**General Allegation Submitted to:**

The mandates of the Special Rapporteur on Violence Against Women; Working Group on Discrimination Against Women and Girls; Working Group on Enforced or Involuntary Disappearances; Working Group on Arbitrary Detention; Special Rapporteur on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment; Special Rapporteur on The Independence of Judges and Lawyers; Special Rapporteur on The Right to Physical and Mental Health; Special Rapporteur on The Promotion of Truth, Justice, Reparation, and Guarantees of Non-Recurrence

**Submitted on** 20/April/2022

**Submitted by:**

[**Syrian women's network**:](https://swnsyria.org/) a civilian feminine organization working on gender equality, democracy, human rights, civil peace and transitional justice, down to a unified democratic state based on equal citizenship.

[**Urnammu**](https://www.urnammu.org/Arabic/) for Justice and Human Rights: an independent, non-governmental, nonpartisan and non-profit organization that was established in 2014 by a group of human rights defenders and activists in order to promote the principles of human rights and the rule of law. Urnammu provides assistance to individuals whose rights under international conventions and covenants and local laws have been violated.

[**Women Now for Development**](https://women-now.org/ar/)**:** Aims to engender the development of a society governed by democracy, freedom, and justice – a society where women have a meaningful role in everyday Syrian life.

*Excellencies*

*The Independent International Commission of Inquiry on Syria asserts that arbitrary detention and enforced disappearance and the accompanying torture, ill-treatment, and sexual and gender-based violations have become distinguishing features of the conflict in Syria. These violations are indeed committed against Syrian men and women for different reasons, especially for political reasons in the first place, where victims have been subject to various violations, such as gender-based violence. However, the organisations participating in this general allegation emphasise that many Syrian women are subjected to these violations merely because they are women and not for any other reason. Moreover, women victims have been deprived of their right to an effective remedy, which includes holding the perpetrators accountable and providing reparation, including restitution, compensation, rehabilitation, and ensuring non-reoccurrence. This general allegation will present detailed facts demonstrating the allegations above. Please note that the cases mentioned in this submission are only examples of tens of other cases documented by the organisations participating in this general allegation. The submission will not share victims' names upon their wishes and fear of reprisals. However, it will share their stories as examples of many other documented violence cases against women because of their gender committed by the state agents and organs. Moreover, this submission will reveal the flaws in the relevant Syrian legislation that prevent women victims from their rights to an effective remedy.*

Introduction

Periodic reports submitted by the Independent International Commission of Inquiry on Syria (COI) indicate that arbitrary detention and enforced disappearance and the accompanying torture, ill-treatment, and sexual and gender-based violations have become distinguishing features of the conflict in Syria. Since the various conflicting parties in Syria allegedly commit these violations, the COI documentations show evidence indicating the involvement of the State organs in them in a systematic and widespread manner.[[1]](#footnote-1)

These violations are indeed committed against Syrian men and women for different reasons, especially for political reasons in the first place, where victims have been subject to different kinds of violations, such as gender-based violence. However, the organizations participating in this general allegation confirm that many Syrian women are subjected to these violations merely because they are women and not for any other reason. Since the traditional customs of Syrian society link the protection of women with the concept of honour, state agencies, according to interviews conducted with surviving victims, have resorted to detaining or kidnapping women, refusing to acknowledge their fate, and torturing them as part of military operations to pressure their male relatives to surrender if the security wants them. Detaining women is also performed to force male detainees in security services detention centres to confess under pressure from witnessing their women relatives being abused. Furthermore, there are many cases in which women survivors claimed that state agencies did not consider their special conditions while in detention, such as pregnancy, breastfeeding, or menstruation. Thus, these practices caused severe illnesses to the detained women. In addition, cases indicate that women who had been detained with their children were separated from their children. The children were transferred to another incommunicado place where the detained women could not access any information about the fate and whereabouts of their children.

The problem does not lie only in attacking Syrian women in the armed conflict just because they are women, but also in depriving them of their right to an effective remedy. This remedy includes holding the perpetrators accountable and providing reparation, including restitution, compensation, rehabilitation, and ensuring non-reoccurrence.

This general allegation will present a set of detailed facts demonstrating the allegations above. It should be noted that the cases mentioned in this submission are only examples of tens of other cases documented by the organisations participating in this general allegation. The submission will not share victims' names upon their wishes and fear of reprisals. However, it will share their stories as examples of many other documented violence cases against women because of their gender committed by the state agents and organs. Moreover, this submission will reveal the flaws in the relevant Syrian legislation that prevent women victims from their rights to an effective remedy.

Factual background

Gender-Based Crimes Against Women: Arbitrary detention, enforced disappearance, and the accompanying torture, sexual and gender-based abuse, and conditions of detention that are insensitive to women's particular needs

1. The report submitted by the COI to the Human Rights Council (HRC) in 2018, which was based on 454 personal interviews with survivors, eyewitnesses, and other specialists, details the crimes of rape and other forms of sexual violence against Syrian males and female detainees in Syrian government prisons. Interviews with victims show how many women have been detained to pressure or retaliate against male relatives of the opposition or defectors from military service. The report indicates that women were detained in different ways, such as during house raids, at checkpoints, government departments, or were kidnapped in the street.[[2]](#footnote-2)
2. The report notes that from the moment of their abduction or detention, many women were subjected to various forms of torture and degrading treatment, including sexual assault. Sexual assaults against women are committed in several forms, including interrogating women about their sexual life, subjecting them to intimate searches by males, interrogating and torturing women while naked, and raping them by one or more security officers and sometimes through the use of tools. These cases occurred with women of different age groups, including elderly women. In addition, there are documented cases of rape of pregnant women, which sometimes led to a miscarriage. Furthermore, women were not provided with the necessary healthcare and some were forced to take medications that prevent pregnancy and delay the menstrual cycle. Many women were also threatened with the publication of their nude pictures if they did not dance for security officers and serve them drinks.[[3]](#footnote-3)
3. During detention, women were subjected to numerous violations, including enforced disappearance, torture, and sexual assaults. Urnammo organization has documented cases in which state agencies have detained women to pressure their male relatives to turn themselves in. In addition, there have been cases where children were tortured in front of their mothers to extract confessions from the mother. A few examples of these cases are mentioned below without sharing the victims' full names out of fear for them or their families of any reprisals. It is worth noting that although some of these violations have occurred in the past, the victims have not yet obtained their right to an effective remedy.
	1. The first victim, Salma, was arrested in July 2018, after the state security forces raided her home in Deir Ezzor and she was then transferred to Damascus. According to her, she was arrested for questioning concerning her husband. Because she told the security officers that she did not know anything about her husband since he left the city four years ago, she was severely tortured and placed in solitary confinement. The victim stated that one of the officers tried to harass her, so she screamed. As a result, the officer beat her, broke a glass plate on her face, and brought her back to solitary confinement. Salma was given food once every two days. After her release, she learned that her family had paid two million Syrian pounds for her release.
	2. The second victim was arrested in 2012 to pressure her husband to turn himself in, as her husband was accused of joining the Free Syrian Army. When the husband turned himself in, the victim was raped in front of him in Branch 235 of Military Intelligence (known as the Palestine Branch) in Damascus. The husband was released at the end of 2013 due to his poor health resulting from torture. He died a month after his release. Two days after his death, his wife, who did not meet him, was released.
	3. The third victim was arrested in February 2013. She was disappeared for six months incommunicado to pressure her two brothers and husband, who were in the Damascus countryside (a place out of the government control at that time). In the detention center, she was threatened with rape several times, and messages and pictures of her in a degrading appearance were sent to her husband to pressure him to turn himself in. She was placed in a cell with about twenty soldiers, and the officer told them: “Take this lady and have fun with her." However, one of these punished soldiers defended her inside the cell. Therefore, his punishment was doubled, according to the victim's statement.
	4. The fourth victim was arrested in August 2014 for allegedly smuggling weapons and financing terrorism. She was arrested with her 8-year-old son. The child was tortured in front of her in order to extract confessions from her. Subsequently, the child was separated from the mother and forcibly disappeared incommunicado. When the mother asked about her son's whereabouts, the security forces gave her false information to threaten her and pressure her to confess. Sometimes they refused to tell her about her son’s whereabouts, and other times they told her that they would execute him. After that, the woman was tried before the Counterterrorism Court based on her confessions, and she was informed that her son was alive while she was in prison.

Syrian national legislation and obstruction of effective remedies

1. Usually, the families of female detainees and forcibly disappeared females refuse to submit claims or details of the arrest and disappearance of their female relatives. This is in part due to the fear of increasing torture or sexual violence the victims are exposed to if the security forces discover any cooperation between these families and human rights organizations. In addition, women's exposure to sexual violence or even detention in Syrian society is often met with social discrimination (stigma) that increases pressure on the victim and often results in a decision not to disclose what happened to her in detention centres and waive her proper redress.[[4]](#footnote-4)
2. It is worth noting that, even if a woman decides to exercise her right to a remedy for crimes of enforced disappearance and sexual and gender-based violence and torture suffered during enforced disappearance, domestic laws do not provide her with adequate protection for this right. The act of "enforced disappearance" is not criminalized as an autonomous crime according to international standards in the Syrian penal code. The Syrian Arab Republic asserted in its recent national report submitted to the Working Group on the Universal Periodic Review that the term "enforced disappearance" does not exist in Syrian law. Nonetheless, it argued that first of all, “the law does penalize abduction and deprivation of liberty” which, according to the Syrian government, are classified as enforced disappearance. In this regard, it made explicit reference to Legislative Decree No. 20 of 2013 which criminalizes the act of abduction if committed with a specific intention.[[5]](#footnote-5) The decree imposes a penalty of life imprisonment on anyone who kidnaps a person for political, sectarian, financial, revenge, or ransom purposes.[[6]](#footnote-6) In addition, the decree stipulates aggravating the penalty to execution if the perpetrator causes permanent disability to the victim or sexually assaulted her.[[7]](#footnote-7)
3. However, the Syrian President has issued an amnesty decree for all perpetrators of kidnappings before 2 May 2021 if two conditions are met. First, the offender is pardoned if they released the victims before the amnesty decree was issued without causing permanent disability to them. Second, the offender is pardoned if they take the initiative to release the kidnapped safely and without any consideration, or if they handed the victim over to any competent authority within ten days from the date on which the amnesty decree entered into force.[[8]](#footnote-8) Thus, the perpetrators who released the victims within the specified time without causing permanent disability were granted amnesty for their acts, violating the victims' right to an effective remedy.
4. Despite the severe mental harm that the victim may suffer due to acts of torture or sexual violence, which may paralyze the victim's ability to continue their normal life, the Syrian Penal Code does not consider this harm a "permanent disability." Article 543 of the Syrian Penal Code states that "if the act leads to the amputation of an organ or a limb, disables one of the senses, causes severe disfigurement or any other permanent disability, has the appearance of a permanent disability; the offender shall be punished."[[9]](#footnote-9) This text indicates that a permanent disability in the Syrian Code involves a bodily injury that leads to severe mutilation or severing or disabling one of the parts of the body or the senses. The Syrian Court of Cassation confirmed this in its decision in the case 1987/2001 of 1970. It indicated that "a permanent disability is considered to be existing when the harm affects an organ, limbs, senses or their parts and would decrease their strength or reduce the strength of their natural resistance."[[10]](#footnote-10) Thus, the perpetrators of political-interest abductions of women who tortured them or sexually assaulted them during this abduction without causing permanent physical disability were granted an amnesty form filing a criminal lawsuit against them.[[11]](#footnote-11)
5. Moreover, this amnesty decree deprives victims of the most straightforward guarantees of non- recurrence. The Syrian Penal Code requires the aggravation of the penalty for offenders who have been convicted of a previous offence and recommitted a new crime subsequent to the sentence. As for the existence of a general amnesty, the offence covered by the amnesty is not considered a criminal precedent and thus will not be registered as a crime in the perpetrator’s criminal record. This increase obstacles facing the victims to get their right to an effective remedy and guarantees of non-reoccurrence.
6. If the victim overcomes the fear of reprisals and the societal discrimination (stigma), and decides to independently claim crimes of torture and sexual assault apart from the crime of kidnapping, the victim will face another obstacle, namely Legislative Decrees 1969/14 and 64/2008. The two Legislative Decrees give implicit impunity for security forces from prosecution. They allow the prosecution of security forces only after obtaining approval from their directors.[[12]](#footnote-12) Decree 64/2008 states in its first article that prosecution orders are issued against officers, members of the Internal security forces, members of the political security forces, and members of the customs police, by a decision of the Commander in Chief of Armed Forces. [[13]](#footnote-13) Accordingly, the Public Prosecution cannot initiate prosecutions against these members unless the Commander in Chief of Armed Forces approves this, which constitutes a clear violation of the independence of the judiciary and the Public Prosecution.[[14]](#footnote-14)
7. It is worth noting that this obstruction of prosecutions has a decisive impact on victims' right to an effective remedy, especially when taking into account the statute of limitations on these rights. Syrian law does not consider the classification of international crimes and the consequent prohibition of statute of limitations on them. Rather, it classifies this type of crime under ordinary crimes, and therefore is subject to the statutes of limitations. Accordingly, the Syrian Code of Criminal Procedure stipulates in Articles 437 and 438 that criminal lawsuit and the related civil lawsuit shall lapse after ten years from the date of the felony and three years from the misdemeanor if no prosecution was conducted.[[15]](#footnote-15) If the Commander in Chief of Armed Forces refused or delayed issuing an order to prosecute one security personnel, the statute of limitations would apply. Consequently, the victims would lose their right to seek redress from the perpetrators upon the expiry of the specified period. As for the crime of enforced disappearance, the perpetrators were granted a general amnesty on 2 May 2021 due to the Syrian Government's wrong analogy between the crime of enforced disappearance and abduction. Consequently, by disabling criminal prosecutions and granting amnesty to the perpetrators, victims lose their right to prosecute the perpetrators before a fair and independent court that provides effective remedies and guarantees of non-reoccurrence.

International legal framework

1. The Declaration on the Elimination of Violence against Women (the Declaration) notes that the term violence against women means "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life."[[16]](#footnote-16) In this regard, the state's physical, sexual and psychological violence against women or condoned wherever it occurs is considered violence against women.[[17]](#footnote-17) Given the facts presented above, the kidnapping of women, their disappearance from the outside world, torture and sexual assault to extort their male relatives, or obtaining information about them from the female victims constitutes violence against women on the basis of their gender.
2. In this regard, the Declaration affirms that states should refrain from engaging in violence against women and undertake due diligence to prevent, investigate, and punish acts of violence against women, whether the state or individuals commit such acts. States should also develop penal, civil, labour and administrative sanctions in domestic legislation to punish and redress the wrongs caused to women who are subjected to violence, provide women with compensation for damages, and facilitate access to justice mechanisms and effective remedies for women who experience violence.[[18]](#footnote-18)
3. In the general framework of international human rights law, the Universal Declaration of Human Rights (UDHR) states that no one shall be arbitrarily deprived of his or her liberty.[[19]](#footnote-19) The International Covenant on Civil and Political Rights (ICCPR) also indicates that everyone has the right to liberty and security, and no one may be arbitrarily arrested or detained. No one may be deprived of his/her freedom except for reasons stipulated by law and under the procedure established therein.[[20]](#footnote-20) In this regard, international human rights law considers enforced disappearance a continuous and threatening violation of multiple rights such as the right to life, the prohibition of torture or cruel, inhuman or degrading treatment and punishment, the right to liberty and security of person, the right of detainees to be treated with humanity and respect for dignity, and the right to life, family, the right to recognition of the detainee as a person before the law and the right to an effective remedy. Because of the multifaceted nature of enforced disappearance, which affects many special rights of the individual, international jurisprudence has emphasized that enforced disappearance must be understood and addressed in an integrated manner.[[21]](#footnote-21)
4. The Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment states that detainees must be treated with humanity and respect.[[22]](#footnote-22) Furthermore, special protection shall be granted to women, especially pregnant women and nursing mothers, children, and juveniles.[[23]](#footnote-23) Anyone detained shall not be subjected to torture, cruel, inhumane, or degrading treatment or punishment.[[24]](#footnote-24) In addition, it is prohibited to take advantage of the situation of a detained person to force her to confess, incriminate themselves or testify against others. Also, no detained person may be subject during interrogation to violence, threats, or interrogation methods that affect her ability to make a decision or make a judgment.[[25]](#footnote-25)
5. Moreover, a detained or imprisoned person shall not be disconnected of the outside world, particularly her family or counsel.[[26]](#footnote-26) A detained or imprisoned person shall have the right, immediately upon arrest and after each transfer from one place of detention to another, to notify or require the competent authority to notify members of their family or other appropriate persons of their choice about their whereabouts.[[27]](#footnote-27) This protection also applies more strictly to children as they are more vulnerable. Article 37 of the Convention on the Rights of the Child ratified by Syria in 1993 affirms that no child shall be deprived of his or her liberty unlawfully or arbitrarily and that no child shall be subjected to torture or other forms of treatment or cruel, inhumane, or degrading punishment. The state is obliged to protect the detained child's right to maintain contact with his or her family.[[28]](#footnote-28)
6. The Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment indicates that states should prohibit by law any act inconsistent with the rights and duties set out above, make any such act subject to appropriate penalties, and conduct impartial investigations into complaints.[[29]](#footnote-29) In this regard, the United Nations Basic Principles on Remedies emphasize the responsibility of states to legally and constitutionally guarantee the right of victims to file lawsuits to challenge the arbitrariness and lawfulness of detention and facilitate all effective remedies for victims without delay.[[30]](#footnote-30) Article 4 of the Convention against Torture also emphasizes the necessity of criminalizing acts of torture and punishing perpetrators with appropriate penalties that consider the grave nature of their actions.
7. The Working Group on enforced disappearances emphasizes that persons who have committed or have been claimed to have committed cases of enforced disappearance may not benefit from any special amnesty law or any other similar measure that may result in the exemption of these persons from any criminal trial or punishment.[[31]](#footnote-31) However, the mentioned facts show the failure of the Syrian state to fulfill its international obligations. Local legislation deprives victims of their right to an effective remedy, especially concerning granting a general amnesty to the perpetrators of kidnapping crimes, and the immunity decrees that protect members of the security forces from prosecution. Such members can be prosecuted only after obtaining approval from their administration, which impedes the ability of victims to seek effective remedies. These remedies may include compensation, restitution, rehabilitation, and guarantees of non-reoccurrence, as stipulated in Article 19 of the Declaration on the Protection of All Persons from Enforced Disappearance and Article 24 of the International Convention for the Protection of All Persons from Enforced Disappearance.

Recommendations:

* 1. Kindly request that the Syrian Arab Republic provide any additional information and/or comment(s) on the above allegations.
	2. Kindly request that the Syrian Arab Republic submit details about any investigation carried out concerning violations alleged above and its results if any. If no investigations have been conducted or if the investigations are not complete, please explain why.
	3. If the alleged perpetrator(s) are identified, kindly request the Syrian Arab Republic to provide full details of any trials to date and any effective remedy or financial compensation awarded to victims or their families.
	4. Kindly request the Syrian Arab Republic to indicate the measures taken to ensure the safety of women in detention centers; measures taken to protect women from arbitrary detention, enforced disappearance, sexual and gender-based violence, torture, and inhumane treatment; and measures to deal with pregnant and nursing mothers and who have the menstrual cycle and their children.
	5. Kindly request the Syrian Arab Republic to provide information on the applicable policies and procedures to ensure that security forces and other relevant bodies fulfill the obligation to protect human rights, especially for women who are allegedly subjected to sexual and gender-based violence.
	6. Kindly request the Syrian Arab Republic to provide information about the two decrees 14/1969 and 64/2008, which state that officers, members of the internal security forces, and members of the political security forces shall be prosecuted only after obtaining approval from their administrations; and the compatibility of these two decrees with the victims' ability to seek effective remedies.
	7. Kindly request the Syrian Arab Republic to provide information on the application of statutes of limitations for criminal cases, especially concerning international crimes, and the impact on the victims' right to an effective remedy in light of their inability to file cases against alleged perpetrators without the approval of their administration.
	8. Kindly request the Syrian Arab Republic to provide information on Decree No. 13 of 2021, which provides a general amnesty for crimes committed before 2 May 2021, specifically Article 7 of it, which grants an amnesty for kidnapping crimes. Please provide information regarding the impact of the mentioned decree on the right of victims in particular and the Syrian society, in general, to prosecute the perpetrators and ensure effective remedy and non-reoccurrence.
1. UNGA, ‘Report of the Independent International Commission of Inquiry on the Syrian Arab Republic’ (2021) A/HRC/46/55 paras 84–87. [↑](#footnote-ref-1)
2. UNGA, ‘“I Lost My Dignity”: Sexual and Gender-Based Violence in the Syrian Arab Republic, Conference Room Paper of the Independent International Commission of Inquiry on the Syrian Arab Republic’ (2018) A/HRC/37/CRP.3 paras 27, 28. [↑](#footnote-ref-2)
3. ibid 29 et seq. [↑](#footnote-ref-3)
4. ibid 5. [↑](#footnote-ref-4)
5. See “*The term “enforced disappearance” does not exist in Syrian law. Nonetheless, the law does penalize abduction and deprivation of liberty, which are internationally classified as enforced disappearance. Under Legislative Decree No. 20 of 2013, anyone who abducts another thereby depriving that person of liberty with the intention of achieving political, material or sectarian ends, of reprisal and revenge or of demanding ransom is liable to life imprisonment. If the abduction leads to the death or permanent disability of the victim, or if the victim is sexually assaulted, the perpetrator is liable to the death penalty. The penalty also extends to anyone who seeks to practise extortion in any form against the victim, the victim’s spouse or any of the victim’s direct or indirect antecedents or descendants*”, Extracted from Universal Periodic Review, National Report Submitted in Accordance with Paragraph 5(1) of the Annex to Human Rights Council Resolution 5/1: Syrian Arab Republic, UN Doc. A/HRC/WG.6/40/SYR/1, 17 November 2021, para 44, available online at: https://undocs.org/en/A/HRC/WG.6/40/SYR/1 ; Legislative Decree No. 20 on Criminalizing and Punishing Abduction 2013 Art 1. [↑](#footnote-ref-5)
6. Legislative Decree No. 20 on Criminalising and Punishing Abduction 2013 Art 1. [↑](#footnote-ref-6)
7. ibid Art 2. [↑](#footnote-ref-7)
8. Legislative Decree No. (13) on Granting Amnesty for Crimes Committed Before (2.May.2021) 2021 Art 7. [↑](#footnote-ref-8)
9. Syrian Penal Code No.148 1949 Art 543. [↑](#footnote-ref-9)
10. *Decision No 1987/2001* [1987] Syrian Court of Cassation Case No. 1970 (*cited from The Lawyers Journal version 07-09 rule 285*). [↑](#footnote-ref-10)
11. Syrian Code of Criminal Procedure No. 112 1950 Art 436 (1). [↑](#footnote-ref-11)
12. UNGA, ‘Out of Sight, Out of Mind: Deaths in Detention in the Syrian Arab Republic’ (2016) A/HRC/31/CRP.1 para 15 *See footnote 3.* [↑](#footnote-ref-12)
13. Legislative Decree No. 64 on The Prosecution of Police Officers, Customs and Political Security Personnel, Before the Military Court 2008 Art 1. [↑](#footnote-ref-13)
14. Article 30 of Legislative Decree 14/1969 states that “This law shall not be published and goes into effect on the day of issuance.” However, you can find the analysis of the decree in: "*Alternative Report to the Syrian Government's Initial Report on Measures taken to Fulfil its Commitments under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, by Damascus Center for Human Rights Studies, available online at https://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/SYR/INT\_CAT\_NGO\_SYR\_48\_10106\_E.pdf. Page 5-6; Legislative Decree No. 64 on The Prosecution of Police Officers, Customs and Political Security Personnel, Before the Military Court 2008, Art 1. Available at: http://www.parliament.gov.sy/arabic/index.php?node=5585&nid=16268&First=0&Last=3&CurrentPage=0&mid=&refBack= [↑](#footnote-ref-14)
15. Please note that the crime of torture in the Syrian law is considered a misdemeanor. Article 391 of the Syrian penal code of 1949 states that "any person who practices a severity not permissible by law against a person to obtain a confession to a crime or information about it is punished by jail from three months to three years". The penalty of jail is a misdemeanor penalty according to Article 39 of the same law. [↑](#footnote-ref-15)
16. Declaration on the Elimination of Violence against Women 1993 Art 1. [↑](#footnote-ref-16)
17. ibid Art 2 (c). [↑](#footnote-ref-17)
18. ibid Art 4 (b,c,d). [↑](#footnote-ref-18)
19. Universal Declaration of Human Rights 1948 (UNGA Res 217 A) Art 9. [↑](#footnote-ref-19)
20. International Convention for the Protection of All Persons from Enforced Disappearance Art 9. [↑](#footnote-ref-20)
21. *Velásquez Rodríguez v Honduras* (Inter-American Court of Human Rights (Merits)) [150]. [↑](#footnote-ref-21)
22. Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment 1988 (UNGA Res 43/173) Principle 1. [↑](#footnote-ref-22)
23. ibid Principle 5 (2). [↑](#footnote-ref-23)
24. ibid Principle 6 [↑](#footnote-ref-24)
25. ibid Principle 21. [↑](#footnote-ref-25)
26. Ibid Principle 15 [↑](#footnote-ref-26)
27. ibid Principle 16 (1) . [↑](#footnote-ref-27)
28. Convention on the Rights of the Child 1990 (1577 UNTS 3) Art 37 (a,b,c). [↑](#footnote-ref-28)
29. Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment Principle 7 (1). [↑](#footnote-ref-29)
30. UNGA, ‘Report of the Working Group on Arbitrary Detention, United Nations Basic Principles and Guidelines on Remedies and Procedures on the Right of Anyone Deprived of Their Liberty to Bring Proceedings Before a Court’ (2015) A/HRC/30/37 Principle 2. [↑](#footnote-ref-30)
31. UNGA, ‘Report of the Working Group on Enforced or Involuntary Disappearances’ (2011) A/HRC/16/48 para 573. [↑](#footnote-ref-31)