

# PRIORITIES FOR THE 2020 UNITED NATIONS GENERAL ASSEMBLY

THE SYRIA JUSTICE AND ACCOUNTABILITY CENTRE

In preparation for the upcoming high-level week of the United Nations General Assembly, SJAC is outlining its advocacy priorities. SJAC hopes that member states will use the opportunity afforded by the General Assembly to pressure the Syrian government, its allies, and refugee host-countries on urgent human rights issues, and that Syrian civil society organizations will have the opportunity to communicate priorities to the UN Special Envoy to Syria, as well as receive substantive updates on his efforts. While SJAC’s focus continues to be comprehensive justice for Syria, it recognizes that the current humanitarian crisis needs to be at the center of UN efforts this year. SJAC hopes to emphasize the unique difficulties of combatting the COVID-19 pandemic in Syria, and the important role the UN and member states has in ensuring that civilian needs are being met during the health crisis.

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**DURING THE HIGH-LEVEL WEEK, SJAC URGES THE SPECIAL ENVOY AND MEMBER STATES TO FOCUS THEIR EFFORTS ON THE FOLLOWING PRIORITIES:**

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The Syria Justice and Accountability Centre (SJAC) is a Syrian-led, multilaterally supported non-profit that envisions a Syria defined by justice, respect for human rights, and rule of law – where citizens from all components of Syrian society live in peace. SJAC promotes transitional justice and accountability processes in Syria by collecting and preserving documentation, analyzing and cataloging data, and promoting public discourse on transitional justice – within Syria and beyond. Learn more at [www.syriaaccountability.org](http://www.syriaaccountability.org).

# ADDRESSING THE SPREAD OF COVID-19 IN SYRIA

A dangerous outbreak of COVID-19 is currently hitting Damascus, and cases have been confirmed in the Northwest and Northeast as well. SJAC has received reports of overcrowded hospitals, patients being refused medical attention, and a limited number of healthcare professionals prepared to tackle the crisis. However, despite these reports, the Syrian government's Ministry of Health has consistently reported low numbers of cases and conducted minimal tests across the country. This lack of transparency by the Syrian government reduces the amount of aid Syria is eligible to receive from the World Health Organization.

The UN must accept its share of responsibility for the spread of COVID-19 in Syria. The pandemic has been worsened by the failure of the UN to keep border crossings open and deliver humanitarian and medical aid. Additionally, the UN's role in sharing the locations of Syrian hospitals with the government, which has intentionally targeted hospitals in opposition areas throughout the conflict, makes the institution complicit in the widespread destruction of much of the medical infrastructure, leaving the country wholly unprepared for a public health crisis

## UN MEMBER STATES SHOULD:

- Provide increased medical aid based on reported needs by local organizations, not official cases reported by the government. Documentation shows that civilians in government held areas need immediate assistance, and the international community should not let the government's lack of transparency lead to insufficient aid distributions.
- Create a comprehensive monitoring system that will oversee aid distribution during the pandemic, ensuring that aid reaches all areas of the country, regardless of political affiliation.
- Provide proper PPE to aid workers entering refugee camps to prevent the

spread of COVID-19 within these vulnerable communities.

- Pressure the Syrian government to transparently share information about the spread of COVID-19 and increase testing.
- Pass a UNSC resolution calling for the release of political detainees across Syria. Release is needed to address long-standing human rights violations, as well as to prevent the spread of COVID-19 within crowded and unsanitary detention facilities.
- Encourage refugee-host countries to uphold their commitment to *nonrefoulement*. The current medical crisis only increases the dangers of forced return.
- Seek a commitment from the Syrian government that when a scientifically proven COVID-19 vaccine is available, it will be distributed throughout the country impartially as well as through cross-border humanitarian access points.

# AID ACCESS & HUMANITARIAN EXEMPTIONS

The UN Security Council is responsible for authorizing border crossings which allow for deliveries of UN-sanctioned humanitarian aid to areas outside of government control. In December 2019, the UNSC failed to reauthorize the border-crossings from Jordan and Iraq, and as of July 2020 there is only one border crossing allowing UN aid into non-government controlled areas of the country. This has left many UN-supported NGOs struggling to meet local needs, particularly in regards to medical care.

The reduced access to UN aid has been further complicated by a complex international sanctions regime which has impeded some efforts of humanitarian organizations to fill the void left by the UN border closures. In light of the accelerating economic collapse in Syria and growing public health crisis, a nuanced response is needed from UN member states to ensure that humanitarian aid continues to reach civilians.

## UN MEMBER STATES SHOULD:

- Reopen all four original border crossings to allow for humanitarian and medical aid to reach all areas of Syria.
- Scrutinize and re-assess the reliance on the Syrian government to deliver a share of UN aid to the Autonomous Administration of North and East Syria. Member states should reopen the Al Yarubiyah border crossing with Iraq and ask that the World Health Organization (WHO) deliver aid directly to the Syrian Democratic Council (SDC) through that border. This should be enforced for the duration of the COVID-19 pandemic at a minimum.
- Allow UN aid convoys to regularly enter the Rukban camp. Member states, particularly the United States, should pressure both the Syrian and Jordanian governments to urgently allow unrestricted access for humanitarian relief to the camp. Additionally, to ensure that refugees are not making a choice between staying in the camp or returning to government-held parts of Syria, member states should encourage Jordan

to accept these refugees and for the UN to provide Jordan with necessary support to ensure this happens smoothly and safely.

- Consider how overcompliance with sanctions may be hindering aid access, and facilitate the provision of humanitarian products and services by issuing comfort letters to humanitarian organizations providing aid in the country.
- Negotiate a relief mechanism for sanctions modeled after the Swiss Humanitarian Trade Arrangement (SHTA) to bring aid to Iran amid U.S. imposed sanctions. Though humanitarian aid is exempt from sanctions, foreign banks may refuse to do business in a country that is on a Western sanctions list, and such a mechanism would provide a workaround for humanitarian organizations attempting to work in Syria.

# DETAINED ISIS FIGHTERS IN NORTHEAST SYRIA

Northeast Syria, formerly the capital of the ISIS caliphate, is now home to 10,000 former ISIS fighters and 70,000 of their family members, held either in detention centers or living in the closed Al Hol camp. Fighters and their families are being held indefinitely, without trial, and often in inhumane conditions. The situation in Al Hol camp is particularly dire, and eight children have died in 2020 alone. Meanwhile, victims of ISIS and families of those who are still missing, are awaiting justice. The Syrian Democratic Council needs to work with the international community, and particularly the home countries of foreign ISIS fighters and their families, to ensure fair trials for detainees and justice for victims.

## UN MEMBER STATES SHOULD:

- Repatriate former ISIS fighters and their spouses and children to their home countries to allow for prosecution and/or reintegration. This will combat the over-crowding in detention centers and at the Al Hol camp and protect against the spread of COVID-19.
- Monitor trials of ISIS fighters planned to begin in Northeast Syria to ensure that due process and international legal standards are upheld, and offer additional resources and expertise to support adherence to such norms.
- Ensure that trials of ISIS fighters include questions regarding the fate of missing persons kidnapped by ISIS, and that such information is shared with families and integrated into ongoing investigations. Work with the newly-appointed Committee on Detainees and Kidnapped Persons in Syria to provide oversight of this process and ensure that the SDC and SDF utilize any new evidence to support the search for missing persons.