

## SYRIAN ARAB REPUBLIC

### Special Decisions or Action Taken Re: Reporting, Including Urgent Action Procedure

#### CERD A/8418 (1971)

#### III. CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION

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B. Action aimed at ensuring that all the information required, in accordance with paragraph 1 of article 9 of the Convention is furnished by States Parties

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#### 2. Specific requests for additional information

##### (a) Request addressed to the Syrian Arab Republic

37. The initial report submitted by the Syrian Arab Republic concluded with the following statement:

"... some 110,000 Syrian citizens of the Golan Heights have since June 1967 been deprived of those fundamental human rights enunciated by the Universal Declaration of Human Rights, the Covenants on Human Rights and specifically by article 5 of International Convention on the Elimination of All Forms of Racial Discrimination. It is therefore incumbent upon the parties to the latter Convention to carry out their individual and collective responsibilities towards the termination of the Israeli discriminatory and racist policies and practices in occupied territories".

38. The Committee considered the initial report of the Syrian Arab Republic, together with a supplementary report at the 49<sup>th</sup>, 50<sup>th</sup>, 56<sup>th</sup> and 57<sup>th</sup> meetings.

39. Mr. Aboul-Nasr suggested that the Committee might ask the Syrian Arab Republic to supplement the information contained in its initial report, relating to the situation in the Syrian territories occupied by Israel. In the discussion that followed, some doubts in relation to this suggestion were voiced. Mr. Partsch wondered whether the matter under discussion involved race or religion; and, without committing himself to an answer to the question he raised, he expressed the opinion that, if the situation under consideration involved religion rather than race, then it would fall outside the competence of the Committee. The Chairman invited the Committee to decide whether the information it was entitled to request from the States Parties under article 9, paragraph 1, of the Convention had to relate to measures adopted by the State Party concerned, or whether the information could also deal with measures taken by a third party. Mr. Haastrup pointed out that the acts of discrimination referred to were being committed by a State which was not a Party to the Convention; suggested that the Syrian Arab Republic might find it difficult to provide further information, since the territory involved was, for the moment, occupied by another State; and

observed that the case was a very difficult political issue which demanded the greatest caution.

40. The question was also raised, whether the matter under discussion should be considered by the Committee under article 9 or article 15 of the Convention, or under both articles. Mr. Partsch thought that the matter pertained to article 15; Messrs. Rossides and Haastrup doubted that article 15 applied to the situation under examination; while Messrs. Peles and Sayegh expressed the opinion that it could be dealt with in connection with both articles.

41. The proposal, however, was supported in statements made by Messrs. Getmanets, Marchant, Peles, Resich, Sayegh, Tarassov, Tomko and Valencia Rodriguez and by Mrs. Owusu-Addo.

42. Mr. Aboul-Nasr suggested that, inasmuch as doubt had been expressed about the competence of the Committee to request further information from the Syrian Arab Republic on this matter under article 9 of the Convention, this question of competence should be put to the vote. The Chairman announced that "the overwhelming majority of the members of the Committee agreed to request further information from Syria on the situation in the occupied territories".

43. However, it later became apparent that the general agreement to request additional information from that State Party was not accompanied by commensurate agreement on the manner in which such additional information should be requested. At issue was the question whether a specific request for additional information on the situation in the Syrian territories occupied by Israel should be addressed to the Syrian Arab Republic, or whether a general request asking that State Party (along with several other States Parties) to furnish additional information, in the light of the discussions reflected in the summary records of the meetings in which the reports of the States Parties concerned were examined, would suffice.

44. At the 57<sup>th</sup> meeting, Mr. Sayegh proposed that the following paragraph be embodied in the communication to be transmitted to the Syrian Arab Republic requesting additional information:

"With regard to the conditions described in the final paragraph of the first report submitted by the Syrian Arab Republic, the Committee would welcome receiving from the Government of the Syrian Arab Republic by 30 June 1971 any such additional information as may be available to it."

The proposal was adopted by 6 votes to 5, with 2 abstentions (see chapter VII, section A, decision 1 (III)).

45. The text quoted in the preceding paragraph was embodied in a note verbale dated 3 May 1971, addressed by the Secretary-General to the Syrian Arab Republic.

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## VII. DECISIONS ADOPTED BY THE COMMITTEE AT ITS THIRD AND FOURTH SESSIONS

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### 1 (III). Request for specific information from a State Party (Syrian Arab Republic) 11/

With regard to the conditions described in the final paragraph of the first report submitted by the Syrian Arab Republic, the Committee would welcome such additional information as may be available to it.

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### 4 (IV). Information supplied by the Syrian Arab Republic relating to the situation in the Golan Heights 17/

1. The Committee on the Elimination of Racial Discrimination takes note of the information, contained in the supplementary report submitted by the Government of the Syrian Arab Republic at the Committee's request, to the effect that racial discrimination is being practised in that part of Syrian national territory which is known as the Golan Heights and which is under Israeli occupation.

2. The Committee takes note also of the resolutions adopted by competent organs of the United Nations, and of the reports of the Committee set up by the General Assembly and by the Commission on Human Rights to investigate the situation, to which the report submitted by the Syrian Government makes reference.

3. The Committee wishes to draw the attention of the General Assembly to this situation.

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11/ Adopted at the 57<sup>th</sup> meeting on 23 April 1971. See chap. III, para. 44.

17/ Adopted at the 70<sup>th</sup> meeting on 30 August 1971. See chap. III, para. 83.

## Annex V

### Text of communication sent to 17 states parties under article 9 of the convention adopted at the third session of the committee on 23 April 1971

At its third session, the Committee on the Elimination of Racial Discrimination, in discharge of its responsibilities under article 9, paragraph 2, of the International Convention on the Elimination of All Forms of Racial Discrimination, continued its consideration of the reports submitted by States Parties in accordance with paragraph 1 of that article.

It may be recalled that the Committee on the Elimination of Racial Discrimination is called upon, under article 9, paragraph 2, of the Convention, to submit annual reports to the General Assembly on its activities and to make suggestions and general recommendations based on the examination of reports and information received from the States Parties to the Convention.

In its communication adopted at its first session on 28 January 1970 (CERD/C/R.12 contained in A/8027, annex III A) and transmitted to the States Parties in a note verbale by the Secretary-General on 27 February 1970, a copy of which is forwarded herewith, the Committee has laid down the type of information which it would expect to receive in pursuance of the provisions of article 9 of the Convention.

At its second session, on 16 September 1970, the Committee adopted a communication (A/8027, annex III B) addressed to States Parties whose reports under article 9 had been received, requesting them to compare the reports they had submitted with the communication adopted at the first session (CERD/C/R.12) and to furnish the Committee with information on those points which their reports did not cover. This communication was transmitted to the States Parties concerned by the Secretary-General in a note verbale dated 13 October 1970.

The Committee would appreciate it if the Government of [Syrian Arab Republic] would once again compare the information it has submitted with the communication adopted at the first session of the Committee and to furnish the Committee with all pertinent information by 15 July 1971. In this connection, attention is drawn to the summary records of the [41<sup>st</sup> - 58<sup>th</sup>] meetings of the third session of the Committee (CERD/C/SR.[41-58]), at which it discussed the report already submitted by [Syrian Arab Republic].

The summary records referred to above will be forwarded by the Secretary-General as soon as they are available in final form.

**CERD A/9018 (1973)**

X. DECISIONS ADOPTED BY THE COMMITTEE AT ITS SEVENTH AND EIGHT SESSIONS

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4 (VII) Information supplied by the Syrian Arab Republic relating to the situation in the Golan Heights 53/

The Committee on the Elimination of Racial Discrimination,

Recalling its decision 4 (IV) 54/ of 30 August 1971 relating to the situation of the population of the occupied Golan Heights,

Having considered that situation, which was again referred to the Committee by the Government of the Syrian Arab Republic in its second periodic report,

Noting that, according to the statement made by the representative of the Syrian Arab Republic before the Committee, that situation continues to deteriorate,

Bearing in mind that the General Assembly is still seized with the question of the human rights of the population of the Golan Heights and other Israeli-occupied territories,

1. Expresses its concern over that situation;
2. Expresses the hope that the population of the Golan Heights will be able as soon as possible to enjoy fully their human rights and fundamental freedoms as citizens of the Syrian Arab Republic.

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53/ Adopted by the Committee at its 131<sup>st</sup> meeting, on 25 April 1973 (see chap. VI, para. 120 above).

54/ Official Records of the General Assembly, Twenty-sixth Session, Supplement No. 18 (A/8418), chap. VII, sect. B.

**CERD A/9618 (1974)**

## VII. DECISIONS ADOPTED BY THE COMMITTEE AT ITS NINTH AND TENTH SESSIONS

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### B. Tenth session

1 (X). Information supplied by the Syrian Arab Republic relating to the situation in the Golan Heights 25/

#### The Committee on the Elimination of Racial Discrimination,

Noting that, according to the report and additional information (CERD/C/1) laid before the Committee by the representative of that Government, the situation has not only persisted but substantially deteriorated,

1. Expresses its concern:

(a) That a State Party to the International Convention on the Elimination of All Forms of Racial Discrimination has been prevented from fulfilling its obligations under this Convention in a part of its territory;

(b) That this unacceptable state of affairs has lasted for more than seven years;

2. Once again expresses the hope that the population of the Golan Heights will be able as soon as possible to return to their homes and to enjoy fully their human rights and fundamental freedoms as citizens of the Syrian Arab Republic;

3. Asks the General Assembly to take the necessary steps in order to enable the Government of the Syrian Arab Republic to take over full responsibility for the implementation of its obligations under the Convention on its whole national territory.

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<sup>25/</sup> Adopted at the 215<sup>th</sup> meeting, on 22 August 1974 (see chap. IV, para. 207 above).

## CHAPTER VIII

### DECISIONS ADOPTED BY THE COMMITTEE AT ITS FIFTEENTH AND SIXTEENTH SESSIONS

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1 (XV). Information supplied by the Syrian Arab Republic relating to the situation in the Golan Heights <sup>24/</sup>

The Committee on the Elimination of Racial Discrimination,

Recalling its decisions 4 (IV) of 30 August 1971, 4 (VII) of 25 April 1973 and 1(X) of 22 August 1974,

Having considered the fourth periodic report of the Syrian Arab Republic,

Noting the reports and additional information laid before the Committee by the representative of that Government, to the effect that - as a result of the continued refusal to permit the return of the displaced population, the continued establishment of settlements, and other acts against the population of the area - the situation has not only persisted but substantially deteriorated,

1. Expresses once more its grave concern:

(a) That a State party to the International Convention on the Elimination of All Forms of Racial Discrimination has been prevented from fulfilling its obligations under this Convention in a part of its territory;

(b) That this unacceptable state of affairs has lasted for close to 10 years;

2. Once again expresses the hope that the population of the Golan Heights will be able as soon as possible to return to their homes and to enjoy fully their human rights and fundamental freedoms as citizens of the Syrian Arab Republic;

3. Asks the General Assembly of the United Nations to ensure that no change in the area which has the effect of establishing racial discrimination, including change in the demographic composition, is brought about;

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<sup>24/</sup> See chap. IV, paras. 103. 103-111.

4. Asks the General Assembly of the United Nations as a matter of urgency to take the necessary steps in order to enable the Government of the Syrian Arab Republic to take over full responsibility for the implementation of its obligations under the Convention on its whole national territory.

324<sup>th</sup> meeting

1 April 1977