

## Women's Space for Collaboration

### Addressing the issue of Detainees

The fourth Women's Space for Collaboration Conference was held in March 2019, and consisted of Syrian women leaders active at the local, national and international level. The conference served as a space for women to share their experience and ideas on Syrian issues from women's perspective.

The Space for Collaboration Conference was first held in August 2014. This is the fourth conference focusing on the issue of detainees as it is of crucial importance for many Syrians. Most Syrians have been affected by detention: women and men have been detained, or forcibly disappeared along with their families, while the families of detainees suffer worrying about the fate of their loved ones. Until the issue of detainees is solved, sustainable peace cannot be achieved in Syria, and there cannot be a democratic country of justice, accountability for those who committed crimes, and guarantee of freedom and rights for all Syrians.

#### **Detainee and prisoner exchanges are not a solution**

It is difficult to say no to the release of women and men from detention. It's an attractive opportunity for any defender of human rights because even saving one life is an achievement. However, there are many risks and negative consequences to limiting the issue of detainees only to prisoner exchange agreements. There is interference from countries that have their own agendas and serve the best interest of military groups and the Syrian regime.

1. The detainee file is a humanitarian and legal issue. Most of the detainees in Syria are civic leaders and activists, and their detention is against all humanitarian and international laws. The international community should understand that all parties, particularly the Syrian regime, use the detainee issue to gain political and military advantages.
2. Prisoner exchange agreements have motivated the Syrian regime and others to increase the number of people detained in order to exchange these individual; creating the false image that they are decreasing the number of detainees.
3. Many of those in detention since 2011 or earlier, are detained for being peace and human rights activists. These people are being excluded from the prisoner exchange agreements. Many of the people selecting the detainees are military personnel who choose to release fighters.

4. Different parties have targeted women to detain them and later use them to leverage for more prisoners in exchange agreements.
5. Prisoner exchange agreements have also encouraged conflict parties to engage in financial extortion, demanding money in exchange for the release or information about detainees.
6. Detention and torture carried out by the Syrian regime and in its security branches are crimes against humanity and should not be overlooked by any agreement or settlement.
7. People released in prisoner exchange agreements are sentenced to forced displacement either inside or outside Syria.
8. Those released in exchange deals are liable to be arrested once again; subject to trials in absentia, deprived of their civil rights, confiscation of their property or blocked from accessing information about their property.
9. Encouraging prisoner exchange agreements means strengthening the Syrian regime and the military parties; strengthening the male dominance mentality and promoting a patriarchal culture.

As a result, the issue of detainees is an essential element for a sustainable political solution in Syria and must not be built on the basis of a prisoner exchange. We encourage continued support to push forward in the release of the Syrian detainees and knowing the fate of those who have been forcibly disappeared in Syria.

### **The impact of the detainees' issue on the political process**

The issue of detainees should be a motivation to advance the political process. It is a confidence-building measure that must be taken immediately to contribute to a neutral and secure environment for achieving political transition in Syria to ensure democratic pluralism. To support this we recommend the following:

1. Immediate release of female and child detainees as a confidence-building measure.
2. Formation of an international legally binding committee consisting of Syrian, international organizations, and women's groups, of whom 50 percent of its members should be women. This committee should be responsible for discussing practical steps to move forward with the detainee issue and oversee the implementation of relevant international resolutions.
3. We ask for a survivor of detention or families of detained to be included at any meeting on Syria, including each Security Council meetings on Syria, and at each session of the Human Rights Council, as well as regular meetings with the Office of the Special Envoy to Syria.

4. Many Syrian men and women outside Syria wish to return to help build a democratic Syria. However, the detention of people by the Syrian regime continues on a daily basis and prevents return. We cannot discuss the issue of the return of refugees before finding concrete steps to solve this problem of arbitrary arrests.
5. The return of refugees and political stability in Syria cannot be achieved without putting an end to the continuous arbitrary arrests.

### **The issue of detainees from women's point of view**

The effects of detention vary greatly between men and women in Syria. Women who were detained are stigmatized and shamed by their communities and families, while men are praised for their bravery. Female family members of male detainees are also subjected to increased social, security, and political pressure with higher risk of them being arrested to place pressure on their relatives.

Based on these experiences, the following are some gender-sensitive recommendations on the issue of female detainees:

1. Prioritize the criminalization and accountability for perpetrators of violations against women, in particular sexual violence and gender-based violence. Rape or the threat of rape of female detainees remains a common practice in the national defense branch.
2. Transfer female detainees to fair trials and abolish the work of "exceptional courts" and terrorist courts which were set-up after 2011 to target demonstrators.
3. Improve the conditions of detained women in line with international human rights principles and standards. As part of this, improve the health conditions, particularly reproductive health of the women by appointing female security personnel. These female security guards should be trained in line with international human rights standards, to deal with the women without repeating the practices of female personnel who participate in the torture and ill-treatment in prisons (such as Department 227, also known as the Military Intelligence Department).
4. Female detainees should have the freedom to choose whether they can keep their children with them or send them to their parents, and not have them forcibly transferred to children's centers.
5. Request all parties, particularly the Syrian regime which is responsible for 90 percent of detentions, to publish the names of all detainees in secret and official prisons.

## The role of civil society

Syrian and international organizations are making great efforts to document and support male and female detainees, survivors, and their families and to raise awareness and advocate about the detainee issue. However, due to the importance of the detainee issue, the following actions are crucial:

1. Support the design of long-term and integrated programs to contribute to mitigating the negative effects of detention and supporting male and female actors in this area with regard to documentation, media, psychological and educational support, and advocacy.
2. Support the rehabilitation of professional actors working on this issue, and direct psychological and health support for detainees, survivors, and their families.
3. Provide technical support for Syrian organizations working on the issue of detainees, especially organizations working to document human rights violations and support them to include gender sensitivity.
4. Provide systematic support for continued dialogue conferences among Syrians, raising awareness, and direct encounters between survivors, their families and local communities.
5. Support coalition building of Syrian organizations and international organizations to highlight the issue of detainees in all international forums.

We are Syrian women committed to working continuously for the detainee and enforced disappearances file until we find sustainable and just solutions for this issue.

