



Amman Center for Human Rights Studies submissions on the Syrian Arab Republic for the Universal Periodic Review

INTRODUCTION

1. The Syrian Arab Republic has been engulfed in civil war for more than ten years now. During this decade of violence, all sides have committed serious human rights violations including the war crimes and crimes against humanity of murder, torture, sexual violence, enforced disappearance, targeting of civilians and civilian objects, and enslavement.
2. Among those numerous violations, one is often set aside and forgotten: the sexual violence against men, boys and transgender women. This is the crime on which the Amman Center for Human Rights Studies (ACHRS) would like to focus on in the context of these Universal Periodic Review submissions in order to shed some light on this under-discussed issue.¹

WARNING

3. These submissions will go in details about the different sexual crimes which have been committed against men, boys and transgender women in Syria. The graphic description of sexual violence can be upsetting for some. Please take care while reading.

METHODOLOGY

4. Unfortunately, the Center was unable to conduct interviews with sexual violence survivors as originally planned. These submissions will therefore be based on open-source reports.²
5. The submissions focus on men, boys and transgender women, that is to say individuals who have been recognised as men at birth because of their biological attributes³ but who identify as female. Transgender women are included in this analysis as they are perceived by their perpetrators as men.

SEXUAL VIOLENCE AGAINST MEN, BOYS AND TRANSGENDER WOMEN IN THE SYRIAN ARAB REPUBLIC

6. "Sexual violence" is still a misunderstood term. It encompasses a number of crimes and not merely the crime of rape which is strictly understood as the penetration of the anal or genital opening of the victim by an object or a part of the body. Rape, including oral and penile rape, but also enforced rape, genital mutilations, beating of the genitals, sexual slavery, forced nudity, witnessing rape, threats of rape or other forms of sexual violence and sexual harassment all constitute sexual violence. Unfortunately, all these different forms of sexual violence have been

committed against men, boys and transgender women in Syria, by the Al Assad regime, the so-called Islamic State or other rebel groups.

7. These submissions will attempt to give an overview of the different forms of sexual violence through the testimonies of survivors.

Rape

8. There are three types of rapes which can be committed against men, boys and transgender women: anal, oral and penile.⁴ In most collected testimonies, the survivors suffered anal rape in detention centers. Survivors testified that they were anally raped with pens,⁵ batons,⁶ sticks, mops,⁷ plastic rollers, water hoses or electric sticks⁸ while in state detention.

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*The interrogator inserted a water hose into his anus and turned on the water tap it was attached to. His body swelled up from the water. This was repeated again in the fifth interrogation session, to the point where his anus began to bleed.*⁹

9. The rapes are not limited to adult men. A detainee witnessed a boy of 13 years old being raped while in detention. The boy was imprisoned to put pressure on his father.¹⁰

10. Anal rape also includes the anal searches guards do when a new detainee arrives at the prison. Guards do anal searches with sticks, pretending they have to do so for security reasons, to prevent the entry of weapons in the prison.¹¹

11. Most testimonies are either indirect or anonymous. However, Feras Fayyad, a film director who was detained in prison, publicly testified about the rape he suffered while being detained during a trial in Koblenz, Germany,¹² last year. He recalled being anally raped with a wooden baton. The injury resulting from the rape was so severe that he had to be operated when he was released.¹³ The fact that Fayyad’s testimony is one of the only open testimonies about rape in detention shows the extent to which this subject remains to be a taboo.

12. Although rapes are being committed against heterosexual men, homosexual men, and transgender women, the violence seems to intensify when perpetrators realise that the survivor is LGTB+.¹⁴

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*They said to [them] that they checked [their] phones and told [them] ‘You are not only against what is right; but you are also faggots.’ All the aggression was multiplied by 10 [...]. They were happily doing it. They were of course raping [them] with sticks.*¹⁵

13. Transgender women, who are put in cells with other men detainees, are also at risk of being sexually harassed and raped by their co-detainees in addition to the prison guards. In such case, the guards do not interfere and allow the rape to happen.

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*"[The other detainees] were all staring at [her]. [Her] skin was soft, and [she] had long hair. [She] had prominent female features at the time. They were all laughing at [her] and mocking [her] and making sexual innuendo jokes. [...] [She] never stopped calling the guard. But to no avail. Then they dragged [her] to the middle of the room. Some of them lifted [her] up and tore [her] clothes apart. They raped [her]."*¹⁶

14. In addition to the rape by a perpetrator against a survivor, rape can also happen between survivors when a perpetrator forces two or more individuals to have sexual intercourse, with both instances of homosexual and/or heterosexual intercourse. A survivor testified that he was brought to an apartment by regime officials. When they arrived, a young girl was already present. The survivor was asked to rape her. When he refused, he was taken to the ground and beaten. His genitals were kicked and squeezed until he fell unconscious.¹⁷

15. Although most testimonies concern sexual violence in regime-held detention centers, survivors are also subjected to rape at checkpoints and at home, by regime officials and rebel groups.¹⁸

Genital torture

16. The most common genital torture in regime detention centers is the electrocution of the penis and the testicles. Sometimes, an electric stick is also inserted in the anus.¹⁹ Several other survivors testified that their penis would be tied with a wire. The wire could be electrified or not. Sometimes, the non-electrified wire is attached to a door which is then opened and closed.²⁰ In addition, survivor's genitals are often beaten, squeezed and quashed. One man testified that his bottom was burned with cigarette butts and electric sticks.²¹

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*"On six or seven occasions, the officers/interrogators attached two wires to his penis and scrotum, and electrocuted him. He repeatedly lost consciousness during these electrocutions and they would pour cold water on him to wake him up. The interrogators would also kick him severely and repeatedly in the genitals, which caused rupturing and profuse bleeding of his penis. His penis turned blue and swollen, and he lost feeling in his genitals."*²²

Sexual slavery

17. Some rebel groups, including the so-called Islamic State, have sexually enslaved young boys. According to the NGO All Survivors Project, boys are recruited as child soldiers by rebel groups, and especially by foreign fighters, and then used as sex slaves.

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*"While they are in that militia, they abuse them. They use drugs in the tea and this makes them consent."*²³

18. The Islamic State would also film the rape and sexual abuse of men and boys to then use the video to pressure the men and boys into joining, threatening to post it online and arguing their families would reject them were they to go back home.²⁴

Forced nudity

19. Forced nudity is probably the most widespread form of sexual violence in Syrian detention centers. When detainees arrive at the detention center, they suffer a "welcome party" during which they are forced to strip naked and wear nothing, not even their underwear, and are beaten.²⁵ During torture session, sexual torture or other forms of torture, detainees are also stripped naked, often in front of other detainees who are not always of the same sex.

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*[He] started to cry and explained that he and his fellow detainees were kept naked at all times and that he was forced to lie naked on the ground in the snow for an extended period.*²⁶

Forced to witness rape

20. Men, boys and transgender women detained in regime detention centers are forced to watch other prisoners, be it male or female, being raped or sexually abused, so as to instigate fear among detainees.²⁷ Forcing survivors to witness rape also happens outside detention. In such scenarios the sexual violence often involves the rape of a loved one, of the mother, father, daughter, son or any other relative.

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*"He was forced to watch his wife and daughter being raped by two security officials in a Military Intelligence detention facility. According to the man's wife [...] her husband was handcuffed and each time he closed his eyes they were forced open by the guards."*²⁸

Threats of rape or other forms of sexual violence

21. When the relatives are not in the perpetrator's custody, the perpetrator still threatens the survivor's close ones. Perpetrators use the survivor's mother, daughter or sister's name and describes the sexual violence he/she would inflict on the survivor's relatives.²⁹ Threats of rape and sexual violence does not only concern the female relatives, but also their male relatives. A survivor testified that perpetrators threatened to electrocute his son's penis.³⁰

22. All the above-mentioned types of sexual violence³¹ are widespread and systematic in detention centers held by the Syrian government. According to a Syrian human rights NGO representative, "If you talk about sexual violence... there is no one who goes into detention without this happening to him... Sexual violence was mainly in detention [and was] systematic".³²

23. The widespread and systematic nature of sexual violence in detention centers has recently been confirmed by a German criminal court in Koblenz as the charges against the accused, Anwar R., were indicted as acts of crimes against humanity committed as part of a widespread or systematic attack against the Syrian civilian population and not merely as individual crimes under German criminal law as they had been at the first stages of the trial.³³

HUMAN RIGHTS VIOLATIONS

24. Sexual violence violates a number of human rights, including, among others:

- the right to life;
- the right to be free from torture and cruel, inhuman or degrading treatment or punishment;
- the right to be free from slavery and servitude;
- the right to liberty and security of person;
- the right of detained persons to be treated with humanity.

RECOMMENDATIONS

25. The Amman Center for Human Rights Studies calls on the Syrian government to:

- release all prisoners of conscience;
- officially and publicly condemn the use of sexual violence and torture;
- halt and prohibit the use of sexual violence and torture;
- establish an independent body to independently and impartially investigate all cases of sexual violence, torture and other human rights violations;
- prosecute alleged perpetrators of sexual violence, torture and other human rights violations;
- genuinely engage with the Netherlands and Canada in the negotiations relating to Syria's breach of the 1985 Convention against Torture;
- abolish article 520 of the Syrian penal code which incriminates same sex sexual relations.

¹ The Center would like to stress that sexual violence disproportionately affects women and girls, and does not wish to undermine the fight against sexual violence against women and girls. Therefore, in its development the Center will focus on men and boys but will provide general recommendations, so that they also include female survivors.

² Most testimonies presented in these submissions predate 2016, and would in principle fall out the scope of this Universal Periodic Review. It should however be noted that, considering the taboo nature of sexual violence in general, and especially against men, it is difficult to gather recent testimonies as the survivors need time and support to share their stories.

³ Namely, a penis, testicles, male hormones and XY chromosomes.

⁴ Anal rape is the penetration of the victim's anus by a body part or an object. Oral rape is the penetration of the victim's mouth by a genital organ. Penile rape is the penetration of the perpetrator's or another victim's body part by the victim's penis.

⁵ All Survivors Project, *“Destroyed from within”: Sexual violence against men and boys in Syria and Turkey*, September 2018 (later *“Destroyed from within”*).

⁶ NPR, *Syrian Filmmaker Speaks Out On Torture: ‘I Was Holding This Pain For A Long Time’*, July 2020 (later *“Syrian Filmmaker Speaks Out On Torture”*).

⁷ Human Rights Watch, *“They Treated Us in Monstrous Ways”: Sexual Violence Against Men, Boys, and Transgender Women in the Syrian Context*, July 2020 (later *“They Treated Us in Monstrous Ways”*)

⁸ Lawyers and Doctors for Human Rights, *“The Soul Has Died”: Typology, Patterns Prevalence and the Devastating Impact of Sexual Violence Against Men and Boys in Syria Detention*, March 2019 (later *“The Soul Has Died”*).

⁹ *The Soul Has Died*.

¹⁰ *Destroyed from within*.

¹¹ *The Soul Has Died*.

¹² The case was opened by German prosecutor, thanks to the universal jurisdiction, against Anwar R., a former intelligent service agent who demanded asylum on Germany. He is the first Syrian high official to be tried for the crimes committed by the Al Assad regime.

¹³ *Syrian Filmmaker Speaks Out On Torture*.

¹⁴ Encompasses anyone who is non-heterosexual or non-cisgender.

¹⁵ *They Treated Us in Monstrous Ways*.

¹⁶ *They Treated Us in Monstrous Ways*.

¹⁷ *Destroyed from within*.

¹⁸ *Destroyed from within*.

¹⁹ *The Soul Has Died*. In such case, the insertion of the electric stick would also constitute rape.

²⁰ *The Soul Has Died*.

²¹ *The Soul Has Died*.

²² *The Soul Has Died*.

²³ *Destroyed from within*.

²⁴ *Destroyed from within*.

²⁵ European Center for Constitutional and Human Rights, [Trial Updates: First Trial Worldwide on Torture in Syria](#), (last time accessed on the 1st of June 2021).

²⁶ *Destroyed from within*.

²⁷ *Destroyed from within*.

²⁸ *Destroyed from within*.

²⁹ *They Treated Us in Monstrous Ways*.

³⁰ *The Soul Has Died*.

³¹ Except sexual slavery which has only been associated with the Islamic State.

³² *Destroyed from within*.

³³ European Center for Constitutional and Human Rights, *Al-Khataib Trial in Koblenz: Sexual violence now indicted as crimes against humanity*, March 2021.