economic crises. According to the United Nations Commission of Inquiry on the Syrian Arab Republic, tens of thousands of people unlawfully incarcerated in Syria have forcefully disappeared, tortured, sexually assaulted, or killed in captivity.

It is definitely true that society has tried to resolve this issue by holding several peace talks in 2012, 2015, 2016, 2017, and 2018. Although the peace negotiation, which took place on the 3rd of March 2017 has succeeded in securing a final agenda for another round of talks, other trials have failed due to countless setbacks to the original peace plan.



Homeless Syrian Child Crying

Recently, The Syrian Network for Human Rights reported in August 2022 that 111,000 individuals were still missing, the vast majority of whom were thought to be in government custody in Syria. Not only were the civilians recorded to be missing, but the rest were affected in ruinous ways.

International Actions

The Missing Campaign

The Missing is a campaign held by a non-governmental Syria human rights organization that has the ultimate goal of preserving the respected human rights of Syrian civilians. The main task of The Missing is to spread awareness to citizens around the world through social media such as Instagram, Facebook, and their website by posting pictures of disappeared Syrian civilians, tough living conditions, and how individuals can contribute to helping Syrian civilians.

A/RES/76/228

The United Nations has shown continuous efforts to address the human rights issue in Syria. The specific resolution, adopted on the seventy-sixth session of the General Assembly of the United Nations on 24th December 2021, provides ways to promote and protect the human rights of Syria and reports to the special rapporteurs and representatives. As shown by continuous effort, the resolution adds a detailed follow-up to past resolutions on Syria. The resolution challenges all issues in Syria. So, there are specific clauses that focus on human rights

and the disappearance of Syrian civilians, such as operative clause 51, which strongly condemns practices including torture and arbitrary detention.

Problems Raised

Continuation of the Civil War

The most obvious problem raised due to the disappearance of civilians is the continuation of the Syrian Civil War. The SNHR has reported that more than 2221 cases of additional arbitrary arrests and detentions happened in 2022. The continuous actions of the government are making the war continue or even worse.

Without the end of the war, it is impossible for the nation to deal with other problems happening in the country, which results in a downfall of the overall quality of the nation. People getting arrested does not help with calming the citizens' anger down.

Poor Living Conditions of Civilians

Article 25, subclause one of the Declaration of Human Rights states, "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing, and medical care and necessary social services, and the right to security in the event of unemployment, sickness disability, widowhood, old age or other lack of livelihood in the circumstances beyond his control." The article perfectly illustrates how anyone should have fine living conditions. However, the Syrian war and the disappearance of civilians negatively influenced the citizens, including children and elderly. Specifically, Syria ranks high on the list of the most hazardous nations. There have been around 13,000 child casualties in Syria since the conflict began. Roughly half as many Syrians lived on less than \$2.10 a day in 2011, with 90% of the civilians classified as poor.

In addition, children in Syria have been living through one of the world's most complex humanitarian crises for almost a decade. Due to the deepening economic crisis, ongoing localized warfare, widespread displacement, and destroyed public infrastructure, two-thirds of the population needed aid.

Also, some contributing factors to the rise of hunger are drastic weather changes, such as the record-breaking drought. Syria has been hit by the worst drought in 70 years, severely reducing



Syrian Soldier Looking at his Destroyed Home



Destroyed Buildings of Syria

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the country's projected crop. Estimates for 2021 wheat output put it at about 1.045 million tons, down from the 2020s 2.8 million and just a fourth of the pre-crisis norm.

A Large Number of Syrian Immigrants

The level of danger that the Syrian War and the unpleasant actions of the government, including enforced disappearances and arbitrary detentions, have scared Syrian civilians to immigrate to another country. The investigation shows that nearly 5.6 million reported Syrian refugees are immigrating to nearby countries such as Turkey.

Although the Syrian immigrants just wanted to live a happier life, we cannot ignore the significance of the abnormally growing number of Syrian immigrants. Due to many new individuals joining the society, millions have struggled as education, health, and other basic services were strained.



Syrian Immigrant with His Daughter and Son

Major Parties Involved

Syrian Network for Human Rights (SNHR)

The Syrian Network for Human Rights is a non-governmental organization founded in the United Kingdom. Its mission is to monitor the death toll in Syria and communicate its findings to the United Nations. This website maintains a tally of fatalities occurring on both sides of the Syrian civil war. Not only have there been allegations of killings, but this group has also reported cases of citizens going missing in Syria.



Syrian Child Carrying Support Boxes from UNHCR

Committee on Enforced Disappearance (CED)

The Committee on Enforced Disappearances is an independent committee with experts on disappearances with the purpose of monitoring the implementation of the Convention for the Protection of all Persons against Enforced Disappearance by the States.

Every day, the committee and its secretariat aid victims, civil society organizations, and National Human Rights Institutions in their efforts to recover the remains of missing persons, bring those responsible to justice, prevent future occurrences of this crime, and restore the lives of those affected by it.

Possible Solutions

Constructing a New Independent and International Entity

Referring to the past Secretary General's report A/76/890 pursuant to resolution 76/228, constructing a new entity or an organization to specifically focus on the issue of detainees and the disappearance of civilians in Syria will move the progression to the next step as it will allow experts to focus on this issue that has not been resolved for a decade. This would be particularly helpful given that the breakout of other crises, such as the COVID-19 pandemic and the Russian-Ukrainian War, was one of the primary reasons why the world was unable to fully resolve the issue.

Upgrading Existing Mechanisms/Solutions

As the situation of detainees and the disappearance of civilians in Syria has not been solved for approximately 12 years, there are many mechanisms and past solutions that the world has come up with. An example of an existing mechanism would be the United Nations Security Council's failure to renew Syria's cross-border resolution, which ensures the food, shelter, water, and critical medical



United Nations Peacekeepers in Syria

systems of Syrian civilians and other preexisting solutions such as the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) donations and charities. However, according to the Secretary General's past report, the fracture in the solution is that the existing mechanisms were not fully advanced in terms of effort. This means that although the world has come up with fine plans, it was just not enough to solve the issue. The delegates should consider an effective way of upgrading the existing mechanisms to solve the situation.

Glossary

Authoritarian Administration: A management style in which an individual has total decision-making power and absolute control over his subordinates

Arbitrary Detention: When a person is arrested and held by a government without due process and without the legal safeguards of a fair trial, or when there is no legal basis for the denial of liberty, this constitutes arbitrary or illegal imprisonment.

Declaration of Human Rights: The Universal Declaration of Human Rights was a groundbreaking text establishing basic protections for everyone everywhere. This document marked the beginning of international cooperation in protecting human rights.

Enforced Disappearance: The arrest, detention, abduction, or other deprivation of liberty by agents of the State or by persons or groups acting with the authorization, support, or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of

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the fate or whereabouts of the disappeared person, which places such a person outside the protection of the law, is considered an enforced disappearance.

Extrajudicial Killing: Extrajudicial killing refers to killing occurring outside or without the judicial system's authorization.

Freedom of Movement: Freedom of movement is a human rights concept that includes both the freedom to move about inside a nation's borders and the freedom to leave and return to a country.

Rapporteur: A person appointed by an organization to report on the proceedings of its meetings.

Syrian Network for Human Rights (SNHR): Non-profit, non-governmental human rights organization founded in June 2011 in light of the systematic rise of human rights violations in Syria.

Sources

- “About Enforced Disappearance.” *OHCHR*, <https://www.ohchr.org/en/special-procedures/wg-disappearances/about-enforced-disappearance>.
- Arab Center Washington DC. “Syria Peace Talks in Geneva: A Road to Nowhere.” *Arab Center Washington DC*, 8 Nov. 2022, <https://arabcenterdc.org/resource/syria-peace-talks-in-geneva-a-road-to-nowhere/>.
- “A/76/890: Missing People in the Syrian Arab Republic - Report of the Secretary-General.” *OHCHR*, <https://www.ohchr.org/en/documents/reports/a76890-missing-people-syrian-arab-republic-report-secretary-general>.
- “Disappearance and Detention to Suppress Dissent a Hallmark of a Decade of Conflict in Syria – UN Report.” *OHCHR*, 1 Mar. 2021, <https://www.ohchr.org/en/press-releases/2021/02/disappearance-and-detention-suppress-dissent-hallmark-decade-conflict-syria>.
- “Letter from the President of the General Assembly – Background Note for OCA Thematic Consultation | General Assembly of the United Nations.” *United Nations*, United Nations, <https://www.un.org/pga/76/2022/02/03/https-www-un-org-pga-76-wp-content-uploads-sites-101-2022-02-letter-from-the-pga-background-note-for-oca-thematic-consultation-1-pdf/>.
- Malnajjar. “At Least 2,221 Arbitrary Arrests/Detentions Documented in Syria in 2022, Including 148 Children and 457 Women (Adult Female), with 213 Cases Documented in December.” *Syrian Network for Human Rights*, 5 Jan. 2023, <https://snhr.org/blog/2023/01/03/at-least-2221-arbitrary-arrests-detentions-documented-in-syria-in-2022-including-148-children-and-457-women-adult-female-with-213-cases-documented-in-december/>.
- “New Push to Find Syria's Disappeared: Daily Brief.” *Human Rights Watch*, 30 Nov. 2022, <https://www.hrw.org/the-day-in-human-rights/2022/11/30>.
- “New Push to Find Syria's Disappeared: Daily Brief.” *Human Rights Watch*, 30 Nov. 2022, <https://www.hrw.org/the-day-in-human-rights/2022/11/30>.
- “Politics of Syria.” *Wikipedia*, Wikimedia Foundation, 20 Nov. 2022, https://en.wikipedia.org/wiki/Politics_of_Syria.
- “Refugees of the Syrian Civil War.” *Wikipedia*, Wikimedia Foundation, 28 Dec. 2022, https://en.wikipedia.org/wiki/Refugees_of_the_Syrian_civil_war.
- Reid, Kathryn. “Syrian Refugee Crisis: Facts, Faqs, and How to Help.” *World Vision*, 12 July 2022, <https://www.worldvision.org/refugees-news-stories/syrian-refugee-crisis-facts>.
- Schaer, Cathrin. “Syria: How the UN Plans to Find over 100,000 Missing People – DW – 09/20/2022.” *Dw.com*, Deutsche Welle, 20 Sept. 2022, <https://www.dw.com/en/syrias-missing-how-the-un-plans-to-find-over-100000-people/a-63184989>.
- “Syria: Between Oppression and Freedom.” *Researches " Ifimes*, <https://www.ifimes.org/en/researches/syria-between-oppression-and-freedom/3325>.
- “Syria's Missing: The Search for Truth, Justice and Reparation.” *OHCHR*, 11 Mar. 2021, <https://www.ohchr.org/en/stories/2021/03/syrias-missing-search-truth-justice-and-reparation>.

“Syria's Missing and Disappeared: Is There a Way Forward? Recommendations for a Mechanism with an International Mandate [En/AR] - Syrian Arab Republic.” *ReliefWeb*, 17 June 2022, <https://reliefweb.int/report/syrian-arab-republic/syrias-missing-and-disappeared-there-way-forward-recommendations-mechanism-international-mandate-enar>.

The Syria Campaign (@Thesyriacampaign) - Instagram.
<https://www.instagram.com/thesyriacampaign/>.

“The Syrian Conflict Explained.” *ShelterBox*, 8 Dec. 2022, <https://shelterbox.org/syria/the-syrian-conflict-explained/>.

“UN Syria Commission of Inquiry: Member States Must Seize Moment to Establish Mechanism for Missing Persons.” *OHCHR*, 17 June 2022, <https://www.ohchr.org/en/press-releases/2022/06/un-syria-commission-inquiry-member-states-must-seize-moment-establish>.

“World Report 2022: Rights Trends in Syria.” *Human Rights Watch*, 13 Jan. 2022, <https://www.hrw.org/world-report/2022/country-chapters/syria>.