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Human rights situations that require the Council's attention

Note verbale dated 15 August 2014 from the Permanent Mission of the Syrian Arab Republic to the United Nations Office and other International Organizations in Geneva addressed to the President of the Human Rights Council

The Permanent Mission of the Syrian Arab Republic to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the President of the Human Rights Council and, with reference to the thematic paper issued by the Office of the High Commissioner for Human Rights and entitled "Surrounded by Death: Former Inmates of Aleppo Central Prison, The Syrian Arab Republic", has the honour to transmit herewith the Syrian Arab Republic's response to the said paper, and requests that the response attached hereto be circulated as an official document of the Human Rights Council under agenda item 4 and published on its website before the date scheduled for its twenty-seventh session.

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Attachment

The Permanent Mission of the Syrian Arab Republic to the United Nations Office at Geneva wishes to convey to the Office of the High Commissioner for Human Rights its profound astonishment and indignation in regard to the information contained in the latter's thematic paper entitled "Surrounded by Death: Former Inmates of Aleppo Central Prison, The Syrian Arab Republic" which contains distortions of the facts and erroneous conclusions in an attempt to besmirch Syria's reputation by holding it responsible for the traumatic circumstances with which the inmates of Aleppo Central Prison were faced and thereby covering up the crimes committed by armed terrorist groups and the States that are supporting and funding them.

While rejecting the false information and biased conclusions contained in that paper, Syria draws attention to the following facts in order to clarify what really happened in the prison:

Aleppo Central Prison is a correctional facility of a civil nature, the main purpose of which is to rehabilitate the prison's inmates. It is not a detention centre. Before the siege, the prison was a complex which met all the vital requirements since it contained a school and university students and many of its inmates engaged in handicraft work. It had a theatre in which educational programmes were presented, and also a hospital provided with the most modern medical equipment and the human resources, including nurses and physicians, needed to monitor the state of health of all the inmates.

The prison was transformed into a combat zone when it was attacked by armed terrorist groups and subjected to a tight siege. The ordeal of the prisons inmates and guards began as a result of the practices of those groups, comprising persons of various nationalities including Arabs, foreigners, and particularly Turks, belonging to Jabhat al-Nusra (a subsidiary of the Al-Qaida organization) and other terrorist groups which, for over a year, pursued a policy of starving and besieging the prison. They kept it under constant bombardment and detonated vehicles packed with explosives at its gates, thereby demolishing large parts of the prison. They also cut off the water and electricity supply and destroyed the sanitation network, as a result of which large parts of the prison, including the kitchen and hospital, were rendered unserviceable.

A total of 528 inmates and 57 prison guards died as a result of these terrorist attacks or from starvation or diseases, including tuberculosis and various types of infection, which proliferated due to the fact that the terrorists prevented the entry of medicine. A further 225 inmates and 100 prison guards were wounded. This formed part of a series of flagrant violations of human rights amounting to war crimes.

Throughout that period, the Syrian Government endeavoured to break the siege and, in collaboration with the Syrian Arab Red Crescent and the International Committee of the Red Cross, sought to ensure that quantities of food, water and medicine reached the prison inmates. However, the quantities that they received were insufficient to improve their humanitarian situation and living conditions since the terrorist groups usually either obstructed or prevented the delivery of those supplies and, on some occasions, confiscated them.

Contrary to the assertion made in the paper, this tragedy ended only when the Syrian Arab Army recently broke the siege of the prison and removed all the inmates therefrom.

The judicial authorities studied the files of the inmates of Aleppo Central Prison and released 363 of those who had completed their sentences or who had been pardoned under the terms of the latest presidential amnesty decree. The number of inmates released, with

the help of the Syrian Arab Red Crescent, during the siege amounted to 937 and the number released up to 30 January 2014 totalled 1,105.

After the siege was broken, the inmates were transferred from Aleppo Central Prison to an alternative prison in al-Wahda school in the district of New Aleppo, which is the most upmarket neighbourhood in the city of Aleppo. They were accommodated in rooms, and not in makeshift facilities as asserted in the paper, which had been equipped and cleaned in coordination with the International Committee of the Red Cross and the Syrian Arab Red Crescent. A medical team and a fully equipped ambulance were assigned to provide medical and first aid services and an area was designated in which the inmates could receive family visits within one week after their arrival in the new facility. Such visits take place at the rate of two per week and there is no inmate who has not received a visit from his family to ensure their peace of mind. There is no case in which the whereabouts of an inmate remains unknown. All are treated in accordance with the laws and regulations concerning human rights and sick inmates have been transferred to hospitals in order to receive medical attention.

Notwithstanding the siege, the process of releasing inmates with the help of the Syrian Arab Red Crescent was not suspended, although there were delays due to the fact that the registry in which the prisoners' files were stored was targeted by a terrorist car bomb which destroyed many of those files.

The burial site in the eastern yard of the prison was set aside for the interment of any inmates or guards who died in the prison. This was necessitated by the circumstances of the siege and the lack of a cemetery in the prison. All the legal and medical procedures, such as proper certification of the cause of death and numbering of the grave, were observed on the occasion of any death so that the body could be delivered to the family after the siege had been broken.

Many of the inmates joined the prison guards in the fight against the armed terrorist groups and some of these inmates were killed during the battles. Other inmates who had links with the armed terrorist groups were not harmed.

There have been no cases of enforced disappearance, arbitrary detention or torture in the prison. The legal status of all the prisoners is clear and documented in accordance with the Syrian Penal Code and Code of Criminal Procedure and in conformity with the country's obligations under international human rights law.

Food was distributed to the inmates without discrimination, as attested by the Syrian Arab Red Crescent.

The Syrian Government has cooperated consistently with the International Committee of the Red Cross, which has paid a number of visits to prisons in Damascus, Rural Damascus and Latakia.

The paper makes no reference to the rights of the prison personnel and guards who experienced harsh conditions far from their families during the siege, as though they had no rights.

The Syrian Arab Republic has provided the Office of the High Commissioner with detailed and documented information on conditions in the prison. However, this factual information has been disregarded, sidestepped and distorted with a view to holding the Syrian Government, instead of the terrorists, responsible for what happened in the prison. For example, the paper speaks of the proliferation of diseases in the prison as though it were a continuation of a previous situation while, in actual fact, the diseases spread as a result of the siege and the terrorists' refusal to allow the delivery of medicine, which led to the death of a number of the inmates and prison guards.

The paper goes even further and wrongly exonerates the terrorists by attributing the difficulty of delivering humanitarian supplies to the “poor security situation and sustained fighting between Government forces and armed opposition groups”.

The manner in which the paper attempts to distort the facts and discredit Syria forms part of the campaign of politicization conducted, for purposes that are known to all, by some States and high-level United Nations officials whenever Syria’s human rights file and humanitarian record are involved. This is illustrated by the total silence in regard to the tragedy suffered by the inmates of Aleppo Central Prison, as well as the crime of starvation to which they were subjected by the armed terrorist groups throughout the duration of the prison siege, in order to avoid any criticism of those groups. In contrast, we find that the paper directs its recommendations at the Syrian Government in total disregard of the responsibility borne by the armed terrorist groups for all the violations of human rights and war crimes committed against the inmates of Aleppo Central Prison.

In this connection, we strongly condemn the paper’s biased approach, its manipulation of the facts and its cover-up of the crimes of the terrorist groups by using the expression “armed opposition groups” to designate terrorist entities such as “Jabhat al-Nusra” which are included on the United Nations lists of terrorists.

The thematic paper illustrates the biased approach adopted by the Office of the High Commissioner for Human Rights in regard to Syria insofar as the paper, by seeking non-objective excuses and justifications to cover up the crimes committed by the terrorists, helps to divert attention from the fact that the main cause of what is happening in Syria is the entry of terrorists supported and funded from abroad. This approach, if continued, will unquestionably deprive the Office of the High Commissioner of its credibility and discourage member States from cooperating with it.

In conclusion, the Syrian Government gives an assurance that it will continue its endeavours to remedy the situation of all the prisoners freed from the siege in conformity with the relevant legal rules and procedures and its ongoing commitment to its international obligations, including the prevention of all forms of torture.
