



LAWYERS & DOCTORS FOR HUMAN RIGHTS
محامون وأطباء من أجل حقوق الإنسان



منصة
سياسية
نسوية
Political
Feminist
Platform



المركز السوري للإعلام وحرية التعبير
Navenda Sûriyayî ya Ragihandîné û Azadiya Derbirînê
Syrian Center for Media and Freedom of Expression



الحركة السياسية
النسوية السورية
THE SYRIAN WOMEN'S
POLITICAL MOVEMENT



THE DAY AFTER
Supporting Democratic Transition In Syria



ženska soba
women's room



CENTAR ZA ŽENE ŽRTVE RATA-ROSA



LAW
Legal Action
Worldwide

Preamble

Sexual and gender-based violence (SGBV) was perpetrated by all parties to the Syrian conflict, often systematically and on a massive scale, and continues to affect Syrians of all genders and ages in their daily lives. The Syrian regime, in particular, uses SGBV, including sexualized torture, as a tool:

- to terrorise and persecute individuals and communities it perceives as opposition;
- to undermine social cohesion; and
- to forcibly displace populations from their areas of origin and deport populations into other countries.

Though these crimes can have life-altering, and even debilitating, consequences for victims, dignity is not a property that can be lost, stolen, spoiled, or taken away. No act of violence can ever remove the inherent dignity of every human being.

To uphold the inherent dignity of victims, and to prevent ongoing and future violations, we adopt and commend the following plan of action to address SGBV in the Syria crisis.

Security and Protection

1. We assert the right of every Syrian to seek asylum, to enjoy the internationally recognized rights of a refugee, and not to be forcibly returned to Syria, where the situation is still considered unsafe according to reports by the Independent International Commission of Inquiry for the Syrian Arab Republic and non-governmental organisations. The Syrian regime continues to commit violations including arbitrary detention, torture, and SGBV to intimidate displaced persons and deprive them of the right to return to their country and places of origin. We demand information and support services for Syrian refugees, and we call on host governments and international bodies to adopt accurate assessments about the safety of return without being misled by government misinformation. We demand that host countries improve conditions for refugees so that they do not feel coerced into leaving the places where they reside, particularly by taking steps to reduce ongoing vulnerability to SGBV, and we demand the provision of humanitarian aid and support.
2. Given the life-threatening vulnerabilities that persist inside Syria, particularly in camps for internally displaced persons, which includes the risk of domestic and family violence, kidnapping, sexual harassment and exploitation, and sexual enslavement, victims of SGBV should be a high priority for resettlement.
3. All relevant countries should repatriate nationals and their children confined in detention camps such as Al Hol and Roj. Where they are accused of crimes, they should be given fair trials in their countries of origin. Information that could help clarify the fate or whereabouts of persons disappeared by ISIS should be sought and used to aid family members' search for truth.

Support to Victims

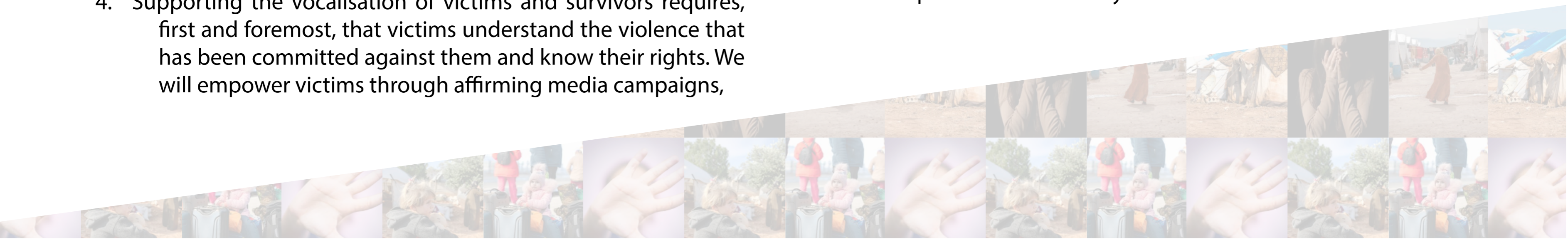
4. Supporting the vocalisation of victims and survivors requires, first and foremost, that victims understand the violence that has been committed against them and know their rights. We will empower victims through affirming media campaigns,

educational campaigns, and support networks that enable knowledge- and experience-sharing. Peer-to-peer support can be enabled through the strengthening of families, survivors' groups and associations, youth groups, and media networks, including social media.

5. We demand that the international community provide stable and continuous funding for long-term, holistic, and comprehensive psycho-social support for victims, delivered by qualified professionals and based on proven models of care and recovery for war victims, including specialized care that is gender and age-specific. Continuous measures of care for care-givers are also necessary to enable and strengthen quality, long-term services for SGBV survivors, their families, and their communities.
6. There is dire need for a strong referral system in each region of Syria that includes safe houses, medical care and treatment, psychosocial services, women's economic empowerment, and documentation of violations with informed consent. Stressing the need for support services at the community level inside Syria and recognising that this requires funding that is too often obstructed by sanctions regimes, we urge States to conduct independent assessments of the unintended consequences of sanctions on the civilian population and to take steps to streamline cumbersome humanitarian exemption procedures.
7. Recognising the gendered impact of the practice of enforced disappearances, we support the creation of an independent mechanism for missing and disappeared persons in Syria, with a humanitarian component to provide comprehensive support to victims and their families to address their multifaceted needs, and we call for the full adoption of the recommendations in the study by the Secretary General of the United Nations.

Justice

8. We support extensive and methodical documentation of SGBV in line with a survivor-centred approach and will work in partnership with the Independent International Commission of Inquiry for Syria and the International Impartial and Independent Mechanism for Syria to fill gender gaps in the documentation and analysis of the conflict.
9. We seek justice and accountability for victims by promoting state responsibility for SGBV under relevant treaties and holding individual perpetrators of SGBV responsible before national, regional, and/or international courts. We call on all countries to exercise grounds of universal and extraterritorial jurisdiction to investigate and prosecute potential perpetrators. We call for the creation, enlargement or extension of specialised war crimes units and an increase in political and financial support for more intensive investigations, including ones targeting senior high-ranking officials. Action must be taken to ensure that trials are more accessible for Syrian victims, the people most affected by these crimes, including comprehensive language and interpretation facilities, victim support units, and measures to ensure protection of identity for victims and witnesses.



10. We welcome the promotion of accountability before the highest international courts. We support efforts to hold the Syrian regime responsible for breaches of the United Nations Convention Against Torture and encourage the State Parties involved to adopt a gendered lens when documenting breaches of the convention to ensure that a comprehensive record is established. We request the Office of the Prosecutor of the International Criminal Court to open a preliminary examination into international crimes within its jurisdiction and we call on the international community to ensure that there are adequate resources available to enable the administration of justice by the court.

11. There is a need for mechanisms such as People's Tribunals and Women's Courts as parallel measures of justice focused on SGBV. These mechanisms must respect the rights and need of victims and their objectives must be survivor-led. These mechanisms should not be a substitute for criminal prosecution or state responsibility but should lay the groundwork for accountability and establish the infrastructure for justice in the future.

Inclusive Peace

12. We reject the Syrian regime's vision for post-conflict Syria in the "National Development Program for Syria in the Post-War Phase" and deny that it can ever be the guarantor of women's rights or the rights of victims. We will promote an alternative vision for Syria based on full implementation of United Nations Security Council 1325 and the Women, Peace and Security agenda by advocating through the formal peace process and implementing inclusive peace-building initiatives on the ground.

13. We demand a revolution in the Syrian legal framework through the adoption of a gender-competent constitution and Syrian legislation that is non-discriminatory against women and opposes and criminalises violence against them, and that will guarantee non-repetition of violations and abuses. This means a legal framework that guarantees:

- a. women's equal participation in all aspects of public life, political, economic, social, and cultural, and in the decision-making of the Syrian state, as lawmakers, politicians, and judges, accompanied by legislative enactments to end male domination of professions such as the legal profession, security services, police, and forensic investigators;
- b. an independent and impartial judiciary, capable of interpreting and applying the law and deciding cases, without reference to political, cultural, or religious biases;
- c. a transitional justice process that recognises the right of all Syrian victims to redress, including missing and disappeared persons (a) and their families, and which strives to repair the harms caused to victims and their families by all parties through public acknowledgement and recognition, financial compensation, and long-term support and rehabilitation; and
- d. women's human rights constitutionally, legally, and socially in the public and family spheres including, but not limited to: defined protections from violence against women; equal rights in marriage and divorce; rights in, access to, and control over land, property, and inheritance, and; the right to pass on nationality to children.

Signatories

Organisations

Freedom Jasmine

Huquqyat

Lawyers and Doctors for Human Rights

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Political Feminist Platform

Syrian Centre for Media and Freedom of Expression

Syrian Women's Political Movement

The Day After

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International Allies

NGO Women's Room

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Legal Action Worldwide (LAW)

