

INTERNATIONAL COURT OF JUSTICE

**REQUEST FOR THE INDICATION OF PROVISIONAL MEASURES
FURTHER TO THE JOINT APPLICATION INSTITUTING PROCEEDINGS
CONCERNING A DISPUTE UNDER THE CONVENTION AGAINST
TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING
TREATMENT OR PUNISHMENT**

CANADA AND THE KINGDOM OF THE NETHERLANDS

v.

THE SYRIAN ARAB REPUBLIC

Filed with the Registry
8 June 2023

REQUEST FOR THE INDICATION OF PROVISIONAL MEASURES

1. The Governments of Canada and the Kingdom of the Netherlands (“the Netherlands”) (jointly, the “Applicants”) filed an Application to institute proceedings against the Syrian Arab Republic (“Syria”) on 8 June, 2023 (the “Application”), in a dispute concerning the interpretation and application of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the “Convention against Torture”).¹ Pursuant to Article 41 of the Statute of the International Court of Justice (the “Statute”) and Articles 73, 74 and 75 of the Rules of Court, the Applicants hereby request that the International Court of Justice (the “Court”) indicate provisional measures to preserve and protect the rights owed to them under the Convention against Torture, which Syria continues to violate, and protect the lives and physical and mental integrity of individuals within Syria who are currently, or are at risk of, being subjected to torture and other cruel, inhuman or degrading treatment or punishment (“CIDTP”).

I. CIRCUMSTANCES REQUIRING THE INDICATION OF PROVISIONAL MEASURES

2. As set out in the Application, the use of torture and other CIDTP is pervasive and entrenched throughout the system of detention in Syria and continues today. Syria’s high degree of centralised control over its detention system, supported by a complex bureaucracy, is reflected in the sheer volume of detainees subjected to, or at risk of, torture and other CIDTP, and the notable consistency of its practice across Syria’s vast detention network.
3. Ongoing and consistent patterns of conduct demonstrate the systematic use of torture by Syrian officials, or at their instigation or with their consent or acquiescence, to obtain information and extract confessions, as well as to coerce, intimidate, spread fear, stifle dissent, and inflict punishment. In particular, Syria has targeted individuals and their family members for torture and other CIDTP due to their perceived political views or membership in opposition and armed groups. Persons belonging to identifiable groups based on ethnicity, cultural background, religion, gender and sexual orientation are also targeted on a disproportionate basis.
4. Victims of Syria’s detention practices have endured, and continue to endure, unimaginable physical and mental pain and suffering as a result of acts of torture and other CIDTP, including abhorrent treatment in detention, inhumane conditions of detention, and sexual and gender-based violence. Tens of thousands have died, or are presumed dead, as a result

¹ *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, 10 December 1984, United Nations, Treaty Series, Vol. 1465, p. 85 (entered into force 26 June 1987) [“Convention against Torture”], online: <www.ohchr.org/en/instruments-mechanisms/instruments/convention-against-torture-and-other-cruel-inhuman-or-degrading> (Annex to the Joint Application Instituting Proceedings under the Convention against Torture [“Application Annex”], Annex 1.1).

of torture or other CIDTP.² Appalling detention conditions and neglect, marked by severe overcrowding and the deprivation of adequate food, water and medical care, have in and of themselves resulted in death, illness, and suffering. Individuals who are currently in detention, or who may be arrested, detained or imprisoned in the future by Syrian officials or those acting under Syria's control, are at imminent risk of death or severe physical or mental harm. The threat to persons who are forcibly disappeared or held in incommunicado detention is particularly perilous.

5. Despite the extensive, credible evidence collected and documented by the United Nations and other international and non-governmental organisations, as well as the corresponding calls of the international community to cease, effectively prevent, and punish the use of torture for more than twelve years, Syria has consistently denied responsibility. Instead, Syria continues to commit torture and other CIDTP, and fails to take effective, ongoing measures to prevent and punish its occurrence. Rather than investigate and prosecute those responsible, Syria conceals evidence of wrongdoing.
6. The Independent International Commission of Inquiry on the Syrian Arab Republic ("COI") has continually reported on Syria's use of torture and other CIDTP from 2011 onwards.³ In its 11 March 2021 report documenting a decade of arbitrary detention and imprisonment, which included findings of torture and other CIDTP by Syria between 2011 and 2021, the COI concluded that:

the sheer volume, scale and consistency of government policies and acts that the Commission has found to amount to crimes against humanity [which explicitly included torture] have continued unabated for nearly 10 years, without any sign that the Government intends to discontinue them.⁴

7. In its most recent February 2023 report to the United Nations Human Rights Council ("HRC"), the COI stated that it had "reasonable grounds to believe" that, for the period under review between 1 July and 31 December 2022, Syria:

continued to commit acts of murder, torture and ill-treatment against persons in detention, including practices causing death in detention, as well as arbitrary imprisonment and

² UN Human Rights Council, *Civilian Deaths in the Syrian Arab Republic - Report of the United Nations High Commissioner for Human Rights*, Advance Unedited Version, 50th Sess., UN Doc A/HRC/50/68 (2022) at paras. 1 and 20, online: <www.ohchr.org/en/documents/reports/ahrc5068-civilian-deaths-syrian-arab-republic-report-united-nations-high> (Application Annex 5).

³ UN Human Rights Council, *Resolution adopted by the Human Rights Council at its seventeenth special session*, 17th Spec. Sess., UN Doc A/HRC/RES/S-17/1 (2011), online: <www.ohchr.org/sites/default/files/Documents/HRBodies/HRCouncil/ColSyria/ResS17_1.pdf> (Application Annex 6.1) as found in UN Human Rights Council, *Report of the Human rights Council on its seventeenth special session*, 17th Spec. Sess., UN Doc A/HRC/S-17/2 (2011), online: <documents-dds-ny.un.org/doc/UNDOC/GEN/G11/169/88/PDF/G1116988.pdf?OpenElement>, establishing the Independent International Commission of Inquiry on the Syrian Arab Republic (Application Annex 6.2).

⁴ See, for example, UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 46th Sess., UN Doc A/HRC/46/55 (2021) [COI Report A/HRC/46/55] at para. 102, online: <www.ohchr.org/en/documents/country-reports/ahrc4655-report-independent-international-commission-inquiry-syrian-arab> (Application Annex 4).

enforced disappearances, again confirming continuing patterns of crimes against humanity and war crimes.⁵

8. Accordingly, provisional measures are urgently needed due to the substantial risk that torture and other CIDTP will continue unabated in Syria, including throughout the duration of proceedings before the Court.

II. PRIMA FACIE JURISDICTION

9. The Court has the power to indicate provisional measures:

only if the provisions relied on by the applicant appear, *prima facie*, to afford a basis on which its jurisdiction could be founded, but need not satisfy itself in a definitive manner that it has jurisdiction as regards the merits of the case.⁶

10. The jurisdiction of the Court is derived from Article 36(1) of the Statute and Article 30(1) of the Convention against Torture. The Applicants and Syria are States Parties to the Convention against Torture, and no party to the dispute has made a reservation under Article 30(2).

11. As set out in the Application, there is an existing dispute between the Applicants and Syria relating to the interpretation and application of the Convention against Torture. As the Court has previously explained, “for the purpose of deciding [the existence of a dispute], it takes into account in particular any statements or documents exchanged between the Parties as well as any exchanges made in multilateral settings.”⁷ These should *prima facie* demonstrate that there is:

a disagreement on a point of law or fact, a conflict of legal views or interests, or the positive opposition of the claim of one party by the other [which] need not necessarily be stated *expressis verbis* [and] the position or the attitude of a party can be established by inference, whatever the professed view of that party.⁸

12. Furthermore, the Applicants have made a genuine attempt, through negotiations in good faith, to resolve the dispute concerning breaches of the Convention against Torture by Syria,

⁵ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, 52nd Sess., UN Doc A/HRC/52/69, (2023) [COI Report A/HRC/52/69] at para. 61, online: <www.ohchr.org/en/documents/country-reports/ahrc5269-report-independent-international-commission-inquiry-syrian-arab> (Application Annex 9).

⁶ *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v. Myanmar)*, Provisional Measures, Order of 23 January 2020, [2020] ICJ Rep p.3 at para. 16 [The Gambia v. Myanmar], online: <www.icj-cij.org/sites/default/files/case-related/178/178-20200123-ORD-01-00-EN.pdf>; *Allegations of Genocide Under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation)*, Order of 16 March 2022, [2022] ICJ Rep at para. 24 [Ukraine v. Russian Federation], online: <www.icj-cij.org/sites/default/files/case-related/182/182-20220316-ORD-01-00-EN.pdf>.

⁷ *The Gambia v. Myanmar*, *supra* note 6, at para. 26.

⁸ *Case Concerning The Land and Maritime Boundary Between Cameroon and Nigeria (Cameroon v. Nigeria)*, Preliminary Objections, Judgment of 11 June 1998, [1998] ICJ Rep p. 275 at para. 89, online: <www.icj-cij.org/sites/default/files/case-related/94/094-19980611-JUD-01-00-EN.pdf>.

and the legal consequences flowing from those breaches. Regrettably, negotiations between the parties became deadlocked or futile.

13. More than seven months have now elapsed since the Applicants' formal request of 7 November 2022 to refer the dispute to arbitration. Syria has not acknowledged the Applicants' request. As no agreement on the organisation of arbitration was reached within six months following the Applicants' request, the Applicants referred the dispute with Syria to the Court.
14. As the Applicants have referred their dispute in accordance with the process set out in Article 30(1) of the Convention against Torture, the Court has jurisdiction to hear the claims in the present Request for the Indication of Provisional Measures pursuant to Article 36(1) of the Statute.

III. THE RIGHTS WHOSE PROTECTION IS SOUGHT AND THEIR PLAUSIBLE CAUSE

15. Pursuant to Article 41 of the Statute, the Court has "the power to indicate, if it considers that circumstances so require, any provisional measures which ought to be taken to preserve the respective rights of either party" pending its final decision on the merits. At this stage, the Court need not determine definitively the existence of the rights claimed.⁹ Rather, it need only decide whether the rights claimed, and for which protection is sought, are "plausible," and whether they are linked to the provisional measures being requested.¹⁰
16. The Convention against Torture imposes obligations on States Parties not to commit torture and other CIDTP. It also requires them to take effective measures to prevent and punish torture and other CIDTP with the aim of protecting individuals from being subjected to torture and other CIDTP as well as combating impunity for the perpetrators of such acts, consistent with its object and purpose of "making more effective the struggle against torture and other cruel, inhuman or degrading treatment or punishment throughout the world."¹¹ As the Court has previously found with respect to the Convention against Torture, in the case of *Questions relating to Obligation to Prosecute or Extradite (Belgium v. Senegal)*, States Parties have a "common interest to ensure, in view of their shared values, that acts of torture are prevented and that if they occur, their authors do not enjoy impunity."¹²
17. States Parties to the Convention against Torture have a common interest in compliance with its obligations, and "that common interest implies that the obligations in question are owed by any State party to all the other States parties to the Convention."¹³ Recognising the rights

⁹ *Ukraine v. Russian Federation*, *supra* note 6 at para. 51; *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Armenia v. Azerbaijan)*, Provisional Measures, Order of 22 February 2023, [2023] ICJ Rep at para. 28 [*Armenia v. Azerbaijan*], online: <www.icj-cij.org/sites/default/files/case-related/180/180-20230222-ORD-01-00-EN.pdf>.

¹⁰ *Ukraine v. Russian Federation*, *supra* note 6 at para. 51; *Armenia v. Azerbaijan*, *supra* note 9 at para. 28.

¹¹ *Supra* note 1 at preamble para. 6 (Application Annex 1.1); *Questions relating to the Obligation to Prosecute or Extradite (Belgium v. Senegal)*, Judgment, [2012] ICJ Rep 422 at para. 68 [*Belgium v. Senegal*], online: <www.icj-cij.org/sites/default/files/case-related/144/144-20120720-JUD-01-00-EN.pdf> (Application Annex 2).

¹² *Ibid.*

¹³ *Ibid.*

of States Parties to seek the compliance of another State Party with its obligations *erga omnes partes*, the Court in *Questions relating to Obligation to Prosecute or Extradite (Belgium v. Senegal)* further found:

The common interest in compliance with the relevant obligations under the Convention against Torture implies the entitlement of each State party to the Convention to make a claim concerning the cessation of an alleged breach by another State party [...]. It follows that any State party to the Convention may invoke the responsibility of another State party with a view to ascertaining the alleged failure to comply with its obligations *erga omnes partes* [...] and to bring that failure to an end.¹⁴

18. Accordingly, the Applicants seek to protect the rights that are owed *erga omnes partes* under the Convention against Torture, to secure compliance by Syria with its obligations not to commit, and to ensure that effective measures are taken to prevent and punish torture and other CIDTP in accordance with the Convention against Torture. As States Parties, the rights claimed by the Applicants are plausible. Significantly, protecting the rights of the Applicants to seek Syria's compliance with its obligations under the Convention against Torture will also have the critical effect of protecting persons in Syria who are currently, or are at imminent risk of, being subjected to torture and other CIDTP, and accords with the object and purpose of the Convention against Torture.
19. The provisional measures requested by the Applicants are directly linked to the rights which form the subject matter of the dispute. They are aimed at ensuring compliance with Syria's obligations to prevent torture and other CIDTP, and to protect the integrity of the proceedings before the Court and the right of the Applicants to have their claim fairly adjudicated. Certain provisional measures requested by the Applicants aim to address specifically the substantially enhanced risk of being subjected to torture and other CIDTP for detainees who are being arbitrarily detained, held incommunicado, or living in abhorrent detention conditions.

IV. RISK OF IRREPARABLE PREJUDICE AND URGENCY

20. The Court has the power to indicate provisional measures "when irreparable prejudice could be caused to rights which are the subject of judicial proceedings or when the alleged disregard of such rights may entail irreparable consequences."¹⁵ As the Court has explained, this power will be exercised "only if there is urgency, in the sense that there is a real and imminent risk that irreparable prejudice will be caused to the rights claimed before the Court gives its final decision."¹⁶ This condition of urgency is met when "the acts susceptible

¹⁴ *Id.*, at para. 69.

¹⁵ *Armenia v. Azerbaijan*, *supra* note 9 at para. 45; *Alleged Violations of the 1955 Treaty of Amity, Economic Relations, and Consular Rights (Islamic Republic of Iran v. United States of America)*, Provisional Measures, Order of 3 October 2018, [2018] ICJ Rep p. 623 at para. 77 [*Islamic Republic of Iran v. United States of America*], online: <www.icj-cij.org/sites/default/files/case-related/175/175-20181003-ORD-01-00-EN.pdf>.

¹⁶ *Armenia v. Azerbaijan*, *supra* note 9 at para. 46; *Islamic Republic of Iran v. United States of America*, *supra* note 15 at para. 78.

of causing irreparable prejudice can ‘occur at any moment’ before the Court makes a final decision on the case.”¹⁷

21. The persistent and continuing breaches by Syria of the Convention against Torture are causing irreparable prejudice to the right of the Applicants to seek Syria’s compliance with its obligations. Each new act of torture and other CIDTP by Syria constitutes – first and foremost – an inexcusable and irreparable harm with respect to each victim of torture and other CIDTP. In the context of the Application, it also constitutes an exacerbation of an ongoing violation of the rights of the Applicants under the Convention against Torture and indicates Syria’s flagrant disregard of its obligations thereunder. The indication of provisional measures is therefore urgent.
22. Where past violations have occurred, the Court has found provisional measures appropriate when it is “not inconceivable” that they might occur again.¹⁸ Additionally, the Court has noted previously that “a prejudice can be considered as irreparable when the persons concerned are exposed to danger to health and life.”¹⁹ The Court has furthermore held that irreparable consequences of psychological distress may arise when individuals are subject to temporary or potentially ongoing separation from their families.²⁰
23. As set out in the Application, Syria has committed torture and subjected detainees to other CIDTP on a mass scale since at least 2011, and demonstrates no intention of preventing ongoing or future violations. Syria has not taken the effective measures required by the Convention against Torture to prevent ongoing torture and other CIDTP. As a result, anyone who is currently detained, or who may be arrested, detained or imprisoned in the future, is at risk of death or severe physical or mental pain or suffering as a result of torture and other CIDTP.
24. Conservative estimates indicate that tens of thousands of individuals have died while in custody of Syrian government agencies since 2011.²¹ The COI alone has recorded “thousands of cases of civilians tortured, raped and subjected to other forms of sexual violence, arbitrarily detained and forcibly disappeared or killed in detention,”²² and continues to document new cases. In its 14 September 2022 report, the COI observed that “[t]he risk of being detained, and subsequently ill-treated and tortured, remained pervasive for many Syrians.”²³ In its February 2023 report, the COI indicated it was also likely that sexual

¹⁷ *Ibid.*, Armenia v. Azerbaijan; *Immunities and Criminal Proceedings (Equatorial Guinea v. France)*, Provisional Measures, Order of 7 December 2016, [2016] ICJ Rep p. 1148 at para. 90 [Equatorial Guinea v. France], online: <www.icj-cij.org/sites/default/files/case-related/163/163-20161207-ORD-01-00-EN.pdf>.

¹⁸ *Id.*, Equatorial Guinea v. France, at para. 89.

¹⁹ Armenia v. Azerbaijan, *supra* note 9 at para. 55.

²⁰ *Application of the International Convention on the Elimination of All Forms of Racial Discrimination (Qatar v. United Arab Emirates)*, Provisional Measures, Order of 23 July 2018, [2018] ICJ Rep p. 406 at para. 69, online: <www.icj-cij.org/sites/default/files/case-related/172/172-20180723-ORD-01-00-EN.pdf>.

²¹ COI Report A/HRC/46/55, *supra* note 4 at para. 23.

²² COI Report A/HRC/50/68, *supra* note 2 at para. 21; see also COI Report A/HRC/46/55, *supra* note 4.

²³ UN Human Rights Council, *Report of the Independent International Commission of Inquiry on Syrian Arab Republic*, 51st Sess., UN Doc A/HRC/51/45 (2022) at para. 15, online: <documents-dds-ny.un.org/doc/UNDOC/GEN/G22/463/09/PDF/G2246309.pdf?OpenElement> (Application Annex 44).

violence within detention centres had actually increased,²⁴ which also elevates the risk of torture and other CIDTP.

25. Furthermore, Syria continues to hold vast numbers of detainees in overcrowded and appalling detention conditions, with lack of food and potable water, which places their lives in jeopardy. There is need for urgent medical care, in particular for injured detainees and those in fragile health, whose very survival is at stake.
26. Detainees who have been forcibly disappeared or held in incommunicado detention are at increased risk of torture and other CIDTP. Enforced disappearance and incommunicado detention also create pervasive psychological and physical distress for the detainees, as well as for their family members who are separated indefinitely from their loved ones, without knowing their fate or whereabouts.
27. As the COI concluded in its 11 March 2021 report:

The fate of tens of thousands of victims subjected to arbitrary and incommunicado detention and enforced disappearance by government forces [...] remains largely unknown. Those who have survived describe executions and deaths from neglect and appalling prison conditions, suggesting that those still in incommunicado custody may slowly die unless released expeditiously.²⁵
28. Furthermore, the Court has previously found it appropriate to indicate provisional measures in circumstances that are “unstable and could rapidly change” and when there is “ongoing tension” without any “overall settlement to the conflict.”²⁶ Similarly, provisional measures have been granted when “conflicts and similar incidents have occurred on various occasions [...] leading to fatalities, injuries and the displacement of local inhabitants.”²⁷
29. Against the background of the violent suppression of protests and the ensuing and ongoing conflict, torture and other CIDTP has been a “hallmark of the conflict.”²⁸ No real progress has been made towards the implementation of United Nations Security Council Resolution 2254 (2015)²⁹ outlining a roadmap to end the conflict, or towards a broader resolution to the situation in Syria.
30. In view of the continuing violations, the urgency to indicate provisional measures has persisted over the entire length of time since the Applicants invoked Syria’s responsibility for violations of the Convention against Torture. The Applicants are conscious of the

²⁴ COI Report A/HRC/52/69, *supra* note 5 at para. 17 .

²⁵ COI Report A/HRC/46/55, *supra* note 4 at para. 103.

²⁶ *Application of the International Convention on the Elimination of all Forms of Racial Discrimination (Georgia v. Russian Federation)*, Provisional Measures, Order of 15 October 2008, [2008] ICJ Rep p. 353 at para. 143, online: <www.icj-cij.org/sites/default/files/case-related/140/140-20081015-ORD-01-00-EN.pdf>.

²⁷ *Request for Interpretation of the Judgment of 15 June 1962 in the Case concerning the Temple of Preah Vihear (Cambodia v. Thailand) (Cambodia v. Thailand)*, Provisional Measures, Order of 18 July 2011, [2011] ICJ Rep p. 537 at para. 53, online: <www.icj-cij.org/sites/default/files/case-related/151/151-20110718-ORD-01-00-EN.pdf>.

²⁸ COI Report A/HRC/46/55, *supra* note 4 at para. 1.

²⁹ UN Security Council, *Resolution 2254 (2015)*, UN Doc S/RES/2254 (2015), online:

<www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2254.pdf>.

requirements under Article 30(1) of the Convention against Torture that must be met before the dispute may be referred to the Court and a request for the indication of provisional measures may be made.

31. The record of negotiation, which includes the exchange of numerous diplomatic notes and two in-person meetings, demonstrates the continuous good faith efforts over a multi-year period of the Applicants, to settle the dispute with Syria. They considered throughout whether good faith required them to continue their efforts or whether their efforts to resolve the dispute through negotiation had been exhausted or had become futile, particularly after Syria refused to address the substance of the Applicants' written submission of a Statement of Facts and a Statement of Law. This resulted in a situation in which the Applicants continued their efforts to negotiate while Syria continued to subject individuals to torture and other CIDTP. Accordingly, the relief requested is long overdue for victims and their families.
32. Under these circumstances, the Applicants have fully met the requirements of Article 30(1) of the Convention against Torture. For the purpose of resolving future disputes, there would be merit in more precise guidance as to when negotiations might be considered deadlocked or futile in instances where lives are at risk and where individuals are at risk of extreme suffering, and in which the indication of provisional measures is thus particularly urgent.

V. PROVISIONAL MEASURES REQUESTED

33. On the basis of the above, the Applicants, as States Parties to the Convention against Torture, respectfully request that the Court, as a matter of urgency, indicate the following provisional measures, which are directly linked to the rights that form the subject matter of the dispute, pending its determination of the case on the merits:
 - a) Syria shall immediately take effective measures to cease and prevent all acts that amount to or contribute to torture and other cruel, inhuman or degrading treatment or punishment;
 - b) In light of the greatly enhanced risk for detainees of being subjected to torture and other cruel, inhuman or degrading treatment or punishment, Syria shall immediately:
 - i. cease arbitrary detention, and release all persons who are arbitrarily or unlawfully detained;
 - ii. cease all forms of incommunicado detention;
 - iii. allow access to all of its official and unofficial places of detention by independent monitoring mechanisms and medical personnel, and allow contact and visitations between detainees and their families and legal counsel; and

- iv. take urgent measures to improve the conditions of all of its official and unofficial detention facilities to ensure all detainees are treated with humanity and with respect for the inherent dignity of the human person in accordance with international standards;³⁰
 - c) Syria shall not destroy or render inaccessible any evidence related to the Application, including, without limitation, by destroying or rendering inaccessible medical or other records of injuries sustained as a result of torture or other cruel, inhuman or degrading treatment or punishment or the remains of any person who was a victim of torture or other cruel, inhuman or degrading treatment or punishment;
 - d) Syria shall safeguard any information concerning the cause of death of any detainee who died while in detention or while hospitalised, including forensic examination of the human remains and places of burial, as well as afford the next of kin of any person who died as a result of torture or other cruel, inhuman or degrading treatment or punishment, following arrest, hospitalisation or detention with a death certificate, stating the true cause of death;
 - e) Syria shall disclose the location of the burial sites of persons who died as a result of torture or other cruel, inhuman or degrading treatment or punishment following arrest, hospitalisation or detention, to the next of kin;
 - f) Syria shall not take any action, and shall ensure that no action is taken, which may aggravate or extend the existing dispute that is the subject of the Application, or render it more difficult to resolve; and
 - g) Syria shall provide a report to the Court on all measures taken to give effect to its Order for provisional measures, beginning no later than six months from its issuance and every six months thereafter pending the resolution of the dispute.
34. The Applicants respectfully ask that this request for provisional measures be considered at the Court's earliest possible opportunity, including the scheduling of a hearing.
35. The Applicants reserve the right to revise, supplement, or amend the terms of this Request, as well as the grounds invoked.

³⁰ See, for reference, the practices and principles set out in the Standard Minimum Rules for the Treatment of Prisoners, as found in UN General Assembly, *Resolution adopted by the General Assembly on 17 December 2015, 2016*, UN Doc A/RES/70/175, online: documents-dds-ny.un.org/doc/UNDOC/GEN/N15/443/41/PDF/N1544341.pdf?OpenElement.

This request to indicate provisional measures is respectfully submitted on behalf of Canada and the Kingdom of the Netherlands.



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(Signed) Dr. René J.M. LEFEBBER,
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