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SYRIAN ARAB REPUBLIC

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Introduction

1. Alliance Defending Freedom (ADF) International is a faith-based legal advocacy organisation that protects fundamental freedoms and promotes the inherent dignity of all people.
2. This report discusses the current condition of the right to freedom of religion or belief and freedom of expression in the Syrian Arab Republic. As Syria moves through its transitional period, it must be deliberate in protecting these rights now and in the constitutional process to come.

1. Freedom of Religion or Belief and Freedom of Expression

1.1 BACKGROUND

3. Islam is the largest religion in Syria and, while precise figures are unknown, plainly accounts for a strong majority. A 2023 source estimated that some 74–80% of the population belonged to the Sunni sect and 14% to other Muslim sects, including Shia, Alawi, and Ismaili, with the remaining roughly 10% comprising minority groups including Christians and Druze¹ More recent estimates suggest Christians now make up less than 3% of the population,² consistent with reporting that Christians and other minorities have been largely displaced from the region in recent years.
4. Syria is in a period of transition since December 2024.³ In January 2025, the Constitution was cancelled and the Parliament dissolved.⁴

1.2 LEGAL FRAMEWORK

5. On March 13, 2025, the current President of the Syrian Arab Republic signed a Constitutional Declaration (hereinafter, the ‘Declaration’) to govern a transitional phase intended to last five years.⁵
6. Under Article 12 of the Declaration, the government ‘shall protect human rights and fundamental freedoms, and guarantee the rights and freedoms of citizens.’⁶

¹ Anna Fleck ‘Syria’s Sectarian Divides’ (14 March 2025) Statista, https://www.statista.com/chart/31468/ethnic-religious-groups-and-areas-of-control-in-syria/?srsltid=AfmBOoph_xZYqyYG1bUcr2n3oKmJR_jz-djKdbDo9ZqwFcZwoapoDUK8.

² The Association of Religion Data Archives ‘Syria: Major World Religions’ (2025) <https://www.thearda.com/world-religion/national-profiles?u=217c> (estimates Christians at 2.4%); Open Doors ‘World Watch List: Syria’ (2026), <https://www.opendoorsuk.org/persecution/world-watch-list/syria/> (estimates Christians at 1.3%).

³ Council on Foreign Relations ‘Conflict in Syria’ (18 February 2026), <https://www.cfr.org/global-conflict-tracker/conflict/conflict-syria>.

⁴ David Gritten ‘Ahmed al-Sharaa named Syria’s transitional president’ (31 January 2025) BBC, <https://www.bbc.com/news/articles/c8d9r0vg6v7o>.

⁵ Human Rights Watch ‘Syria: Constitutional Declaration Risks Endangering Rights’ (25 March 2025) <https://www.hrw.org/news/2025/03/25/syria-constitutional-declaration-risks-endangering-rights>.

⁶ Constitutional Declaration (13 March 2025), art. 12.

Article 10 further guarantees that ‘Citizens are equal before the law in rights and duties, without discrimination based on race, religion, gender or lineage.’⁷

7. Article 3 of the Declaration, however, establishes Islam as the religion of the President of Syria and Islamic jurisprudence as the principle source of legislation. While it states that ‘freedom of belief is protected’ and that ‘the State respects all divine religions and guarantees the freedom to perform all their rituals’, it conditions this on not disturbing public order, and provides for protection for ‘the personal status of religious sects’ in accordance with the law.⁸
8. This language appears to limit protection of freedom of religion or belief to certain religions, namely those recognised in Islam as ‘divine religions’, that is, the Abrahamic faiths. Furthermore, the guarantee of ‘freedom to perform all their rituals’ does not include explicit protection for publicly expressing religious beliefs, teaching, peacefully propagating one’s religion, or converting to another religion or none.
9. Article 13 guarantees ‘freedom of opinion, expression, information, publication and the press.’⁹ This provision contrasts with the more comprehensive language found in Article 42 of the former 2012 Constitution, which guaranteed every citizen the right to ‘freely and openly express his views whether in writing or orally or by all other means of expression.’¹⁰
10. Article 462 of the 1949 Penal Code criminalises blasphemy, requiring imprisonment from 2 months to 2 years for anyone disparaging religious rituals or encouraging mockery of religious rituals.¹¹ Article 362 penalises any official who ‘incites disrespect for’ or ‘commends acts that are incompatible with’ national customs or laws, and it defines religious leaders and teaching staff in public and private educational institutions as ‘officials.’¹² Because the Declaration makes Islamic jurisprudence the principal source of legislation, this provision could be invoked to criminalise the propagation of one’s faith as well as teaching deemed incompatible with Islamic principles.

1.3 CASES¹³

11. Since the
12. Reports from minority religious groups in the Syrian Arab Republic indicate that the transitional government has instituted a practice of requiring officers in the military and police force to teach Sharia law and participate in Islamic prayers and practices (see Exhibit 1). Minority religious adherents fear that, even if never

⁷ *Id.*, art.10.

⁸ *Id.*, art. 3.

⁹ *Id.*, art. 13.

¹⁰ Syrian Arab Republic Constitution (2012), art. 42.

¹¹ Penal Code (1949), art. 462.

¹² *Id.*, art. 362.

¹³ Sources on hand with author unless otherwise indicated.

formalised, this practice will result in their exclusion from officer positions if they decline to participate—among other adverse consequences.

13. Local Christian communities report that forces affiliated with the Syrian Democratic Forces, the official military force of the Democratic Autonomous Administration of North and East Syria, have excavated extensive networks of trenches and tunnels in and around Assyrian villages in Northeast Syria, damaging the structural integrity of churches and cemeteries.
14. Christian communities further report that individuals drive through majority Christian neighbourhoods, like Bab Touma in Damascus, shouting threats to intimidate residents, and that leaflets have been posted on homes, churches, and Christian businesses threatening violence (see Exhibit 2).
15. Violence by armed groups against religious minorities remains a major problem in Syria. Attacks against persons belonging to the Alawites have been prevalent, apparently because former Syrian President belonged to the Alawi community. In March 2025, around 1,400 people were killed when ‘revenge attacks’ targeted Alawites in western Syria.¹⁴ Extensive violence has also been reported by the Druze community, with over 1000 people killed in July and August 2025.¹⁵
16. In June 2025, a suicide bomber attacked a church in Damascus, killing 25 people and injuring 63. Assyrian communities report that at least five churches in Suwayda have been damaged, including Saint Michael Church in Al-Soura al-Kubra, Saint Paul Church in Radimate al-Liwa, Holy Cross Church in Taara, Our Lady of the Annunciation Church in Al-Mazraa, and Saint George Church in Al-Duwaira.

1.4 FREEDOM OF RELIGION OR BELIEF AND FREEDOM OF OPINION AND EXPRESSION UNDER INTERNATIONAL HUMAN RIGHTS LAW

17. Sudan is

18. Article 12 of the Declaration provides that ‘All rights and freedoms stipulated in international human rights treaties, charters and agreements ratified by the Syrian Arab Republic are considered an integral part of this Constitutional Declaration.’¹⁶
19. Syria is a State Party to the International Covenant on Civil and Political Rights (ICCPR). Article 18 of the ICCPR guarantees the right ‘not to be subject to coercion which would impact one’s freedom to have or adopt a religion or belief of one’s choice. It also enshrines the ‘freedom, either individually or in community with others and in public or private, to manifest one’s religion or belief in worship,

¹⁴ Human Rights Watch ‘“Are you Alawi?” Identity-Based Killings During Syria’s Transition’ (23 September 2025), <https://www.hrw.org/report/2025/09/23/are-you-alawi/identity-based-killings-during-syrias-transition>.

¹⁵ UN News ‘Syria: UN experts alarmed by attacks on Druze communities, including sexual violence against women and girls’ (21 August 2025) <https://www.ohchr.org/en/press-releases/2025/08/syria-un-experts-alarmed-attacks-druze-communities-including-sexual-violence>.

¹⁶ *Supra* note 8, art.12.

observance, practice and teaching.’ This freedom ‘may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.’¹⁷

20. Article 19 protects freedom of opinion and expression, including the right to seek, receive, or impart information and ideas of ‘all kinds.’ Restrictions on this right are only permitted where they are necessary ‘for the respect of the rights and reputations of others’ or ‘for the protection of national security, public order or public health or morals.’¹⁸

21. Article 26 further mandates States Parties to ‘prohibit any discrimination and guarantee to all persons equal and effective protection from discrimination’ including on the ground of religion.¹⁹ Relatedly, Article 27 ensures that religious minorities ‘shall not be denied the right, in community with other members of their group, [...] to profess and practice their own religion.’²⁰

22. As noted by the Human Rights Committee:

‘The fact that a religion is recognised as a State religion or that it is established as official or traditional or that its followers comprise the majority of the population, shall not result in any impairment of the enjoyment of any of the rights under the Covenant, including articles 18 and 27, nor in any discrimination against adherents to other religions or non-believers.’²¹

23. The scope of freedom of belief as articulated in the Declaration raises concerns of incompatibility with Syria's obligations under Articles 18, 27 and related provisions of the ICCPR. Not only does it fail to guarantee the rights of persons belonging to non-Abrahamic religious or belief groups, but the scope of protection neglects essential components of freedom of religion or belief, including the right to teach, religious expression and the right to change one's religion or belief.

24. Additionally, Syria's provisions criminalising blasphemy and other forms of disrespect towards religions fail to meet the threshold for permissible restrictions under the Covenant. This position is supported by the Human Rights Committee, which has explicitly affirmed that laws which prohibit expressions deemed disrespectful toward a religion or belief system—including anti-blasphemy laws—are not compatible with the Covenant. Such laws are inherently vague, prone to abuse, and can serve to suppress dissent and minority beliefs under the pretext of protecting a public interest.²²

¹⁷ International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171 (ICCPR), art. 18.

¹⁸ Id., art. 19.

¹⁹ Id., art. 26.

²⁰ Id., art. 27.

²¹ Human Rights Committee ‘General Comment No.22 – Article 18: Freedom of Thought, Conscience or Religion’ (30 July 1993) UN Docs CCPR/C/GC/22, 9.

²² Human Rights Committee ‘General Comment No. 34 – Article 19: Freedom of Opinion and Expression’, Human Rights Committee (12 September 2011) UN Docs CCPR/C/GC/34, 48.

25. Additionally, Syria has an obligation to ensure that people belonging to religious minorities receive equal and effective protection from violence, whether perpetrated by state or non-state actors.

2. Recommendations

26. In light of the aforementioned, ADF International suggests the following recommendations be made to the Syrian Arab Republic:
- a. Guarantee comprehensively the right to freedom of religion or belief in any present and future legislation;
 - b. Repeal article 462 of the Penal Code criminalising blasphemy;
 - c. Amend article 362 of the Penal Code to ensure full respect for the right to freedom of expression in accordance with international human rights law;
 - d. Ensure full respect of the rights of persons belonging to religious or belief minorities, including in the context of the political transition, including by ensuring their meaningful participation in governance and political decision-making;
 - e. Take immediate steps to protect persons belonging to minorities from violence and discrimination perpetrated by state and non-state actors, including prompt investigation and prosecution of all reported instances and access to justice and effective remedy for the victims.

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