

Statement on ICJ's Order to Prevent Torture in Syria

After the hearings of October 10 and 11, today, November 16, 2023, the International Court of Justice delivered its Order on the request for the indication of provisional measures made by Canada and the Netherlands in the case concerning the Application of the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment against Syria. The proceedings aim to hold Syria internationally responsible for its flagrant and systematic failure to fulfil its obligations related to preventing torture and other forms of cruel and inhuman treatment and numerous violations of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The court has today ordered the Syrian government must (1) take effective measures within its power to prevent acts of torture and ensure its official or organization under its control do not commit torture, and (2) and prevent the destruction of and ensure the preservation of any evidence related to the allegations of acts within the scope of the convention against torture and other Cruel inhuman or degrading, treatment or punishment. end its use of torture and arbitrary detention, which intend to maintain the status quo intel the Court can make the final decision on the case.

The Truth and Justice Charter group welcomes the Order of the Court on the request for provisional measures and the role that it could play as a preventative component aimed at protecting individuals from torture in Syrian prisons and centres of detention. The Charter Group also welcomes that the Court recognized that there is a real and imminent risk of irreparable harm to the rights alleged under the Convention against Torture. The Court's acknowledgement of the urgent need to address torture in Syria, in all its forms, aligns with the demands of Syrian victims, survivors and families.

While the Court's decision to consider provisional measures is a definitive indication of the atrocious acts of torture perpetrated by the Syrian government, their persistence and their systematic nature, we find it imperative to voice our concerns about the measures' apparent limitations in addressing the gravity of the enforced disappearance issue in Syria. The general language adopted by the Court in ordering provisional measures fails to adequately reflect the characteristic nature of enforced disappearance as a form of torture against families and victims. Therefore, it falls short in addressing the irreparable harm suffered by families.

Therefore, while respecting the ICJ's commitment to justice, we, survivors and families of disappeared and missing persons in Syria, regard the ordered measures as inadequate in comforting the severity of the violations committed and call all member States of the UN to

assume their entire responsibility to ensure the Syrian government's compliance with the ordered measures and to guarantee their swift implementation.

Members of the Truth and Justice Charter

1. Adra Detainees Association
2. Association of Detainees and the Missing in Sednaya Prison (ADMSP)
3. Caesar Families Association
4. Coalition of Families of Persons Kidnapped by ISIS-Daesh (Massar)
5. Families of the Missing for Truth and Justice
6. Families for Freedom
7. General Union of Detainees
8. Synergy Association for Victims
9. Release Me
10. Ta'afi Initiative

