



PRIORITIES FOR THE 2022 UNITED NATIONS GENERAL ASSEMBLY

The Syria Justice and Accountability Centre
September 2022

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 take concrete action on pressing human rights and justice issues and that Syrian civil society organizations will have the opportunity to voice their concerns.

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

SUPPORT ACCOUNTABILITY PROCESSES FOR DETAINED ISIS PERPETRATORS AND AFFILIATES IN NORTHEAST SYRIA

While ISIS has lost its territorial control within Syria, thousands of former ISIS perpetrators and their suspected affiliates or family members, including children, are currently being detained indefinitely, often with no charge or prospect for trial. At present, the Syrian Democratic Forces hold more than 10,000 former [ISIS fighters in 28 prisons](#), including 2,000 who are not Iraqi or Syrian. A further 56,000 women and children, accused of being former ISIS members or their family members are likewise being held in camps, including Al Hol and Al Roj. Both prisons and camps are overcrowded, and the security conditions in Al Hol in particular have been [deteriorating](#) over the last year, threatening the safety of residents.

This situation is not only a serious violation of the human rights of those detained, it also represents a missed opportunity to pursue accountability for ISIS crimes. Criminal trials could help local communities understand and reconcile with the legacy of ISIS crimes, and would ensure that the identity of detained prisoners is known; many families with missing loved ones fear that those kidnapped by ISIS have been wrongfully detained alongside their former captors. Finally, the situation represents a serious threat to security in Syria and beyond. By holding ISIS members with the most extreme views, with no prospects for release, SDF has effectively recreated the conditions inside the infamous [Camp Bucca](#), which radicalized a new generation of extremists in Iraq. The coordinated [jailbreak](#) from Ghweiran prison in February 2022 confirms that these prisons are also an immediate security threat. The international community must take swift action to repatriate, try, and when appropriate, release prisoners.

UN MEMBER STATES SHOULD:

- » Pressure the Syrian Democratic Forces to publicly release the names and nationalities of detainees. As of now, the SDF has not released these figures, in an attempt to protect foreign allies from embarrassment. This decision is impeding the ability of citizens and human rights organizations to understand the scope of the problem and advocate for solutions.
- » Repatriate nationals present in SDF prisons and camps to their home countries to allow for prosecution and/or reintegration. Many detained nationals come from countries with the institutions necessary to handle these cases. Repatriation would allow the SDF to focus resources on the Syrians who remain.
- » Support the SDF, through both financial resources and technical expertise, to try those who can be charged with a crime, and support the rest to return to their communities.

BUILD THE POLITICAL WILL FOR AN IMPACTFUL MISSING PERSONS PROCESS

On August 31, UN OHCHR released a [report](#) recommending an independent entity be created to search for missing persons in Syria. The international community must now build a political process to ensure that such any future entity can be impactful, which will require cooperation with Damascus.

UN MEMBER STATES SHOULD:

- » Remove the issue of detention from political negotiations, and create a separate track for negotiations. Concrete incentives, including limited sanction relief, should be offered for progress in releasing detainees, granting access to detention sites, and halting further arbitrary detentions.
- » Consider appointing a Special Envoy to lead discussions with the Syrian government to design a framework to search for the missing, through cooperation with the Syrian government and other parties to the conflict.
- » Engage with regional allies of the Syrian government, including Iran and the UAE in order to bring the Syrian government to the table.

PREVENT THE FORCED RETURN OF REFUGEES TO SYRIA

In 2022, despite continued violence and unsafe conditions in Syria, several countries continued pushing for refugee repatriation. In May, Turkey announced plans to “voluntarily” repatriate one million Syrian refugees, as violence against Syrians in Turkey continues to rise. Furthermore, Lebanon has announced plans to return 15,000 Syrian refugees to Syria per month, without UNHCR involvement. Syria is not yet safe for return, and refugees who do return to Syria face heightened risk of arbitrary detention, torture, and property violations. In Europe, the alarming trend of weakening protection for asylum seekers has worsened. The United Kingdom, Denmark, and Sweden have enacted domestic policies that risk the physical safety of asylum claimants, and in some instances, have issued deportation orders that violate international law, including the principle of non-refoulement. Greece, Bulgaria, and other countries have increased pressure on asylum seekers to return to Syria, and have committed abuses that may amount to crimes against humanity, such as pushbacks and the intentional deprivation of humanitarian aid. Host countries must cease these practices, uphold their obligations to protect asylum seekers under international law, and provide safe and legal pathways to asylum seekers in lieu of cruel pushbacks and involuntary refoulement.

UN MEMBER STATES SHOULD:

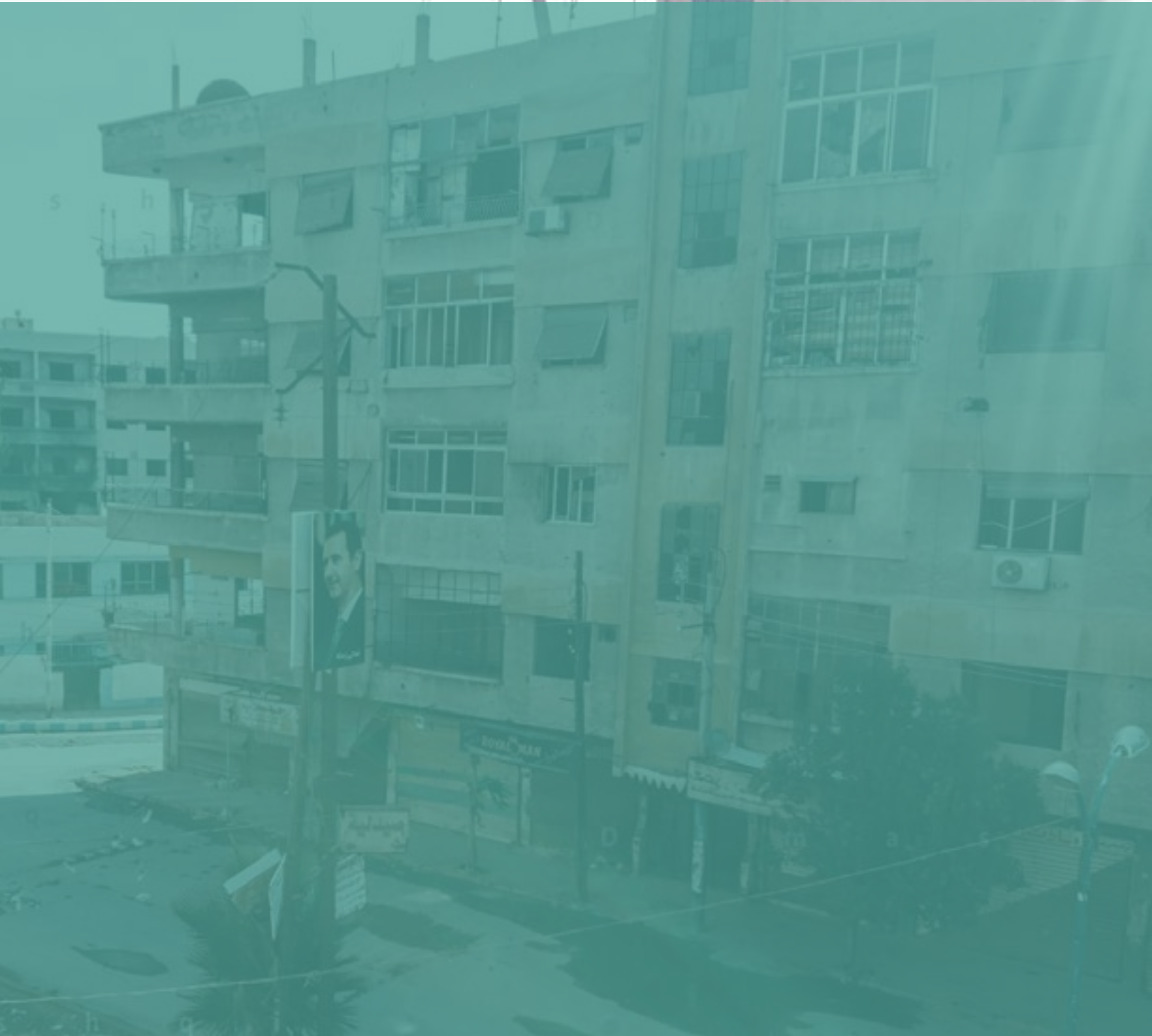
- » Immediately cease forced deportations to Syria, and halt any deportation of bona fide Syrian refugees to “third countries” such as Turkey, Rwanda, and/or Russia, and abide by the principle of non-refoulement.
 - The United Kingdom should reconsider and revoke its asylum partnership with Rwanda, and Rwanda should ensure that it fulfils its obligations under the Refugee Convention and uphold refugees’ right to non-refoulement.
 - Denmark and Sweden should acknowledge that Syria is not safe for return, and should reverse policies designed to revoke residency permits for Syrians.
 - Greece should cease violent pushbacks of asylum seekers to Turkey, and border agents should halt brutal tactics to prevent asylees from reaching safety.
- » Halt government measures in host countries that may force refugees to return against their will, including arbitrary detention, criminalization of refugees, forced demolition of refugee shelters, and obstacles to Syrians obtaining legal work authorizations.
- » Suspend detention practices in which refugees with no prospect of return to Syria are indefinitely held in deportation centers.
- » Encourage investigations and judicial actions by, inter alia, the European parliament, European Court of Human Rights, and the International Criminal Court on the violent push-back of migrants at Europe’s borders, including those performed by FRONTEX.
- » Condition aid to host countries, such as Lebanon and Turkey, based on their respect for international law and continued protection of refugee communities.

ADDRESS THE GROWING CAPTAGON TRADE

The illicit [trade of captagon](#), an addictive amphetamine, is increasingly becoming a source of funding for the Syrian government, providing the government a lifeline in the face of international sanctions regimes. Syria's defunct pharmaceutical infrastructure and factories have positioned the country to become a major manufacturer of the drug. An [investigation](#) by the New York Times revealed that numerous government-affiliated businessmen and members of the Assad family play a direct role in the captagon trade. Notably, much of the production and distribution of captagon is overseen by the Syrian Army's Fourth Division, headed by President Bashar al-Assad's brother, evidence of the government's direct involvement in the trade. The trade of captagon must be understood as a serious threat to the ability of the international community to influence the actions of the Syrian government or prevent future human rights abuses. States currently sanctioning the Syrian government should work closely with nations with high rates of captagon users, including Jordan, Lebanon, and the Gulf, in order to address this regional challenge.

UN MEMBER STATES SHOULD:

- » Support counter-narcotics efforts in neighboring countries, and strengthen national and local prosecutorial mechanisms to hold traffickers accountable, seizing drugs and proceeds whenever possible.
- » Sanction individuals involved in the trade of captagon across the region.
- » Utilize relevant international cooperative mechanisms set out in the International Drug Control Conventions to investigate and counter the growing captagon trade.
- » Ensure that counter-captagon efforts are targeted at disrupting smuggling networks, and not enforcing harsh punishments against individual users.



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