

Statement on the International Day in Support of Victims of Torture

On November 16, 2023, the International Court of Justice issued its decision regarding the request for provisional measures submitted 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 Syrian detainees.

The Court ordered the Syrian government to (1) take effective measures to prevent acts of torture by official bodies and affiliated organizations and (2) prevent the destruction of, and ensure the preservation of, any evidence related to allegations of practices falling within the scope of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and to cease using torture and detaining individuals in a manner that aims to maintain the status quo until the Court makes a final decision on the case.

At the time, the Truth and Justice Charter welcomed the Court's decision regarding the request for provisional measures, despite the disappointment of the undetailed measures requested by the court to protect individuals from torture in Syrian prisons and detention centers.

Over six months passed since the International Court of Justice's decision, in the absence of international monitoring of the implementation of the provisional measures approved by the Court, the Truth and Justice Charter confirms on the International Day in Support of Victims of Torture that the Syrian regime has not complied with the provisional measures to date. Torture practices continue in its detention centers, and it continues to deliberately conceal and destroy evidence,

constituting a continued violation of the Convention Against Torture. The Syrian Network for Human Rights has documented the deaths of at least 29 people under torture in Syrian prisons and the arrest of at least 534 civilians, including 8 children and 21 women, in the past six months.

The Truth and Justice Charter also confirms that the Syrian regime continues to issue death certificates for detainees killed under torture in its detention centers. These certificates are sent to the relevant government departments without mentioning the actual cause of death, increasing the suffering of the families of the missing due to the ambiguity of their situation and the difficulties they face while obtaining these certificates.

All this coincides with increasing pressures on Syrians residing abroad amid ongoing threats of deportation, pushing them towards leaving the countries they sought refuge in and forcibly returning to Syria, despite the continued arbitrary arrests and enforced disappearances practiced by the regime against those returning to Syria.

Therefore, we, the survivors and families of the missing, members of the Truth and Justice Charter associations - while respecting the International Court's commitment to address justice - call on United Nations Member States to fulfill their commitments as stipulated in the UN Charter and the Statute of the International Court of Justice.

We call on these States to exert the maximum possible pressure on the Syrian regime for the immediate cessation of arbitrary detention and enforced disappearance practices. We call on these states to halt ongoing policies aimed at accommodating the Syrian regime and normalizing relations with it, in order to compel it to implement all measures issued by the Court. These States must stop practices that force Syrian refugees to return to Syria without any guarantees for their lives, rights, and freedoms. Additionally, they should stop using the refugee issue in internal conflicts and increase allocations for refugees from donor countries.

We also call on the International Court of Justice to add further measures ensuring the cessation of arbitrary detention and other practices leading to enforced disappearance, torture, and inhuman treatment under the supervision of relevant international institutions, and to compel the Syrian regime to provide the Court with:
Lists of the names of detainees alive under Syrian authorities.

Lists of the names of detainees who died during detention or were executed, along with related documents including medical reports and details on the delivery of their bodies to their families.

Lists of the names of detainees who died during detention and were buried in mass graves, and information about these graves as requested.

An immediate circular of suspension of internal decrees and unpublicized laws that prevent the investigation, prosecution, and punishment of state employees who commit torture unless authorized by the military leadership and the presidency, allowing the investigation and prosecution of torture perpetrators by civilian courts, and providing information on the measures taken against them to the Court.

June 26, 2024

