

## Syrian Arab Republic

The information below is based on the Report of the Independent International Commission of Inquiry on the Syrian Arab Republic “‘I lost my dignity’: Sexual and gender-based violence in the Syrian Arab Republic’ (A/HRC/37/CRP.3), issued on 8 March 2018<sup>1</sup>

### *Summary*

Sexual and gender-based violence against women, girls, men, and boys has been a persistent issue in Syria since the uprising in 2011. Parties to the conflict resort to sexual violence as a tool to instil fear, humiliate and punish or, in the case of terrorist groups, as part of their enforced social order. While the immense suffering induced by these practices impacts Syrians from all backgrounds, women and girls have been disproportionately affected, victimised on multiple grounds, irrespective of perpetrator or geographical area.

Government forces and associated militias have perpetrated rape and sexual abuse of women and girls and occasionally men during ground operations, house raids to arrest protestors and perceived opposition supporters, and at checkpoints. In detention, women and girls were subjected to invasive and humiliating searches and raped, sometimes gang-raped, while male detainees were most commonly raped with objects and sometimes subjected to genital mutilation. Rape of women and girls was documented in 20 Government political and military intelligence branches, and rape of men and boys was documented in 15 branches. Sexual violence against females and males is used to force confessions, to extract information, as punishment, as well as to terrorise opposition communities. Rapes and other acts of sexual violence carried out by Government forces and associated militias during ground operations, house raids, at checkpoints, and during detention formed part of a widespread and systematic attack directed against a civilian population, and amount to crimes against humanity. After February 2012, these acts also constitute the war crimes of rape and other forms of sexual violence, including torture and outrages upon personal dignity.

### **B. Rape and sexual violence at checkpoints**

23. Victims of sexual violence at checkpoints were mostly women and girls, although several incidents against homosexual men were also reported in 2011. [...]

### **D. Rape and sexual violence against men and boys in detention**

43. Male detainees, including boys as young as 11 years, were subjected to a range of forms of sexual violence including rape, sexual torture, and humiliation. Generally, rape of males took place during admission to a facility – in these cases, the perpetrators were often pro-Government militias supporting the detention facility – during interrogation to force confessions, and occasionally even after detainees confessed to further humiliate or punish them. Upon arrival at detention facilities, men and boys were forced to strip, and often stand naked in front of others. In some instances, they described being submitted to unnecessarily

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<sup>1</sup> Full text available [here](#)

intimate searches during which guards touch their genitals.

44. The most common form of male rape occurred with objects, including batons, wooden sticks, pipes, and bottles, a tactic which has been used during interrogations since early in the conflict. Many such incidents were documented at the Air Force Intelligence facility in Mezzeh airport, though incidents were also documented in other intelligence detention centres including political and military intelligence branches in Aleppo, Damascus (branches 215, 251, 282, 291, and Air Force Intelligence in Harasta), Hama, Homs, and Tartous, and unofficial detention centres in Latakia and Hasakah. In most cases, rapes with objects took place together with threats of raping female relatives of the detainees, and with electrocution of their genitals.

45. In other instances, interrogators have themselves perpetrated penile rape against male detainees, both anally and orally, the latter sometimes under the threat of execution if the detainee refused to comply. Rape of men and boys by interrogators, guards and officers were documented in Aleppo (Military Intelligence branch), Damascus (branches 215, 227, 285, Air Force Intelligence, and Sednaya prison), Hama (Air Force Intelligence branch), Idlib (Political Security branch), and Tartous (Political Security branch). In a particularly brutal incident in branch 215 in August 2012, an 18 year-old man from Dara'a was severely beaten, threatened with the rape of his sisters, and then gang-raped by five officers. After the rape, the detainee was bleeding and unable to walk. One of the officers raped the detainee five more times over a month before the detainee was transferred to another detention facility.

46. Numerous interviewees further reported that they were raped in front of other detainees, usually male but sometimes also females. In such cases, the rapes took place inside detention cells, interrogation rooms, and corridors of detention facilities. Not only did these rapes constitute a form of torture of the direct victims,<sup>2</sup> sometimes to the point of confession, but also acted as a way of pressuring those forced to watch as they were made to believe the same would happen to them if they did not cooperate. In one instance, in the summer of 2013, a detainee at the Air Force Intelligence in Mezzeh airport was raped in a cell while the other detainees faced the wall following the orders of the perpetrator. Similar incidents were reported in other detention facilities, including Sednaya military prison (Rif Damascus), where male opposition sympathisers from Idlib and Hama were often singled out as targets.

47. Detainees were also forced to have intercourse with other detainees. In one incident in 2014 in Branch 251, a detainee was made to perform oral sex on a second detainee who had previously been sexually assaulted by the officer issuing the orders. The second detainee was then electrocuted on his genitals and became permanently impotent. In more extreme cases, perpetrators exploited blood relations by forcing male relatives to have intercourse with one another, with devastating psychological consequences for the victims. This was the case of an uncle and nephew detained in 2011 at the Halab prison (Aleppo), and of a father and son at the Damascus Political Intelligence branch in 2012. The rape of an adolescent boy in front of his father was used in 2011 at the Latakia Political Security Directorate Branch to force the father to confess.

48. Rape of male detainees in various forms occurred frequently in Sednaya military prison

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<sup>2</sup> See note 25, *infra*.

(Rif Damascus). Prison guards raped detainees with rods and pipes, in some cases seemingly for amusement. A detainee described how, in 2013, one guard would enter the cell and make detainees face the wall. Then, the guard would pick two detainees and tell one to “do him in front of me.” In another incident during the winter of 2014, a detainee explained how prison guards raped one of the prisoners while the other prisoners looked away. Male rape in Sednaya was reported to be most frequent during the night, between midnight and 5:00 a.m.

49. Electrocutation and beating of male genitals was a consistent part of the torture administered to male detainees during the conflict. Some such beatings have resulted in permanent injuries to the genitals of the victims that remain untreated due to a lack of available medical support. Other forms of male sexual torture include forcing a detainee to drink large quantities of water and tying a plastic wrap around his penis causing retention of fluid in the bladder and other complications. This took place on multiple occasions at Military Intelligence branch 235 (Palestine) and at least once at branch 293.

50. One of the most disturbing forms of torture was the genital mutilation of boys and men. In one unofficial detention facility, described as “a slaughterhouse” in the base of a water tower in Sahnaya, adjacent to Darayya, one witness described how the worst treatment was reserved for suspected FSA members. One man had his penis mutilated, where after it became infected and it was not until he reached Adra prison that he was taken to hospital. A detainee from the same facility stated he thought this punishment was reserved for some men from Douma and Darayya to humiliate the populations there. Another victim was a young boy who was tortured following the Saida massacre in Dara’a in 2011. He died and, while his body was prepared for burial, it was discovered his penis had been cut off.

**The information below is based on the Report of the Secretary-General on conflict-related sexual violence (S/2016/361/Rev.1), issued on 22 June 2016<sup>3</sup>**

68. As the Syrian conflict enters its sixth year, sexual violence continues to be systematically used as a tactic of warfare, torture and terrorism. It has been most commonly reported in the context of house searches and hostage -taking, in detention and at checkpoints, by State and pro-Government forces, and in areas controlled by ISIL and other non-State groups. The Independent International Commission of Inquiry on the Syrian Arab Republic reported in September that women, men and children continued to be subjected to sexual violence by Government personnel at checkpoints and in detention (see A/HRC/30/48). The United Nations received accounts of the systematic sexual torture of men in detention centres, including rape with wooden sticks, and electric shocks to, and burning of, genitals. Such sexual torture was aimed at obtaining confessions of the men’s involvement in alleged anti-Government activities. In some cases, female relatives were also arrested and forced to witness the torture.

69. ISIL continues to hold women and girls from the Iraqi Yazidi community and other minority groups in sexual slavery in the Syrian Arab Republic on the basis of their ethnic and religious identity. Women and girls from targeted minorities have been sold, traded, gifted to fighters, trafficked and held for ransom. ISIL has also forced Sunni women and girls into

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<sup>3</sup> Full text available [here](#)

marriage with its fighters. Lesbian, gay, bisexual, transgender and intersex persons have been targeted for physical and sexual assault on the basis of their actual or perceived sexual orientation, notably at checkpoints controlled by groups such as ISIL and the Nusrah Front, as well as in detention.

**The information below is based on the Human Rights Council, Working Group on the Universal Periodic Review 29 August 2016, (A/HRC/WG.6/26/SYR/2), issued on 29 August 2016<sup>4</sup>**

30. The Committee against Torture expressed concern about the extensive reports of sexual violence committed by public officers, including against male detainees and children.<sup>5</sup> The Committee on the Rights of the Child and the Special Representative were concerned about cases of children being exposed to rape and sexual abuse while in rehabilitation.<sup>6</sup> The Special Representative requested the Government to prosecute perpetrators of such acts, and provide reparations.<sup>7</sup>

**The information below is based on the Report of the Independent International Commission of Inquiry (A/HRC/33/55), issued on 11 August 2016<sup>8</sup>**

### **Sexual violence**

104. The trauma resulting from sexual violence, and the profound social stigma attached to being a victim, continue to deter female and male survivors from coming forward. Months, and often years, pass before a survivor may be willing to have her or his account documented. The consequent underreporting and delayed reporting of sexual violence has rendered any assessment of its magnitude challenging. The accounts below are representative of cases that have only recently been documented by the Commission as victims and witnesses have come forward during the reporting period.

108. Male detainees are frequently subjected to sexual violence. Many stated that cellmates had been raped with objects and received electric shocks to their genitals. A man, held in an Air Force Intelligence branch in Hama in 2013, stated that cellmates had been raped with knives and other implements, which caused physical injuries. Another detainee, held in Dayr az-Zawr from mid-2011 to the spring of 2012, was stripped naked and hung by his wrists from the ceiling in a room with a female detainee, who was similarly naked and hung from her wrists. "We stood naked and humiliated in front of each other," he said.

**The information below is based on the Report of the Secretary-General on conflict-related sexual violence (S/2016/361), issued on 20 April 2016<sup>9</sup>**

As the Syrian conflict enters its sixth year, sexual violence continues to be systematically used as a tactic of warfare, torture and terrorism. It has been most commonly reported in the

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<sup>4</sup> Full text available [here](#)

<sup>5</sup> See CAT/C/SYR/CO/1/Add.2, para. 20 (c).

<sup>6</sup> See CRC/C/SYR/CO/3-4, para. 85 (c), and the submission from the Special Representative of the Secretary-General for Children and Armed Conflict for the universal periodic review of the Syrian Arab Republic (2016), p. 3.

<sup>7</sup> See the submission from the Special Representative of the Secretary-General for Children and Armed Conflict for the universal periodic review of the Syrian Arab Republic (2016), p. 3.

<sup>8</sup> Full text available [here](#)

<sup>9</sup> Full text available [here](#)

context of house searches and hostage-taking, in detention and at checkpoints, by State and pro-Government forces, and in areas controlled by ISIL and other non-State groups. The Independent International Commission of Inquiry on the Syrian Arab Republic reported in September that women, men and children continued to be subjected to sexual violence by Government personnel at checkpoints and in detention (see A/HRC/30/48). The United Nations received accounts of the systematic sexual torture of men in detention centres, including rape with wooden sticks, and electric shocks to, and burning of, genitals. Such sexual torture was aimed at obtaining confessions of the men's involvement in alleged anti-Government activities. In some cases, female relatives were also arrested and forced to witness the torture.

ISIL continues to hold women and girls from the Iraqi Yazidi community and other minority groups in sexual slavery in the Syrian Arab Republic on the basis of their ethnic and religious identity. Women and girls from targeted minorities have been sold, traded, gifted to fighters, trafficked and held for ransom. ISIL has also forced Sunni women and girls into marriage with its fighters. Lesbian, gay, bisexual, transgender and intersex persons have been targeted for physical and sexual assault on the basis of their actual or perceived sexual orientation, notably at checkpoints controlled by groups such as ISIL and the Nusra Front, as well as in detention.

The majority of internally displaced persons are women and children, who face serious risks of sexual exploitation. Adolescent girls and women who are heads of household are particularly at risk. In interviews with female refugees in neighbouring Jordan, Lebanon and Turkey, fear of rape is cited as a major factor inducing flight from the Syrian Arab Republic. Tragically, many refugees and asylum seekers face renewed risks of sexual violence, including forced prostitution and trafficking for sexual purposes by criminal elements. Both inside the Syrian Arab Republic and in neighbouring countries, child marriage is often used as a negative coping strategy. In some contexts, displaced and refugee women lack residency and work permits in their own name and are therefore at risk of exploitation. Syrian women encounter serious challenges in attempting to register their children and face long-term social and security implications as a result.

**The following information is based on the Report of the Independent International Commission of Inquiry on the Syrian Arab Republic (A/HRC/30/48), issued on 13 August 2015<sup>10</sup>**

47. ISIS has also forcibly recruited men and boys. As the group's control over the Dayr Az-Zawr countryside has solidified, ISIS reportedly demanded that each family send at least one son to fight with the group.

72. Boys considered to be of fighting age continue to be held at Government checkpoints. Once held, children are imprisoned with adults and tortured in Government detention centres. They suffer the same inhumane conditions of detention as described in Section F. The presence of male and female detainees as young as 11 was recorded in Security Branches 227, 235, 248 and 215 in Damascus. Children have been tortured and the rape of minors was reported in Branches 235 and 215.

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<sup>10</sup> Full text available [here](#)

## Detainees

90. Men, women and children detained in the Syrian Arab Republic by various actors have been subjected to unlawful killing, severe torture and other forms of ill-treatment.

91. Nowhere are these violations more widespread and systematic than in detention centres of the Government of the Syrian Arab Republic. Over 600 former detainees – held in intelligence agencies and prisons – have been interviewed since August 2011. Almost all have been victims and or witnesses of torture. Many have been present at the death of cellmates.

93. Systematic patterns of torture were documented in Military Security branches 215, 227 and 235, Air Force Intelligence in Mezzeh military airport, and other detention facilities run by the Military Intelligence Directorate, the Air Force Intelligence Directorate, the General Intelligence Directorate, the Political Security Directorate and the armed forces. Detainees are held in overcrowded, dirty cells and are not given adequate food or medical care, even for life-threatening conditions.

94. Many detainees reported being subjected to prolonged suspension from their arms, resulting in paralysis of limbs. One prisoner witnessed detainees hung by their wrists from trees in a detention facility controlled by the 4th Division in Damascus. Detainees were frequently subjected to electrocution, including of genitals and other sensitive areas, and prolonged and severe beating with objects. In February, a man held in a State-controlled facility in Qamishli witnessed regular torture of emaciated fellow detainees.

95. Male detainees were frequently subjected to sexual violence, including rape. In 2014, a commander in General Intelligence Directorate's Al-Khatib Branch subjected a male detainee to repeated sexual abuse, including rape. Female detainees were also raped and sexually assaulted while in Government detention.

## **The information below is based on the Report of the Secretary General on conflict related sexual violence (S/2015/203), issued on 23 March 2015<sup>11</sup>**

Sexual violence against women, girls, men and boys has been a characteristic of the Syrian conflict from its inception. It has been most commonly reported in the context of house searches, hostage-taking, in detention and at checkpoints. In interviews with female refugees in neighbouring countries, fear of rape is cited as a major factor influencing their flight from the Syrian Arab Republic. However, it is extremely difficult to obtain reliable data on conflict-related sexual violence owing to prevailing insecurity, the fear of stigma and reprisals, the lack of specialized, safe and confidential services and challenges in accessing services where they are available.

Since mid-2014, there has been a significant increase in the number of reported cases of sexual violence perpetrated by terrorist groups, in particular ISIL. During its August 2014 attack on Sinjar, in northern Iraq, ISIL abducted hundreds of Yezidi women and girls. Some of the abductees were taken into the Syrian Arab Republic and "sold" in markets across Ar-

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<sup>11</sup> Full text available [here](#)

Raqqa, to be used as sex slaves. Reports also indicate that forced marriage to foreign fighters has become increasingly common in territory controlled by ISIL. This phenomenon has also been observed in internally displaced persons camps and in neighbouring countries, where refugee communities have resorted to measures such as child marriage, removal from school and physical confinement to “protect” daughters and wives. In many countries of the region, the penal code includes marriage as a form of “reparation” for rape survivors, and some settings have seen a significant increase in polygamy since the crisis. On 27 April, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) launched a report, “We just keep silent”, on gender-based violence among Syrian refugees in the Kurdistan region of Iraq. The report cited increased levels of sexual harassment and commercial sex in and around camps. Similar reports were received concerning the plight of Syrian refugees in neighbouring countries. Women and girls, as well as lesbian, gay, bisexual, transgender and intersex individuals, have been subjected to sexual assault and harassment at checkpoints controlled by armed groups and in the context of detention.

In 2014, the United Nations continued to receive reports of sexual violence committed by the armed forces of the Syrian Arab Republic, as well as by pro-Government militias. For example, the Independent International Commission of Inquiry on the Syrian Arab Republic reported that women, men and children have been subjected to rape and sexual humiliation by members of pro-Government forces during arrest and detention (see A/HRC/28/69). The United Nations has supported the Ministry of Social Affairs to establish a Women and Child Protection Unit to respond to sexual and gender-based violence.

**The information below is based on the Report of the Independent International Commission of Inquiry on the Syrian Arab Republic (A/HRC/28/69), issued on 5 February 2015<sup>12</sup>**

#### **Fighting-age males**

54. Since March 2011, males perceived to be of fighting age, including minors, have been targeted in military assaults, shelling and by sniper fire, for arrest and detention, and recruited for participation in hostilities. As the conflict has escalated, males of fighting age have emerged as the main targets of violence. According to the Statistical Analysis of Documentation of Killings in the Syrian Arab Republic commissioned by the Office of the United Nations High Commissioner for Human Rights, some 85.1 per cent of the victims documented were are male.

55. Government forces have engaged in mass arrest campaigns leading to the enforced disappearance of fighting-age men in areas that have fallen under their control, and men residing in or travelling to government-held areas. Their families are often too afraid to approach the authorities to enquire about the whereabouts of their relatives.<sup>13</sup> Those who enquired have faced a refusal to disclose information about the fate of the disappeared or were compelled to pay large bribes to learn of the whereabouts of relatives. Men who were detained were often subjected to sexual violence as a tactic to punish, humiliate and

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<sup>12</sup> Full text available [here](#)

<sup>13</sup> A/HRC/25/65, para. 48.

degrade.

### **Children**

66. Intelligence and security agencies have detained young children since 2011. Held in the same cells as adults, children are exposed to sexual violence and subjected to the same ill-treatment and torture as adult detainees. In detention, children have also witnessed violent torture and death.

**The information below is based on the Report of the Independent International Commission of Inquiry on the Syrian Arab Republic (A/HRC/25/65), issued on 12 February 2014<sup>14</sup>**

### **Sexual and gender-based violence**

62. Sexual and gender-based violence persists in the conflict. Reporting remains a challenge for the reasons identified by the commission in previous reports.

#### **1. Government forces and pro-government militia**

65. Sexual torture, including the tying of genitals, has been systematically perpetrated against men and boys in custody in Damascus, Homs and Aleppo. In November 2012, a man was raped in Al Khatib security branch, Damascus. In January 2013, at the Homs Security Branch, security agents beat and electrocuted the genitals of a 17-year-old boy and raped him while others watched.

67. Men were tortured and raped on the grounds of their sexual orientation at government checkpoints in Damascus. In 2011, six homosexual men were beaten viciously with electric cables by security agents and threatened with rape. In October 2012, a man was stopped by security because his partner's brother was a member of the FSA. The man was taken to a rural area, where cigarettes were stubbed on his body and he was gang raped.

68. Government forces are conducting a sniper campaign in Bustan Al-Qasr (Aleppo). On one day alone in October, doctors treated five men shot in the groin. The same month, six pregnant women were shot in the abdomen.

69. Rape, sexual torture and sexual violence were perpetrated by government forces and militia against men, women and children. This conduct was committed as part of a widespread attack, where civilians were targeted for detention and systematically subjected to multiple violations. These acts constitute crimes against humanity, war crimes and violations of international human rights law.

#### **2. Non-State armed groups**

70. In 2012, a Kurdish woman from Afrin was kidnapped, held in solitary confinement and raped by the Northern Storm Brigade in Azaz (Aleppo). In June 2013, a woman was tortured and threatened with rape in Ar Raqqa city for "disrespecting" the Sharia Council. In October 2013, a 26-year-old man was detained on the grounds of his sexual orientation. He was beaten and hung by his arms from a ceiling by ISIS in Ar Raqqa. On 31 October, a school

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<sup>14</sup> Full text available [here](#)



headmistress was publicly lashed by ISIS in Ar Raqqa for not wearing a hijab.

71. Rape, sexual torture and sexual violence perpetrated by non-State armed groups are in violation of common article 3 of the Geneva Conventions and constitute war crimes.

**The information below is based on the Report of the Secretary-General on children and armed conflict in the Syrian Arab Republic (S/2014/31), issued on 27 January 2014<sup>15</sup>**

35. The United Nations documented sexual violence against children while detained by Government forces in formal or informal detention facilities. Sexual violence was reportedly used to humiliate, harm, force confessions or pressure a relative to surrender. Incidents of sexual violence or threats of sexual violence were perpetrated mostly by members of the Syrian intelligence services and the Syrian Armed Forces against persons perceived to be part of or affiliated with the opposition. Sexual violence reportedly included electric shocks to, or burning of, the genitals, and the rape of boys and, in a few instances, of girls. Boys in detention were also sexually mocked and humiliated, and threatened with the rape of family members. A 16-year-old boy from Idlib governorate, for example, reported that, in March 2012, he was arrested with five other boys between the ages of 13 and 15 years at a checkpoint near his school and detained in a centre run by intelligence forces. The boy reported that he witnessed his 14-year-old male friend being sexually assaulted and then killed. In another example, the United Nations gathered information on the medical treatment of two boys, aged 15 and 16 years, who had been arrested in Douma, Rif Dimashq, in July 2012, and detained for three months in the Air Force Intelligence Centre in Damascus, where they were allegedly sexually assaulted.

**The information below is based on the Report of the Independent International Commission of Inquiry on the Syrian Arab Republic (A/HRC/24/46), issued on 16 August 2013<sup>16</sup>**

#### **F. Sexual violence**

95. Sexual violence has played a prominent role in the conflict, owing to the fear and threat of rape and by the violence committed. It occurs during raids, at checkpoints and in detention centres and prisons across the country. The threat of rape is used as a tool to terrorize and punish women, men and children perceived as being associated with the opposition. Underreporting and delayed reported of sexual violence is endemic, making an assessment of its magnitude difficult.

**The information below is based on the Situation of human rights in the Syrian Arab Republic (A/HRC/22/L.31), issued on 18 March 2013<sup>17</sup>**

11. Condemns the widespread sexual violence committed against women, men and especially children, which constitutes an attack against human dignity, and underlines that perpetrators must be held accountable;

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<sup>15</sup> Full text available [here](#)

<sup>16</sup> Full text available [here](#)

<sup>17</sup> Full text available [here](#)

**The information below is based on the Report of the Independent International Commission of Inquiry on the Syrian Arab Republic (A/HRC/22/59), issued on 5 February 2013<sup>18</sup>**

**Sexual Violence<sup>19</sup>**

104. Direct accounts of sexual violence were sought from victims and eyewitnesses. Further interviews were conducted with organizations and individuals who assisted or were likely to have assisted victims of sexual violence. Limited weight was given to hearsay accounts of sexual violence, though many such accounts were received.

**1. Government forces and affiliated militia**

106. Sexual violence was perpetrated in two distinct contexts: against women by Government forces and affiliated militia (usually described as members of the Shabbiha) during house searches and at checkpoints; and against men and women in detention centres, where it was used as a means to extract information during interrogations, as well as to humiliate and punish.

107. Sexual violence was also used as a means to coerce male relatives fighting with anti-Government armed groups to surrender themselves in return for the release of the detainee. Methods of sexual violence and torture consisted of rape, electrocution of genitals by live wires and the burning of the genitals by cigarettes, lighters or melted plastic.

108. Children were also victims of sexual violence. A 14-year-old girl was raped and otherwise brutalized in an unofficial detention centre in Idlib.

109. In the context of detention centres, rape and other inhumane acts were perpetrated as part of a widespread attack directed against a civilian population, pursuant to or in furtherance of an organizational policy. This conduct was also perpetrated as part of a systematic attack on a civilian population. Rape and other inhumane acts, as crimes against humanity, were committed by Government forces and affiliated militia. Rape, torture and inhuman treatment are also prosecutable as war crimes.

110. Sexual violence, including rape, was committed against women and girls during house searches and checkpoints by Government forces and affiliated militia. The searches, which often followed aerial bombardments, were military operations constituting an attack on the civilian population. Rapes and other acts of sexual violence, which formed part of the attack or which were intended to be part of the attack, are crimes against humanity.

**2. Anti-Government armed groups**

111. On the basis of the limited information received, it was not possible to reach a finding concerning crimes of sexual violence committed by anti-Government armed groups.

**Annex IX [English only]**

**Sexual violence**

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<sup>18</sup> Full text available [here](#)

<sup>19</sup> See also annex IX.

1. Forty-one interviews were conducted in relation to sexual violence. Direct accounts were sought from victims and eyewitnesses. Further interviews were conducted with treating doctors or nurses, psychologists, social workers, immediate family members, defectors, anti-Government fighters, and other individuals and organisations who have assisted or were likely to have assisted victims of sexual violence. Limited weight was given to hearsay accounts of sexual violence, though many such accounts were received.

3. Syrian refugees, NGOs, and relief organisations reported that one of the reasons that families from Homs, Damascus, Dara'a, and Idlib governorates fled was because of a perceived increased risk of kidnapping and rape. This perception was bolstered by stories from neighbours, family members, FSA soldiers, Syrian news stations, international media and the internet. The widespread fear of rape appears to have contributed to the less credible hearsay reports of rape.

4. Lack of access prevented interviews with victims and eye-witnesses still in Syria, as well as serving members of the Syria military and intelligence agencies or those fighting with affiliated militia.

#### **I. Government forces and affiliated militia**

5. Sexual violence during the conflict occurred in two distinct contexts: against women by Government security and military forces and affiliated militia (usually described in interview as Shabbiha) during house searches and at checkpoints; and against men and women in detention centres, where it was used as a means to extract information during interrogations, as well as to humiliate and punish. It was also used as a means to coerce male relatives fighting with anti-Government armed groups to surrender themselves in return for the release of the detainee. Methods of sexual violence and torture usually consisted of acts of rape, electrocution of genitals by live wires and burning of genitals by cigarettes, lighters or melted plastic.

#### **B. Sexual violence in detention centres**

10. A 14 year old boy, whose treatment at a Military Security branch in Damascus is detailed in document A/HRC/22/59, annex X was threatened with rape during his interrogation. He also stated that while detained, he saw a cellmate who returned from interrogation crying and then refused to eat for two days. The cellmate later told him that he had been raped.

11. Three of those interviewed reported suffering other forms of sexual violence, such as electricity shocks and cigarette burns to their genitals, while held in official detention centres. One, arrested in Damascus in the latter half of 2012 and transferred to Political Intelligence in Harasta, described having electric shocks to genitals. He was told "we do this so you won't have children." The full extent of the abuse suffered is detailed in document A/HRC/22/59, annex VIII. He also saw two women imprisoned, who were held in order to force their husband and son to give themselves up in exchange.

12. An interviewee described having electric shocks to his genitals during his interrogation at Damascus' Military Security Branch 235 (see A/HRC/22/59, annex VIII). A former employee

of the same branch stated that, during interrogations, he had witnessed electric shocks being applied to the genitals of male detainees.

13. A former worker from the Political security branch in Hama said he witnessed intelligence officer's applying electric shocks to sensitive organs, including the genitals, during the interrogation of detainees.

17. In a third case, an interviewee stated he had paid a ransom on behalf of his neighbour who had been detained at a checkpoint in Latakia by Shabbiha from a nearby "Alawite village". He stated that he saw marks of beatings on his neighbour's back. When he asked the neighbour about how he had been treated, he started to cry. The interviewee was informed by the man's brother that he had been raped during his abduction.

## Findings

18. Sexual violence, including rape and forms of sexual torture, has been perpetrated by Government forces and affiliated militia against men, women, girls and boys during the Syrian conflict.

19. In the context of detention centres, rape and other inhumane acts have been perpetrated as part of a widespread attack directed against a civilian population, with knowledge of the attack. This conduct was also perpetrated as part of a systematic attack on a civilian population. Rape and other inhumane acts, as crimes against humanity, have been committed by Government forces and affiliated militia. Rape, torture and inhuman treatment are also prosecutable as war crimes.

20. Acts of sexual violence — including rape — were committed against women and girls during house searches and checkpoints during the reporting period. The searches, which often follow shelling and aerial bombardments, are military operations constituting an attack on the civilian population. Rapes and other acts of sexual violence which formed part of the attack or which were intended to be part of the attack are crimes against humanity.

**The information below is based on the Third Report of the Independent International Commission of Inquiry on the Syrian Arab Republic (A/HRC/21/50), issued on 16**

**August 2012**<sup>20</sup>

## **E. Torture and other forms of ill-treatment**<sup>21</sup>

1. Government forces and Shabbiha

77. Reported methods of torture were consistent across the country. Interviewees described being severely beaten about the head and body with electric cables, whips, metal and wooden sticks and rifle butts, burned with cigarettes, kicked, or subjected to electric shocks applied to sensitive parts of the body, including the genitals. Six interviewees reported having lost consciousness during interrogation.

79. Several forms of torture and ill-treatment meted out did not result in physical evidence.

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<sup>20</sup> Full text available [here](#)

<sup>21</sup>See also annex VIII

Detainees were forcibly shaved, made to imitate dogs and declare that —there is no God but Basharll. Other interviewees stated that they were forced to undress and remain naked for prolonged periods. Three interviewees stated that they were threatened with execution. One reported being present when another detainee was threatened with sexual assault; another stated that interrogators threatened to arrest and rape female relatives.

## **G. Sexual violence**<sup>22</sup>

<sup>96</sup> Forty-three interviews were conducted on incidents of sexual violence, against men, women and children, committed by Government forces and the Shabbiha since February 2012. Interviewees included two female and three male victims of rape. Also interviewed were five eyewitnesses of rape, three of whom were also victims. Seven interviewees were defectors who stated that rape and sexual assault had been committed by soldiers and the Shabbiha.

100. The commission continued to receive reports of rape and sexual assault in detention centres, committed usually as part of torture and/or ill-treatment. Multiple reports were received of male detainees receiving electric shocks to their genitals during interrogations.

101. The commission finds reasonable grounds to believe rape and sexual assault were perpetrated against men, women and children by Government forces and Shabbiha members. Rape and sexual assault were also part of torture in official and unofficial detention centres.

102. Having previously determined that military operations such as those in Homs in February and March and in Al Haffe in June were part of a widespread or systematic attack against a civilian population, the commission finds that the rapes committed during these attacks, made with knowledge of the attacks, could be prosecuted as crimes against humanity.

## **Annex VIII [English only] Torture and other forms of ill-treatment**

### **B. Reports of torture and other forms of ill-treatment in official detention centre**

8. Reported methods of torture were consistent across the country. Interviewees described severe beatings about the head and body with electric cables, whips, metal and wooden sticks, and rifle butts; being burnt with cigarettes; being kicked; and being subjected to electric shocks applied to sensitive parts of the body, including the genitals. Six of those interviewed reported losing consciousness at points during their interrogations.

9. The commission also received multiple reports of detainees being beaten on the soles of the feet (falaqa). Common practices described included the placing of detainees into prolonged stress positions, including hanging from walls or ceilings by their wrists (shabah) and hanging by wrists tied behind their backs. Other methods reported were forcing detainees to bend at the waist and place their head, neck and legs through a car tire while beatings were administered (dulab); tying the detainees to a flat board with their head unsupported and either stretching them (as on a rack) or folding the board in half (the —flying carpetll). As detailed in annex VIII (Sexual violence), some detainees reportedly

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<sup>22</sup>See also annex IX.

suffered rape and other forms of sexual violence in the course of their detention. For many interviewees, scars and wounds, consistent with their accounts, were still visible.

10. Several forms of torture and other forms of cruel, inhuman or degrading treatment meted out to detainees did not result in physical evidence. Reports detailed detainees being forcibly shaved, made to imitate dogs and to declare —there is no God but Basharll. Other interviewees stated that they had been forced to strip and remain naked for prolonged periods. Three of those interviewed stated that they had been threatened with execution. One said he had been present when another detainee was threatened with sexual assault; another stated that his interrogators had threatened to arrest and rape female relatives.

## **Annex IX [English only] Sexual violence**

### **I. Government forces and Shabbiha**

1. The commission conducted 43 interviews detailing incidents of sexual violence — against men, women and children — committed by Government forces and Shabbiha since February 2012. These interviews included two female and three male victims of rape. Also interviewed were five eyewitnesses of rape (one of whom was also a victim). Additionally, seven of those interviewed were former members of the army, now defected, who stated that rapes and other forms of sexual assault, committed by soldiers and Shabbiha, took place during the Government forces' ground operations as described below.

#### **A. Findings**

4. Information collected indicates that rape and other forms of sexual violence occurred in two distinct circumstances. The first is during the searches of houses and at checkpoints as Government forces and Shabbiha entered towns and villages; the second, in detention. In a minority of cases, all occurring in Homs city between late February and April 2012, there were reports of the abduction and rape of women, and corroborated accounts of women being forced to walk naked in the street.

#### **Sexual violence during house searches and at checkpoints**

5. Fifteen of the interviewees alleged incidents of sexual violence committed during house searches and at checkpoints during the military operations in Homs between late February and May 2012, and in Al-Haffe in early June 2012. Five interviewees detailed incidents of sexual violence in Zabadani in late February 2012 and in various locations in Hama and Idlib governorates in April and May 2012. The sexual violence was reportedly perpetrated by soldiers and Shabbiha.

### **B. Sexual violence in detention centres**

20. The commission continues to receive reports of rape and sexual assault in detention centres, committed usually as part of a course of torture and/or ill-treatment. Two male members of the same family, detained from January to March 2012 at the offices of the Political Security in Damascus, described intelligence agents forcing them to rape each other.

21. Three interviewees stated that women were raped in detention centres in Latakia (March 2012), in Hama (March 2012) and in Dar'a (May 2012). In all instances the women were

suspected of supporting the anti-Government armed groups, being involved in protests or of being family members of those involved in the armed groups or protests. In the latter incident, a woman reported that she had been arrested and brought to the Military Intelligence offices in Dar'a in late May 2012 where she was interrogated by female agents. She stated that in the course of her interrogation, the agents attempted to remove her clothes and beat her. She stated she witnessed the gang rape of one of her friends who had attended protests in Dara'a, and who was being held in the same detention centre.

22. As detailed in Annex VI (Torture), many reports were received of male detainees having electric shocks applied to their genitals during interrogations.

### **E. Legal conclusions**

27. The Commission finds that there are reasonable grounds to believe rape has been perpetrated against men, women and children by members of Government forces and Shabbiha. The rape and sexual violence was committed in connection to the armed conflict and could be prosecuted as a war crime. Rape and sexual assault also formed part of torture in both official and unofficial detention centres in violation of IHRL and IHL.

28. Having previously identified the military operations in Homs city in February and March 2012 and in Al-Haffe in June 2012 as part of a widespread or systematic attack against a civilian population, the commission finds that the rapes which occurred during this attack, made with knowledge of the attacks, could be prosecuted as crimes against humanity.

### **The information below is based on Concluding Observations of the Committee against Torture on the Syrian Arab Republic (CAT/C/SYR/CO/1/Add.2), issued on 29 June 2012<sup>23</sup>**

20. The Committee expresses its grave concern about the prevalence, continuation and un-rebutted occurrence of violations of the Convention in the State party, as documented in the above-mentioned reports:

- (c) The extensive reports of sexual violence committed by public officers, including against male detainees and children (arts. 2, and 16);

### **The information below is based on the Summary Record of the 1<sup>st</sup> Part (public) of the 1072<sup>nd</sup> Meeting, Committee Against Torture, 48<sup>th</sup> Session (CAT/C/SR.1072), issued on 22 May 2012<sup>24</sup>**

11. A number of journalists claimed that they had been detained and tortured. There had been several reports of sexual torture of male detainees. Former detainees reported beatings of genitals, forced oral sex, electric shocks and cigarette burns to the anus, and anal rape with batons. Some had witnessed the rape of boys.

### **The information below is based on the Situation of human rights in the Syrian Arab Republic (A/HRC/RES/19/22), issued on 10 April 2012<sup>25</sup>**

#### **2. Condemns in the strongest terms:**

- (d) The sexual violence committed by the Syrian authorities, including against male

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<sup>23</sup> Full text available [here](#)

<sup>24</sup> Full text available [here](#)

<sup>25</sup> Full text available [here](#)

detainees and children;

**The information below is based on the Situation of human rights in the Syrian Arab Republic, 19 March 2012, UN Doc. A/HRC/RES/19/L.38**

*2. Condemns in the strongest terms:*

(d) The sexual violence committed by the Syrian authorities, including against male detainees and children;

**The information below is based on the Report of the Human Rights Council on its eighteenth special session (A/HRC/S-18/2), issued on 31 January 2012<sup>26</sup>**

*2. Strongly condemns:*

(d) The sexual violence against civilians by the Syrian armed and security forces, including against male detainees and children;

**The information below is based on the Report of the Independent International Commission of Inquiry on the Syrian Arab Republic (A/HRC/S-17/2/Add.1), issued on 23 November 2011<sup>27</sup>**

### **3. Torture and other forms of ill-treatment**

65. Several methods of torture, including sexual torture, were used by the military and the security forces in detention facilities across the country. Torture victims had scars and 14 bore other visible marks. Detainees were also subjected to psychological torture, including sexual threats against them and their families and by being forced to worship President Al Assad instead of their god.

#### **D. Sexual violence**

66. Several testimonies reported the practice of sexual torture used on male detainees. Men were routinely made to undress and remain naked. Several former detainees testified reported beatings of genitals, forced oral sex, electroshocks and cigarette burns to the anus in detention facilities, including those of the Air Force Intelligence in Damascus, the Military Intelligence in Jisr Al Shughour, the Military Intelligence and the Political Security in Idlib and Al Ladhqiyah and the intelligence detention facilities in Tartus. Several of the detainees were repeatedly threatened that they would be raped in front of their family and that their wives and daughters would also be raped.

67. Testimonies were received from several men who stated they had been anally raped with batons and that they had witnessed the rape of boys. One man stated that he witnessed a 15-year-old boy being raped in front of his father. A 40-year-old man saw the rape of an 11-year-old boy by three security services officers. He stated: "I have never been so afraid in my whole life. And then they turned to me and said; you are next." The interviewee was unable to continue his testimony. One 20-year-old university student told the commission that he was subjected to sexual violence in detention, adding that "if my father had been present and seen me, I would have had to commit suicide". Another man confided while crying, "I don't

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<sup>26</sup> Full text available [here](#)

<sup>27</sup> Full text available [here](#)



feel like a man any more”.

**The information below is based on the Report of the Independent International Commission of Inquiry on the Syrian Arab Republic (A/HRC/S-17/2/Add.1), issued on 23 November 2011<sup>28</sup>**

#### **IV. Violations and crimes under applicable international law**

##### **A. International human rights law**

##### **5. Torture and sexual violence**

92. Information received demonstrates patterns of continuous and widespread use of torture across the Syrian Arab Republic where protests have taken place. The pervasive nature, recurrence and reported readiness of Syrian authorities to use torture as a tool to instil fear indicate that State officials have condoned its practice. Information from military and security forces defectors indicates that they received orders to torture. The commission is particularly disturbed over the extensive reports of sexual violence, principally against men and boys, in places of detention.

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<sup>28</sup> Full text available [here](#)