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Syria: Human Rights Council must act on crimes against humanity

As the Human Rights Council prepares to hold a special session on Syria next Monday, 22 August, Amnesty International urges that UN body to add its voice to calls for the UN Security Council to refer the situation in Syria to the International Criminal Court.

Amnesty International believes that, given what it considers to be a growing body of crimes against humanity, the Human Rights Council should support a move which would demonstrate to Syria's leaders that the international community intends to hold those who have committed such crimes individually criminally responsible for them. This is particularly crucial given the Syrian authorities' ongoing failure to bring an end to such crimes in response to the international community's repeated expressions of concern.

More than 1,800 people have been killed since mass protests began in mid-March, according to a list of names compiled by Amnesty International. Many of them were reportedly killed by live ammunition used by the Syrian army and security forces during generally peaceful protests. Syrian "security" operations have also involved shelling of residential areas.

The Syrian authorities have arrested thousands and held many incommunicado at unknown locations where torture and other ill-treatment are reported to be rife. Dozens of people have died in custody, some, it seems, as a result of torture or other ill-treatment. Some persons detained have been subjected to enforced disappearance. Many appear to have been detained simply for expressing their support for protests or their opposition to the regime orally or in writing. Human rights defenders are among those arrested and allegedly tortured in detention.

Since the protests began, the Syrian government has denied access to the country by the Office of the High Commissioner for Human Rights (OHCHR), international media and independent human rights organizations, such as Amnesty International, in an apparent attempt to prevent the full horror of what is occurring from reaching the outside world.

Amnesty International welcomes proposals for the Human Rights Council to:

- strongly condemn the grave human rights violations being committed by the Syrian authorities;
- call for the Syrian authorities to stop immediately further violations and to release those detained arbitrarily
- urge the Syrian authorities to allow humanitarian actors and international media access to the country;
- transmit the findings of an OHCHR fact-finding mission to the Security Council;
- set up an independent international commission of inquiry to investigate human rights violations since July 2011.

Amnesty International urges the Human Rights Council, in addition, to:

- call on the Security Council to impose an arms embargo on Syria, to freeze the assets abroad of President Bashar al-Assad and his senior associates, and to refer the situation in the country to the Prosecutor of the International Criminal Court;
- call on the Syrian authorities to allow immediate, unfettered and sustained access for international media and international human rights monitors.

Background

In resolution S-16/1 adopted by the Human Rights Council at its sixteenth special session on 29 April 2011, the Council already unequivocally condemned the use of lethal violence against peaceful protesters by the Syrian authorities and called on the authorities to immediately put an end to all human rights violations. The Council also requested the Office of the High Commissioner for Human Rights to urgently dispatch a mission to Syria to investigate alleged violations of human rights. Syria has denied the OHCHR mission access to Syria to this day.

The UN Security Council issued a presidential statement on 3 August 2011 expressing “grave concern at the deteriorating situation in Syria”, condemning “the widespread violations of human rights and the use of force against civilians by the Syrian authorities” and calling for “an immediate end to all violence”. However, it has not adopted a legally binding resolution on Syria since mass protests began in mid-March.