



**Syria's Compliance with the Convention on the Elimination of All Forms of Discrimination
Against Women**

**Suggested List of Issues Relating to:
The Death Penalty**

Submitted by The Advocates for Human Rights

a non-governmental organization in special consultative status with ECOSOC since 1996

and

The World Coalition Against the Death Penalty

**for the 93rd Session of the Committee on the Elimination of Discrimination Against
Women (Pre-Sessional Working Group)
July 2025**

Submitted 19 May 2025

The Advocates for Human Rights (The Advocates) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law since its founding in 1983. The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publication. The Advocates is the primary provider of legal services to low-income asylum seekers in the Upper Midwest region of the United States. The Advocates is committed to ensuring human rights protection for women around the world. The Advocates has published more than 25 reports on violence against women as a human rights issue, provided consultation and commentary of draft laws on domestic violence, and trained lawyers, police, prosecutors, judges, and other law enforcement personnel to effectively implement new and existing laws on domestic violence. In 1991, The Advocates adopted a formal commitment to oppose the death penalty worldwide and organized a death penalty project to provide pro bono assistance on post-conviction appeals, as well as education and advocacy to end capital punishment. The Advocates currently holds a seat on the Steering Committee of the World Coalition against the Death Penalty.

The World Coalition Against the Death Penalty is a membership-based global network committed to strengthening the international dimension of the fight against the death penalty. Established in 2002, its ultimate objective is to obtain the universal abolition of the death penalty. To achieve its goal, the World Coalition advocates for a definitive end to death sentences and executions in those countries where the death penalty is in force. In some countries, it is seeking to obtain a reduction in the use of capital punishment as a first step towards abolition.

EXECUTIVE SUMMARY

1. The Committee on the Elimination of Discrimination Against Women most recently reviewed Syria's compliance with the Convention in 2014. The decade of armed conflict since that time and the December 2024 collapse of the Assad regime make the Committee's upcoming review particularly important. The coauthors hope that the Committee will leverage the List of Issues to seek information regarding the current status of women in conflict with the law, particularly women sentenced to death and women charged with capital crimes, as well as any women sentenced to death or executed since 2014.

Syria has failed to uphold its obligations under the Convention on the Elimination of All Forms of Discrimination Against Women

2. As of the end of 2024, Amnesty International could not confirm exact figures for executions and death sentences imposed in Syria, but the organization "believed that executions continued to be carried out and death sentences imposed."¹ Amnesty International believes that as of the end of 2024, Syria had a high number of people under sentence of death.²
3. Syrian law allows for the death penalty in instances other than the intentional killing of a person, including "vaguely defined acts of terrorism, which include a wide range of activities including political dissent."³ In 2021, Syria executed 24 individuals in relation to a series of wildfires that occurred in September and October 2020, after authorities alleged that individuals had intentionally started the fires, labeling their conduct as "pyro-terrorism."⁴ The Ministry of Justice cited Penal Code No. 48 (1949) to justify the executions. Although an exact article is not referenced, it is possible that the Ministry acted under Article 577. In conjunction with Articles 574, 575, 576, and 678, Article 577 prescribes the death penalty for an act of arson that "leads to the loss of life, permanent disability, material harm to others, setting fire to inhabited or uninhabited homes, wood or forests, or damages through using explosives."⁵ The Ministry of Justice also cited Counter-Terrorism Law No. 19 (2012) to justify the executions. Article 1 of the law defines acts of terrorism as "Every act intended to create panic among people, disturb public security, damage the infrastructural or institutional foundations of the State, that is committed via the use of weapons, ammunition, explosives, flammable materials, poisonous products, or epidemiological or microbial instruments or via the use of any tool that achieves the same purpose." This offence is vaguely defined and is not confined

¹ Amnesty International, *Death Sentences and Executions 2024* (2025), at 10, available at <https://www.amnesty.org/en/documents/act50/8976/2025/en/>.

² Amnesty International, *Death Sentences and Executions 2024* (2025), at 12 n.7, available at <https://www.amnesty.org/en/documents/act50/8976/2025/en/>.

³ The Advocates for Human Rights and The World Coalition Against the Death Penalty, *The Syrian Arab Republic's Compliance with International Covenant on Civil and Political Rights Treaty: Suggested List of Issues Prior to Reporting Relating to the Death Penalty* (Minneapolis: The Advocates for Human Rights, Aug. 2020), ¶ 5.

⁴ Ministry of Justice, Syria, "Facebook post on October 21, 2021," accessed Dec. 11, 2022, <https://www.facebook.com/MOJ.SYR/posts/2670469479926560>.

⁵ The Advocates for Human Rights and The World Coalition Against the Death Penalty, *The Syrian Arab Republic's Compliance with International Covenant on Civil and Political Rights Treaty: Suggested List of Issues Prior to Reporting Relating to the Death Penalty* (Minneapolis: The Advocates for Human Rights, Aug. 2020), ¶¶ 7–8.

to acts that intentionally result in death (thus failing to limit the death penalty to the “most serious crimes”).⁶

I. Syria has not made progress in ensuring women and girls have access to justice (Concluding Observations, para. 27(e)).

4. In its 2014 Concluding Observations, the Committee urged Syrian authorities “[t]o ensure that women and girls have access to justice, to adopt gender-sensitive procedures to investigate sexual violence, to conduct training and adopt gender-sensitive codes of conduct and protocols for the police and military and to build the capacity of the judiciary so as to ensure its independence, impartiality and integrity.”⁷
5. Syria’s combined third and fourth periodic reports, submitted in June 2024 (prior to the collapse of the Assad government), asserts that “[t]he State guarantees . . . equality in law and equality before the law,” including under criminal laws.⁸ The State Party Report makes no further reference to the rights of women in conflict with the law.
6. Information about women in conflict with the law in Syria is limited. In a 2018 study, the Cornell Center on the Death Penalty Worldwide found that, in the global context, women are more vulnerable and most likely to be sentenced to death for criminal offenses committed within the context of gender-based violence⁹ and manipulative or coercive relationships with male co-defendants,¹⁰ often for killing an abusive partner.¹¹ Cornell’s data indicate that women who are under sentence of death for allegedly committing murder have overwhelmingly experienced prolonged domestic violence at the hands of a partner, spouse, or another family member.¹²
7. At a global level, sentencing courts typically fail to take into account a defendant’s experience as a survivor of gender-based violence or a victim of a manipulative or coercive relationship

⁶ *Id.* ¶¶ 8–9.

⁷ Committee on the Elimination of Discrimination against Women, *Concluding observations on the second periodic report of the Syrian Arab Republic*, (24 July 2014), U.N. Doc. CEDAW/C/SYR/CO/2, ¶ 27(e).

⁸ Committee on the Elimination of Discrimination against Women, *Combined third and fourth periodic reports submitted by the Syrian Arab Republic under article 18 of the Convention, due in 2018*, (15 Oct. 2024), U.N. Doc. CEDAW/C/SYR/3-4, ¶ 110.

⁹ Cornell Center on the Death Penalty Worldwide, *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty* (Sept. 4, 2018). Available online at <https://www.deathpenaltyworldwide.org/wp-content/uploads/2019/12/Judged-More-Than-Her-Crime.pdf>.

¹⁰ Cornell Center on the Death Penalty Worldwide, *“No One Believed Me”: A Global Overview of Women Facing the Death Penalty for Drug Offenses* (Sept. 6, 2021), 6. Available online at <https://deathpenaltyworldwide.org/wp-content/uploads/2021/10/No-One-Believed-Me-A-Global-Overview-of-Women-Facing-the-Death-Penalty-for-Drug-Offenses.pdf>.

¹¹ The Advocates for Human Rights, World Coalition Against the Death Penalty, and the Cornell Center on the Death Penalty Worldwide, *Lao People’s Democratic Republic’s Compliance with the Convention on the Elimination of All Forms of Discrimination Against Women: Suggested List of Issues Relating to the Death Penalty*, Sept. 11, 2023, ¶ 10.

¹² Cornell Center on the Death Penalty Worldwide, *“No One Believed Me”: A Global Overview of Women Facing the Death Penalty for Drug Offenses* (Sept. 6, 2021), 11. Available online at <https://deathpenaltyworldwide.org/wp-content/uploads/2021/10/No-One-Believed-Me-A-Global-Overview-of-Women-Facing-the-Death-Penalty-for-Drug-Offenses.pdf>; Cornell Center on the Death Penalty Worldwide, *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty* (Sept. 4, 2018), 4. Available online at <https://www.deathpenaltyworldwide.org/wp-content/uploads/2019/12/Judged-More-Than-Her-Crime.pdf>.

(for example, in cases where women are pressured or tricked into transporting drugs) as mitigating factors during sentencing.¹³ Research also indicates that courts fail to account for power dynamics and tactics of coercive control that may affect a woman’s involvement in and culpability for a crime.

8. Cases documented by Cornell have shown that many women charged with death-eligible crimes experience violations of their right to a fair trial. A 2021 follow-up study demonstrated that “fair trial principles dictate that courts should consider all relevant mitigating circumstances before imposing a sentence. In practice, however, many courts neglect gender-specific mitigation.”¹⁴ The Bangkok Rules require courts to consider mitigating factors when sentencing women, “such as lack of criminal history and relative non-severity and nature of the criminal conduct, in the light of women’s caretaking responsibilities and typical backgrounds.”¹⁵
9. Cornell found that women are more likely to receive a death sentence when the adjudicating authority perceives that they are violating entrenched gender norms, being cast as the “female fatale” or the “witch.” Data show that authorities often put women on trial not only for acts they performed, but also for allegedly being “a bad wife, a bad mother, and a bad woman.”¹⁶
10. Global trends further show that women sentenced to death face intersectional discrimination. According to Cornell’s 2018 report, most women on death row worldwide come from backgrounds of severe socio-economic deprivation, and many are illiterate, circumstances that can reinforce unequal access to effective legal representation.¹⁷ These women are more likely to be unaware of their legal rights.¹⁸ Illiteracy and lack of education among poor women leave

¹³ Cornell Center on the Death Penalty Worldwide, *“No One Believed Me”: A Global Overview of Women Facing the Death Penalty for Drug Offenses* (Sept. 6, 2021). Available online at <https://deathpenaltyworldwide.org/wp-content/uploads/2021/10/No-One-Believed-Me-A-Global-Overview-of-Women-Facing-the-Death-Penalty-for-Drug-Offenses.pdf>.

¹⁴ Cornell Center on the Death Penalty Worldwide, *“No One Believed Me”: A Global Overview of Women Facing the Death Penalty for Drug Offenses* (Sept. 6, 2021). Available online at <https://deathpenaltyworldwide.org/publication/no-one-believed-me-a-global-overview-of-women-facing-the-death-penalty-for-drug-offenses/>.

¹⁵ UN General Assembly Resolution 65/229, ¶ III.61, U.N. Doc A/RES/65/229 (Dec. 21, 2010).

¹⁶ Cornell Center on the Death Penalty Worldwide, *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty* (Sept. 4, 2018), 4. Available online at <https://www.deathpenaltyworldwide.org/wp-content/uploads/2019/12/Judged-More-Than-Her-Crime.pdf>.

¹⁷ Cornell Center on the Death Penalty Worldwide, *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty* (Sept. 4, 2018), 4. Available online at <https://www.deathpenaltyworldwide.org/wp-content/uploads/2019/12/Judged-More-Than-Her-Crime.pdf>.

¹⁸ Cornell Center on the Death Penalty Worldwide, *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty* (Sept. 4, 2018), 18. Available online at <https://www.deathpenaltyworldwide.org/wp-content/uploads/2019/12/Judged-More-Than-Her-Crime.pdf>.

them more vulnerable to discrimination, coercion, and exploitation.¹⁹ This intersectional discrimination exacerbates the risk that a woman charged with a capital crime will experience an unfair trial.

11. **Suggested questions** relating to access to justice for women and girls in conflict with the law:

- Under what circumstances may a woman charged with murder of her abuser successfully assert that she acted in self defense?
- What training is provided to judges, prosecutors, and defense attorneys handling criminal cases about gender-based violence and coercive control relationships that may lead to a woman coming into conflict with the law?
- Under what circumstances may a sentencing authority take into account a defendant’s history of experiencing gender-based violence or trauma in deciding to impose a lesser sentence?
- Are any gender-specific defenses or mitigation factors codified?

II. Syria does not limit the death penalty to the “most serious” crimes (Concluding Observations, para. 30(d), (f)).

12. In its 2014 Concluding Observations, the Committee urged Syrian authorities “[t]o amend the Act on Combating Terrorism (Act No. 19/2012), in particular its definitions of acts of terrorism, terrorist groups and financing of terrorism, to ensure that it is in conformity with the Convention and other international human rights instruments, such as the International Covenant on Civil and Political Rights, and that its scope does not in practice extend to activities that do not constitute terrorism,” and “[t]o disclose the number of women detained on grounds of terrorism and to guarantee the right to a fair trial to women who are before the Counter-Terrorism Court.”²⁰

13. Syria’s State Party Report makes no reference to the death penalty beyond a passing mention that a person who abducts a person and then sexually assaults the victim may be sentenced to death.²¹ The State Party Report makes reference to efforts to return people “to areas liberated from terrorism” and asserts that the civil war and “the fight against terrorism remain at the forefront of the country’s challenges,”²² but offers no discussion of the legal definition of terrorism or whether women are detained on grounds of terrorism.

¹⁹ Cornell Center on the Death Penalty Worldwide, *Judged for More Than Her Crime: A Global Overview of Women Facing the Death Penalty* (Sept. 4, 2018), 18. Available online at <https://www.deathpenaltyworldwide.org/wp-content/uploads/2019/12/Judged-More-Than-Her-Crime.pdf>.

²⁰ Committee on the Elimination of Discrimination against Women, *Concluding observations on the second periodic report of the Syrian Arab Republic*, (24 July 2014), U.N. Doc. CEDAW/C/SYR/CO/2, ¶ 30(d), (f).

²¹ Committee on the Elimination of Discrimination against Women, *Combined third and fourth periodic reports submitted by the Syrian Arab Republic under article 18 of the Convention, due in 2018*, (15 Oct. 2024), U.N. Doc. CEDAW/C/SYR/3-4, ¶ 13.

²² Committee on the Elimination of Discrimination against Women, *Combined third and fourth periodic reports submitted by the Syrian Arab Republic under article 18 of the Convention, due in 2018*, (15 Oct. 2024), U.N. Doc. CEDAW/C/SYR/3-4, ¶¶ 24, 121.

14. As discussed in paragraph 3, Syria continues to authorize the death penalty for vaguely defined terrorism-related offenses and authorities have used terrorism as a pretext to execute people accused of intentionally setting wildfires.
15. Syria's new Justice Minister, Shadi al-Waisi, was reportedly captured in 2015 videos carrying out public executions of women who had been convicted of corruption and prostitution.²³ At the time, al-Waisi was a judge for an al Qaeda affiliate in Idlib province.²⁴ After the videos resurfaced in January 2025, a member of the interim government stated that al-Waisi's conduct in the video "shows a stage we have passed," adding that the interim administration has a "solid legal and procedural commitment to . . . justice and the rule of law."²⁵
16. **Suggested questions** relating to the death penalty:
- What efforts have Syrian authorities undertaken to revise the definition of terrorism to ensure it complies with international human rights standards?
 - Please confirm all offenses for which the death penalty is an available sentence and whether the death penalty is mandatory for any offense.
 - Please provide data about every woman in currently detention who is under sentence of death, including age, ethnic group, nationality, crime of conviction, court of conviction, date of conviction, relationship to any codefendants or victims, age of any dependent children, current location, and status of any appeals or resentencing hearings or applications for clemency.
 - What efforts are underway to review any death sentences imposed on women under the previous government and to pursue resentencing or commutations? How will authorities ensure that any women for whom such procedures are available have access to legal counsel to assist in preparing for any applications for relief?
 - Please provide comprehensive information about any executions of women that the current administration has carried out, including disaggregated data about every woman who has been executed.
 - What efforts are underway to document death sentences and executions of women from 2014 to 2024 and to provide remedies for wrongful convictions and death sentences and wrongful executions? What role does civil society play in these efforts?
 - What efforts are underway to ensure that any court overseeing trials of women charged with terrorism-related offenses upholds international fair trial standards?
 - How do authorities ensure that women are not charged with terrorism-related offenses arising out of their familial relationships with people suspected of

²³ Ammar Cheikh Omar and Charlene Gubash, *He oversaw the public executions of two women. Now he's Syria's new justice minister*. NBC News, Jan. 19, 2025, <https://www.nbcnews.com/news/world/syria-justice-minister-execution-video-adultery-assad-regime-rcna186523>.

²⁴ Ammar Cheikh Omar and Charlene Gubash, *He oversaw the public executions of two women. Now he's Syria's new justice minister*. NBC News, Jan. 19, 2025, <https://www.nbcnews.com/news/world/syria-justice-minister-execution-video-adultery-assad-regime-rcna186523>.

²⁵ *New Syrian justice minister 'oversaw execution of women for prostitution' in 2015*, The New Arab, Jan. 5, 2025, <https://www.newarab.com/news/syrian-minister-oversaw-execution-women-prostitution>.

engaging in terrorism, such as providing meals to their husbands or providing shelter to their children?

- What safeguards are in place to ensure that any woman charged with a capital crime has access to well qualified legal representation and to ensure that legal counsel has training in gender-specific defenses and mitigation?