



# PRIORITIES FOR THE 2021 UNITED NATIONS GENERAL ASSEMBLY

The Syria Justice and Accountability Centre

September 2021



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 fully engage with member states, despite the need for COVID-19 restrictions.

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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:**

- PREVENT THE FORCED RETURN OF REFUGEES TO SYRIA - 2**
  - PRESSURE THE SYRIAN GOVERNMENT AND RUSSIA TO RELEASE INFORMATION ON DETAINEES AND MISSING PERSONS - 4**
  - TRACK CLOSELY THE HUMAN RIGHTS SITUATION IN NORTHWEST SYRIA - 5**
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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)

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# PREVENT THE FORCED RETURN OF REFUGEES TO SYRIA

Since 2011, 5.6 million Syrians have fled war and persecution in search of refuge in another country. Refugees who return to Syria are at risk of arbitrary detention and torture based solely on their decision to leave the country. This is true regardless of their personal situation, including their age, gender, and geographic origin within Syria. There is no way to guarantee the safety of returnees, and all host countries are obligated under international law to safeguard Syrians within their borders and not force or coerce them to return to Syria prematurely or deport them to third countries where their health and safety are at risk.

Despite these dangers, refugee protections have weakened as host countries neglect their obligations. Denmark recently revoked asylum status for more than 200 refugees and is considering doing the same for thousands more. Sweden, too, has determined that much of Syria is now safe for return, putting thousands of asylum seekers at risk. Arbitrary deportations are common in Turkey, where many refugees are classified as “Guests,” allowing authorities to skirt refugee protections. Furthermore, some countries are attempting to export their asylum obligations by shifting responsibility onto third countries, in an attempt to avoid international legal obligations. Denmark has already passed legislation that allows it to deport refugees to third countries, such as Rwanda, for undetermined periods of time while their asylum applications are reviewed, however, the African Union should be praised for challenging this policy. Additionally, refugees fleeing Syria are facing serious abuses upon arrival, particularly along the Greek and Turkish borders.

The actions taken by the EU Border and Coast Guard Agency, FRONTEX, to push back migrants are a violation of human rights that must be investigated by the International Criminal Court (ICC).

## UN MEMBER STATES SHOULD:

- Halt any deportation of Syrian **refugees and asylum seekers** to Syria and third countries such as Turkey, Rwanda, and Russia;
- Update all asylum policies to reflect that Syria is not safe for return and ensure any future updates are made in consultation with Syrian civil society and UNHCR;
- Suspend detention practices in which refugees with no prospect of return to Syria are indefinitely held in deportation centers;
- EU states should pressure Denmark, Norway, and Sweden to end the reassessment of Syrian asylum claims and abide by the principle of non-refoulement;
- Encourage investigations and judicial actions by, inter alia, the European parliament, European Court of Human Rights, European Anti-Fraud Office, and the International Criminal Court on the **violent push-backs of migrants** at Europe's borders, including by FRONTEX.

# PRESSURE THE SYRIAN GOVERNMENT AND RUSSIA TO RELEASE INFORMATION ON DETAINEES AND MISSING PERSONS

Unknown thousands of Syrians have gone missing during the conflict, the majority of whom were forcibly disappeared by the Syrian government. The fate of these detainees, who face horrific conditions, torture, and possible extrajudicial execution within detention facilities, must be at the center of any effort to address the conflict in Syria. Political detainees must be released, the ICRC must be granted full access to detention facilities, and prisoner records from throughout the conflict must be made public. These steps will require cooperation from the Syrian government and UN states should accordingly focus on pressuring both the Syrian government and Russia.

## UN MEMBER STATES SHOULD:

- Pass a standalone UN Security Council resolution requesting information on the fates of those missing in Syria;
- Appoint a UN representative who can provide regular updates to the UNSC on the issue of missing persons and detainees in Syria;
- Support the ICRC in leading efforts to access detention sites, reconnect detainees with their families, and investigate those whose fates are still unknown.

# TRACK CLOSELY THE HUMAN RIGHTS SITUATION IN NORTHWEST SYRIA

Civilian populations in Northwest Syria continue to endure numerous human rights abuses including arbitrary detention, property expropriation, and the predatory recruitment for mercenary combat. The Turkish-backed Syrian National Army (SNA) and allied militant groups, including Ahrar al-Sharqiya and the Sultan Suleiman Shah Brigade, are responsible for extrajudicial killings, arbitrary detention, rape, and forced displacement. These armed groups also participate in the predatory recruitment of mercenary fighters from IDP camps, targeting vulnerable populations, including minors, and often defrauding their families in the process. On the basis of these abuses and the international trade in pillaged commodities, SNA factions have accrued significant wealth and assets in Syria and Turkey.

While international attention is rightly focused on crimes committed in government-controlled Syria, UN member states must also take substantive steps to not only stabilize the northwest but to limit the power of criminal militant groups, which face few checks on their power.

## UN MEMBER STATES SHOULD:

- Request the Commission of Inquiry to publish a special report on crimes committed in Turkish-controlled Northwest Syria and provide a briefing to the Security Council;
- Sanction militant groups and individuals such as Abu Amsha, Hamido al-Juhayshi, Falcons of
- the Levant Brigades, al-Jabha al-Shamiya, and other factions that make up the Syria National Army and are responsible for war crimes and crimes against humanity;
- Turkey and Russia should cease the financing and recruitment, whether conducted directly or through private military contractors like SADAT and Wagner Group, of Syrian armed groups or individuals for mercenary combat abroad.