



# General Assembly

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## Human Rights Council

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Agenda item 4

**Human rights situations that require the Council's attention**

### **Written statement\* submitted by The Palestinian Return Centre Ltd, a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[23 May 2022]

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\* Issued as received, in the language of submission only. The views expressed in the present document do not necessarily reflect the views of the United Nations or its officials.



## **Tadhamun Massacre and the Extra-Judicial Killing of Palestinian Refugees in the Syrian Arab Republic**

### **Overview**

The London-based Action Group for Palestinians of Syria (AGPS) has documented the secret detention of over 1,800 Palestinian refugees in state-run prisons across war-torn the Syrian Arab Republic, among them 110 women and girls.<sup>1</sup>

AGPS also documented the death of over 600 Palestinian refugees under torture in Syrian government prisons. 101 Palestinian refugees have been subjected to extra-judicial execution since the outburst of the conflict.

In April 2014, nearly 55,000 images of 11,000 victims of torture, including women and children, were leaked by a military police photographer, codenamed Caesar.

Following a probe launched by AGPS into Caesar's leaked snapshots, the group identified dozens of Palestinian refugees.<sup>2</sup>

Affidavits by ex-detainees have provided evidence on the involvement of Syrian government officers in harsh torture tactics, including electric shocks, heavy beating using whips and iron sticks, and sexual abuse against Palestinian detainees, in a flagrant violation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, commonly known as the United Nations Convention against Torture (UNCAT).

On April 27, 2022, The Guardian published an investigation with footage showing a massacre taking place in Tadhamun neighborhood, near Yarmouk Camp for Palestinian refugees, in the Syrian's Arab Republic capital Damascus, in April 2013, and claiming the lives of 41 people, including three Palestinian refugees.<sup>3</sup>

The three refugees are Wasim Omar Seyam, Sa'id Ahmad Khatib, Abd Luay AlKubra, residents of Yarmouk Camp, south of Damascus.<sup>4</sup>

The British newspaper reported that the mass grave contained at least 41 bodies following the massacre. The bodies were then doused with fuel and set alight.

Palestinian refugee families are deeply concerned that dozens of their relatives could have been subjected to a similar fate after they were arrested at the Bashir checkpoint, pitched between Yarmouk Camp and AlTadhamun neighborhood.

### **Extrajudicial Killing in the Syrian Arab Republic, Crime against Humanity**

The footage by The Guardian is one of the most indictable videos from the whole Syrian conflict which gives us a glimpse into a previously untold part of the 11-year war. Such practices are emblems of the Syrian's Arab Republic worst atrocities: The mass execution of scores of men, women and children.

The newly released evidence represents an important addition to previously documented cases of gross breaches of international law in the Syrian Arab Republic, only a few of which have come under international scrutiny.

Extra-judicial killing violates peoples' right to life, a right guaranteed by the Universal Declaration of Human Rights (1948), the International Covenant on Civil and Political Rights (1966), the Geneva Conventions (1949), the European Convention on Human Rights (1950), the American Convention on Human Rights (1969), and the African Charter on Human and Peoples' Rights (1981), among other treaties and conventions.

This means that nobody, including the Government, can try to end a person's life. It also means the Government should take appropriate measures to safeguard life by making laws to protect people, particularly when their life is at risk.<sup>5</sup>

Life is the first and most fundamental right of individuals, without which no other right can be upheld. Extrajudicial executions are a violation of this right, designating the deliberate killing of an individual by a State agent without a previous judgment affording all judicial guarantees, such as a fair and unbiased procedure.

## Recommendations

The Syrian government has the obligation to promote and protect the right to life, and to prosecute perpetrators of war crimes.

In the context of the armed conflict in the Syrian Arab Republic, extrajudicial executions like those disclosed by the footage of the Tadamun massacre are considered a war crime. They also amount to genocide or crime against humanity.

Immediate action should be taken to address this massacre, which amounts to a war crime, and to hold perpetrators accountable at the UN Security Council. The lack of response from the international community to such shocking reports is particularly distressing.

Evidence is mounting that these cases are not isolated, but part of a systematic policy against Palestinians and Syrians alike. The international community should exert pressure on the Syrian government in order to release all those held behind prison bars or forcibly disappeared for years, including hundreds of Palestinian refugees.

It is high time that the international community learned that impunity for grave human rights violations in the Syrian Arab Republic including fatal torture in prison and extralegal executions, has far-reaching consequences beyond its borders.

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1 AGPS

2 <https://leaks.zamanalwsl.net/tortures.php>

3 <https://www.theguardian.com/world/2022/apr/27/massacre-in-tadamon-how-two-academics-hunted-down-a-syrian-war-criminal>

4 AGPS

5 <https://www.ohchr.org/en/special-procedures/sr-executions/international-standards#:~:text=The%20right%20to%20life,->

[The%20right%20to&text=Article%206%20of%20the%20International,be%20arbitrarily%20deprived%20of%20life%22](https://www.ohchr.org/en/special-procedures/sr-executions/international-standards#:~:text=The%20right%20to%20life,-The%20right%20to&text=Article%206%20of%20the%20International,be%20arbitrarily%20deprived%20of%20life%22)