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‘TORTURE WAS MY PUNISHMENT’

ABDUCTIONS, TORTURE AND SUMMARY KILLINGS UNDER ARMED
GROUP RULE IN ALEPPO AND IDLEB, SYRIA

AMNESTY
INTERNATIONAL



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Cover photo: Armed group fighters prepare to launch a rocket in the Saif al-Dawla district of the northern Syrian city of Aleppo, on 21 April 2013.

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EXECUTIVE SUMMARY

“I heard and read about the government security forces’ torture techniques. I thought I would be safe from that now that I am living in an opposition-held area. I was wrong. I was subjected to the same torture techniques but at the hands of Jabhat al-Nusra.”

“Ibrahim”, who says he was abducted by Jabhat al-Nusra in 2015.

The conflict in Syria has taken a devastating toll on civilians. Government forces have been responsible for the majority of violations, including war crimes and crimes against humanity, subjecting tens of thousands to arbitrary detention, torture and other ill-treatment and enforced disappearance. However, abuses by non-state armed groups have compounded the suffering of civilians. Armed groups opposing the Syrian government have committed serious violations of international humanitarian law, including abductions, torture and summary killings. To date, justice for the hundreds of thousands of victims remains elusive as neither the Syrian government nor armed groups have been held accountable for their crimes.

The situation in the governorates of Aleppo and Idlib is an informative case study. After pro-reform protests that started in Syria in early 2011 grew in scale and frequency there, Syrian government forces responded by attacking protesters as they did elsewhere with live ammunition. As a result, in 2012, armed opposition groups were formed in both governorates with the purpose of expelling government forces. Some of these groups, composed predominantly of Syrian nationals, gained increasing control of large areas of Aleppo city, Idlib city and surrounding areas between 2012 and 2015 and have remained in power there until today with the support of governments such as Qatar, Saudi Arabia, Turkey and the USA. In doing so, they have set up administrative and quasi-judicial institutions. Residents in Aleppo and Idlib governorates at first celebrated the effective end of Syrian government rule hoping that the armed opposition groups would implement the rule of law. However, the hopes of many have faded away as armed opposition groups have resorted to the rule of the gun to impose their own version of order.

Amnesty International has conducted research on allegations of abuses committed by five armed groups which have exercised control over parts of Aleppo and Idlib since 2012, specifically the al-Shamia Front, the Nour al-Dine Zinki Movement and Division 16 in Aleppo, all of which joined the Aleppo Conquest coalition of armed groups in 2015, and Jabhat al-Nusra and the Ahrar al-Sham Islamic Movement in Idlib, both of which joined the Army of Conquest coalition of armed groups that same year.

This briefing documents 24 cases of abduction carried out by armed opposition groups in Aleppo and Idlib governorates between 2012 and 2016. The victims have included a humanitarian worker and 11 human rights activists who appear to have been targeted for criticizing the conduct of these armed groups, as well as members of minorities abducted solely on account of their religion or ethnicity. They have also comprised

individuals, including children, accused of sympathizing with, or providing information to, the Syrian government or the armed group calling itself the Islamic State (IS).

The abduction of journalists, lawyers and activists appears to have increased since 2014 as armed groups, in particular Jabhat al-Nusra, have demonstrated intolerance towards freedom of expression or protests in areas under their control. “Saed”, an activist in Idleb, told Amnesty International:

“The Syrian government’s air strikes on Idleb prevented us from protesting. We saw the ceasefire agreement [implemented on 27 February 2016] as an opportunity to protest. We were happy to chant revolutionary songs again but little did we know that Jabhat al-Nusra would crack down on protesters. The protest lasted for an hour before Jabhat al-Nusra fighters violently dispersed protesters, ripped the revolutionary flags apart and arrested the five activists. We did not know their whereabouts for more than 24 hours.”

In five of the cases of abduction, four media and political activists and a humanitarian worker told Amnesty International that they were subjected to torture and other ill-treatment during detention by either Jabhat al-Nusra or the Nour al-Dine Zinki Movement as a punishment or to force them to sign a statement of confession. The methods of torture described are disturbingly similar to some of the ones used by the Syrian government, including *shabeh*, a stress position that involves the person being suspended by their wrists from a hook in the ceiling for hours, and the *dulab* (tyre), which involves forcing a person into a tyre while their hands are tied or handcuffed behind their back and then beating them. Amnesty International also received from lawyers and activists allegations of abduction and torture by other groups in Aleppo and Idleb but could not independently verify these claims.

Lawyers in Aleppo who have spoken out against the use of torture in places of detention and criticized “courts” run by armed groups have been abducted or threatened with abduction in some cases. These “courts” had been established by armed groups as part of makeshift “justice systems” in the neighbourhoods, towns and cities which they took over in Aleppo and Idleb governorates. They have applied their own interpretations of Shari’a (Islamic law) to govern all aspects of public and private life and appointed judges, many of whom had no practical experience of applying Shari’a. In Idleb, some groups, such as Jabhat al-Nusra and the Ahrar al-Sham Islamic Movement, have imposed a strict interpretation of Shari’a and imposed punitive measures on perceived infractions.

The “courts” run by the armed groups have generally been implementing the provisions and procedures of the Unified Arab Code, a set of Shari’a-based legal codes endorsed by the Arab League between 1988 and 1996 but never applied anywhere until the Syrian uprising. The Unified Arab Criminal Code sanctions the use of corporal punishments such as stoning, amputation and flogging for specific *hudud* crimes (crimes that have fixed penalties under Shari’a).

Since 2014, Amnesty International has received a number of allegations of summary killings carried out in Aleppo and Idleb by Jabhat al-Nusra, the al-Shamia Front and their affiliated “courts. Among those believed to have been summarily killed are civilians, captured members of the Syrian government armed forces and security forces, and of pro-government *shabiha* militias, as well as persons alleged to be “infiltrators”, IS fighters and fighters from other rival groups that oppose the Syrian government. In some cases, armed groups have carried out execution-style killings in front of crowds.

Amnesty International interviewed three residents of Aleppo city who said they witnessed the summary killing by gunfire of four captured members of the Syrian government forces and pro-government *shabiha* militias by the al-Shamia Front between 2014 and 2015. A resident of Aleppo city told Amnesty International:

“I witnessed the summary killing of two captured *shabiha* fighters by the al-Shamia Front in front of al-Shifa hospital in Aleppo city on two separate dates in 2015. The al-Shamia Front announced the execution publicly and then shot them with a rifle. They left the bodies for a few hours on the street for people to see.”

Syria is a state party to the 1949 Geneva Conventions. Article 3 Common to the four Geneva Conventions, which applies to all parties to non-international armed conflicts, including the one currently taking place in Syria, and is considered customary international law, prohibits “murder of all kinds, mutilation, cruel treatment and torture”, “humiliating and degrading treatment”, “taking of hostages” and “the passing of sentences and the carrying out of executions without previous judgement pronounced by a regularly constituted court”. Violations of these rules – such as the torture or summary killing of detainees, whether civilians, captured soldiers or so-called “infiltrators” – are war crimes.

This briefing is based on research conducted by Amnesty International between December 2015 and May 2016. Amnesty International researchers have not been able to visit Aleppo and Idlib governorate, since 2013, due to the deteriorating security situation. Consequently, the organization conducted interviews in Turkey in December 2015 and February 2016, and remotely by phone or virtual means. In total, the organization's researchers interviewed 47 individuals, including 12 individuals who were subjected to abduction and detention and later released, family members of 11 other persons who were abducted and three residents of Aleppo city who said they had witnessed the killing of civilians, of captured members of the Syrian government's armed forces and security forces, and of pro-government *shabiha* militias, as well as of persons alleged to be "infiltrators". Amnesty International also examined photo and video material and public statements posted by armed groups, cross-checking them with witness accounts, media and other reports.

In June 2016, Amnesty International submitted letters to representatives of the Aleppo Conquest and Army of Conquest coalitions in order to present its preliminary findings and seek their comments on the allegations of violations of international humanitarian law committed by armed groups operating under their aegis. Representatives of the Aleppo Conquest coalition and the Ahrar al-Sham Islamic Movement, one of the armed groups operating under the aegis of the Army of Conquest, responded to indicate that they wished to engage with Amnesty International on the concerns raised, which Amnesty International welcomes. However, none of the armed groups provided answers to the specific allegations in Amnesty International's letter about their practices or responded to the questions about detention centres they run.

At the international level, progress towards the protection of civilians in the conflict in Syria has been painfully slow. In February 2014, the UN Security Council adopted Resolution 2139 demanding that all parties to the conflict end arbitrary detention, kidnappings, abductions and enforced disappearances. The resolution also reminded all parties to the conflict of their obligation under international humanitarian law to ensure the protection of civilians not participating in hostilities. However, the UN Security Council did not specify any sanctions for non-compliance. More than a year later, the UN Security Council adopted Resolution 2254, endorsing a road map for a peace process and supporting the UN with facilitating talks between the Syrian government and opposition forces.

In February 2016, the Special Envoy of the UN Secretary-General for Syria, Staffan de Mistura, facilitated talks in Geneva between the Syrian government and representatives of the opposition. At least 35 armed groups from Syria, including some of the groups operating under the Aleppo Conquest such as Division 16, recognized Resolution 2254 as a roadmap for a peace process in Syria and declared that they supported the peace talks in Geneva. The Ahrar al-Sham Islamic Movement and other armed groups sent representatives to Geneva to participate in the talks. The peace talks have been on hold since April 2016. When they restart, they may conceivably lead to armed opposition groups being asked to play a part in both ending the conflict and contributing to a future political transition. If they are to have the confidence of people living under their rule in Syria, both they and the international community, particularly those governments that support them militarily and financially, must address the abuses they are committing without delay.

Amnesty International is asking armed opposition groups in Aleppo and Idlib, as well as those elsewhere in the country, to publicly condemn all human rights abuses and violations of international humanitarian law, to immediately and unconditionally release any person held solely on account of their political opinion, religion or ethnicity, and to allow independent international inspection of all places of detention. It is also urging all members of the International Syria Support Group to pressure armed groups to comply with the laws of war and to immediately cease the transfer of arms, munitions and other military equipment, including logistical and financial support, to armed groups implicated in committing war crimes and other serious abuses. As co-leaders of the peace negotiations brokered by the UN, Russia and the USA, in particular, should prioritize the issues of abduction, arbitrary detention and torture and other ill-treatment by both armed groups and Syrian government forces, as well as enforced disappearance by the state.

METHODOLOGY

This briefing is based on research conducted by Amnesty International between December 2015 and May 2016. The research focused on abuses committed by non-state armed groups that have been in control of large areas of territory in Syria since early 2012. These groups include those who joined the Aleppo Conquest coalition in Aleppo and the Army of Conquest coalition in Idlib in 2015.

Amnesty International researchers have been not been able to visit the governorates of Aleppo or Idlib since 2013 due to the deteriorating security situation. Consequently, Amnesty International conducted interviews by telephone and through other virtual means, including through Skype, and communicated by email with a range of individuals and organizations in Syria. In addition, Amnesty International conducted interviews in person in December 2015 and February 2016 with former residents of Aleppo and Idlib who are now refugees in Turkey. In total, the organization's researchers interviewed 47 individuals, including 14 individuals who were subjected to abduction and detention and later released, family members of 10 other persons who were abducted and four residents of Aleppo governorate who said they had witnessed the killing of civilians, of captured members of the Syrian government's armed forces and security forces, and of pro-government *shabiha* militias, as well as of persons alleged to be "infiltrators".

The briefing also draws on information from interviews Amnesty International conducted with seven journalists, 11 media activists, five lawyers, two local monitoring organizations and two international human rights organizations in relation to the actions of armed groups in Aleppo and Idlib.

With regard to the cases that appear in this briefing, Amnesty International has withheld the real names of the interviewees and other identifying details, such as the place and dates of their detention and their profession, at their request; they were concerned that, if they were publicly identified, they and their families would be exposed to the serious risk of reprisals by armed groups in Aleppo and Idlib. The organization has not included any details related to 11 other cases of abuses by armed groups in Aleppo and Idlib that it researched; the individuals concerned, all of whom who say they were abducted or tortured by armed groups, were willing to share their testimonies with Amnesty International but not to have them published in any manner due to a fear of reprisal.

In researching this briefing, Amnesty International also examined photo and video material and public statements posted by armed groups, cross-checking them with witness accounts, media and other reports. Amnesty International also reviewed reports published by the UN-mandated Independent International Commission of Inquiry on the Syria Arab Republic (Commission of Inquiry on Syria), international human rights organizations and local monitoring groups, media articles and social media posts.

On 13 June 2016, Amnesty International submitted two separate letters to representatives of respectively the Aleppo Conquest and Army of Conquest coalitions in order to present its preliminary findings and seek their comments on the allegations of violations of international humanitarian law committed by armed groups operating under their aegis. It also asked for detailed information about the detention centres run by members of the coalition, including their locations, the legal basis on which individuals are detained there, their conditions of detention, and the measures taken to establish the facts behind allegations of torture and other ill-treatment and to ensure perpetrators were removed from their positions.

On 23 June 2016, the Ahrar al-Sham Islamic Movement, one of the armed groups operating under the aegis of the Army of Conquest, responded to say it had “reviewed the critical and concerning issues and allegations raised” in Amnesty International’s letter and was “interested in having a meeting to clarify these issues”. It explained that, from its perspective, the Army of Conquest, “is not a unified homogenous organisation”, explaining that “it is a coalition of separate groups and entities with different policies, facilities and leadership”. It argued that the coalition “is a military operations room with minimum level of tactical coordination, which makes it very difficult to answer on behalf of the entire coalition”. The Ahrar al-Sham Islamic Movement did not, however, provide answers to the specific allegations in Amnesty International’s letter about its practices or respond to the questions about detention centres with respect to any it ran. Jabhat al-Nusra, the other armed group within the Army of Conquest about which Amnesty International had raised concerns in its letter to the coalition, had not responded before the publication of this briefing.

On 25 June 2016, the political office of the Aleppo Conquest coalition responded to the letter sent by Amnesty International, saying it “completely refused to accept as a matter of principle any human rights violation” and was committed to “freedom, dignity and justice”. The coalition invited Amnesty International to send a delegation to visit and jointly investigate with them or local monitors allegations of “some individual excesses here or there”, which it believed were based on “the account of a single source” or the “account of witnesses whose testimony was fed to them”. The coalition expressed its commitment to hold perpetrators accountable if the allegations were found to be true. The coalition did not, however, respond to the specific allegations in Amnesty International’s letter or provide answers to its detailed questions.

Amnesty International is following up with both the Aleppo Conquest coalition and the Ahrar al-Sham Islamic Movement in order to engage with them on the concerns set out in this briefing and will make public any new information about those concerns that emerge from the discussions. The organization would never conduct a joint investigation with an armed group into practices members of that group are alleged to have carried out, but would want to visit regions they control when security conditions permitted.

Amnesty International expresses its deep gratitude to the local organizations, activists and both current and former residents of Aleppo and Idlib governorates who assisted with the research for this briefing. Amnesty International is particularly grateful to all the victims of abuses who agreed to share their experiences.

1. BACKGROUND

1.1 ARMED GROUP RULE IN ALEPPO AND IDLEB

Peaceful protests against the rule of President Bashar al-Assad first broke out in Syria in March 2011. By the end of April 2011, protests had reached the governorates of Aleppo and Idlib in the north of the country.¹ As anti-government protests in both governorates steadily grew in scale and frequency, Syrian government forces responded by attacking protesters with live ammunition.²

Armed clashes between the Syrian government and at least 30 armed groups erupted in Idlib governorate, in particular in Idlib city and the northern part of the governorate, in early 2012 and continued until mid-2015, when the Syrian government lost control of Idlib governorate.³ In July 2012, the Bab al-Hawa border crossing between Idlib governorate and Turkey became the first border crossing in Syria to be captured by armed groups.⁴ By late 2014, much of Idlib governorate outside Idlib city, including the towns of Ma'rat al-Nu'man, Khirbet al-Joz, Khan Shikhoun, Saraqeb, Ariha and Jisr el-Shoghour and the military airport of Taftanaz, had fallen under the control of a range of different armed groups opposed to the Syrian government.⁵ Syrian government forces responded to the armed groups' advances with heavy shelling and air strikes on the areas under opposition control, including indiscriminate attacks and direct attacks on the civilian population, killing and wounding hundreds of civilians. On 24 March 2015, eight armed groups formed the Army of Conquest coalition, or joint operations room, to co-ordinate their attacks. Four days later, the coalition mounted an offensive against Syrian government forces and successfully seized control of Idlib city.⁶ By December 2015, with the exception of the besieged towns of al-Fouaa and Kefraya, where the

¹ Osam O, "First protest in Idlib governorate Ma'rat al-No'man 25 03 2011", posted on 30 May 2012, <https://www.youtube.com/watch?v=ggw07Do0fCw> (accessed on 10 May 2016); the co-ordinating committee of al-Sha'ar neighbourhood, "Aleppo: al-Sha'ar neighbourhood first protest at al-Noor martyrs mosque 25 2 2011", posted on 28 January 2013, https://www.youtube.com/watch?v=wPKSHGK_eo (accessed on 10 May 2016).

² *The Guardian*, "Syria's bloody uprising: reported deaths over 2011", 13 December 2011, <http://www.theguardian.com/world/datablog/2011/dec/13/syria-un-5000-deaths> (accessed on 10 May 2016); Amnesty International, *All-out repression: Purging dissent in Aleppo, Syria* (Index: MDE 24/061/2011), August 2012, available at: <https://www.amnesty.org/en/documents/MDE24/061/2012/en/>; Habiba Hora, "+18 only-Idlib Syria-Protestor shot in head as regime uses gunfire on peaceful protest 8-6-11", posted on 20 April 2012, https://www.youtube.com/watch?v=kdFu_yHL3qI (accessed on 10 May 2016).

³ The groups included the Free Syrian Army, the Martyrs of Syria Brigades, the Ahrar al-Sham Islamic Movement, the Falcons of Syria, the Revolutionary Council of Jisr el-Shoghour, Jabhat al-Nusra, the Ahfad al-Rassoul Brigade, the Abu Daher al-Ansarine Brigade, the al-Iman Brigade, the Shield of al-Haq Brigade, the Shield of al-Assine Brigade, the al-Tawhid Brigade and the group calling itself the Islamic State. See, for example, Mohamed al-Rifai, "Idlib Jisr al-Shoghour announces the start of the union and devotion battle", posted on 15 December 2016, <https://www.youtube.com/watch?v=v9hKfK9D2wQ> (accessed on 10 May 2016); BBC, "Guide to the Syrian rebels", 13 December 2013, <http://www.bbc.co.uk/news/world-middle-east-24403003> (accessed on 10 May 2016); Major General Mohamed Mojahed al-Zayat, "Islamist dominance? The map of the armed opposition groups in Syria", 8 January 2014, the Regional Centre for Strategic Studies, Cairo, <http://bit.ly/1WSp00w> (accessed on 10 May 2016); Sasa Post, "Map of the armed groups in Syria: Who is fighting whom? With whose supports?", 1 April 2016, <http://www.sasapost.com/armed-groups-in-syria/> (accessed on 10 May 2016).

⁴ Sky News Arabic, "Free [Syrian Army] controls the border crossing with Iraq and Turkey", 19 July 2012, <http://bit.ly/1szEjsZ> (accessed on 9 May 2016).

⁵ Agence France Presse (AFP), "Syria sends extra troops after rebels seize Idlib: NGO", 10 October 2012, <http://english.ahram.org.eg/NewsContent/2/8/55206/World/Region/Syria-sends-extra-troops-after-rebels-seize-Idlib-.aspx> (accessed on 9 May 2016); Al Jazeera Arabic, "Idlib Countryside, biggest area, falls under the control of the rebels", posted on 3 October 2012, https://www.youtube.com/watch?v=SbaH_oYjS4o (accessed on 10 May 2016); *Al-Itihad*, "The Syrian opposition gains control of a village near Idlib", 7 October 2012, <http://www.alittihad.ae/details.php?id=96718&y=2012> (accessed on 9 May 2016); Al Aan TV, "Showing the areas under the control of the Free Syrian Army", posted on 27 November 2012, <https://www.youtube.com/watch?v=l9zxKLMPSew> (accessed on 10 May 2016).

⁶ Shaam News Network, "Idlib: Liberation of the security zone and announcing Idlib city as completely free", posted on 28 March 2015, <https://www.youtube.com/watch?v=JzjLLyzowgg> (accessed on 9 May 2016).

inhabitants are predominantly Shi'a Muslims and have continued to be ruled by the Syrian state rather than by the mainly Sunni Muslim armed groups controlling the surrounding area, Idlib governorate had fallen under the control of the Army of Conquest and remains in this situation to the present day.⁷

Civilians in Aleppo governorate, located east of Idlib, also endured indiscriminate attacks, including air strikes and artillery and mortar bombardments, after intensive clashes between Syrian government forces and armed groups broke out in February 2012.⁸ By July 2012, the northern part of Aleppo governorate, including the Bab al-Salam border crossing with Turkey, had fallen under the control of armed groups.⁹ Two months later, 12 armed groups united under the Revolutionary Military Council of Aleppo to co-ordinate their attacks against Syrian government forces.¹⁰ By late 2012, the Council had seized control of the western part of Aleppo governorate, as well as eastern and northern parts of Aleppo city, further isolating the Syrian government-held western part of the city.¹¹ Between 2013 and 2015, several offensives were mounted at different times by Syrian government forces, on the one hand, and armed groups, on the other, but overall the situation remained a stalemate. On 26 April 2015, seven armed groups formed the Aleppo Conquest coalition, replacing the Revolutionary Military Council of Aleppo, ostensibly to push Syrian government forces out of Aleppo city. In February 2016, Syrian government forces backed by Russian air strikes were able to advance and seize control of towns in the northern part of Aleppo governorate and break the siege imposed since 2012 on the two state-held towns of Nubul and Zahra, where, like in al-Fouaa and Kefraya, the inhabitants are predominantly Shi'a Muslims.¹² As a result, Syrian government forces threatened rebel-held parts of Aleppo city with encirclement, but to date they have not cut off the main supply route from Turkey to Aleppo city. Despite these advances, parts of Aleppo governorate remains under the control of the Aleppo Conquest coalition.

ALEPPO CONQUEST

The Aleppo Conquest¹³ coalition is comprised of some 31 armed groups that co-ordinate attacks against Syrian government forces, the IS armed group and the YPG in Aleppo governorate.¹⁴ This briefing focuses on three armed groups within the coalition:

Al-Shamia Front

The al-Shamia Front was created on 25 December 2014 by the al-Tawhid Brigade. It was formed to co-ordinate military operations against the Syrian government and IS with other armed groups based in Aleppo, such as the Nour al-Dine Zinki Movement (see below), and to centralize the storage of weapons in Aleppo governorate.¹⁵ Currently, the al-Shamia Front is led by Hussam Yassine.¹⁶ The al-Shamia Front governs parts of Aleppo city and other areas of the governorate and manages the Bab al-Salam border crossing with Turkey.

Nour al-Dine Zinki Movement

The Nour al-Dine Zinki Movement, initially called the Nour al-Dine Zinki Islamic Movement, was formed by Toufic Shehab al-Dine, a Syrian national, in late 2011 in Aleppo.¹⁷ Toufic Shehab al-Dine, who remains the leader, asserted the group's independence from the National Coalition for Syrian Revolutionary and Opposition Forces and its military wing, the Free Syrian Army.¹⁸ The Nour al-Dine Zinki Movement governs parts of Aleppo city and al-Qassemiya village in the western part of Aleppo governorate.

Division 16

Division 16, established in September 2013, consists of three formerly separate armed groups: the Bader Martyrs Battalion, the Revolutionary Lions Brigade and the al-Mustafa Martyrs Battalion.¹⁹ Division 16

⁷ Al Arabiya, "Idlib almost under the full control of the Syrian opposition", 28 July 2015, <http://bit.ly/1RsGRxM> (accessed on 10 May 2016); Thomas Joscelyn, "Syrian regime airbase in Idlib falls to al-Nusra front, allies", 9 September 2015, *The Long War Journal*, <http://www.longwarjournal.org/archives/2015/09/syrian-regime-airbase-in-idlib-falls-to-al-nusra-front-allies.php> (accessed on 9 May 2016).

¹³ Also known as Fatah Halab.

¹⁴ Abu Adam al-Halabi, "New groups join the Fatah Halab operation room", 14 May 2015, Siraj Press, <http://bit.ly/1WliQAK> (accessed on 10 May 2016).

¹⁵ Ahmad alhalapy, "Statement announcement the creation of al-Shamia Front", posted on 25 December 2014, <https://www.youtube.com/watch?v=9LXKK77JF74&feature=youtu.be> (accessed on 11 May 2016); Jennifer Cafarella and Genevieve Casagrande, *Syrian armed opposition powerbrokers*, March 2016, Institute for the Study of War, http://www.understandingwar.org/sites/default/files/Syrian%20Armed%20Opposition%20Powerbrokers_0.pdf (accessed on 11 May 2016);

controls the neighbourhoods of al-Ashrafieh, Sakan al-Shababi, al-Khalidiye, Beni Zeid and Castello Road in Aleppo city. Currently, Division 16 is led by Colonel Hassan Rajoub.²⁰

ARMY OF CONQUEST

The Army of Conquest²¹ coalition is formed of at least six armed groups that co-ordinate attacks against Syrian government forces and IS in Idleb governorate.²² This briefing focuses on two of the main groups:

Jabhat al-Nusra

Jabhat al-Nusra was created in early 2012 by the former leader of al-Qa'ida in Iraq, Abu Bakr al-Baghdadi, who is currently the leader of IS. Abu Mohammad al-Julani, a Syrian national, has been the leader of Jabhat al-Nusra in Syria since his appointment by Abu Bakr al-Baghdadi in early 2012.²³ In June 2013, al-Qa'ida's head, Ayman al-Zawahiri, announced that Jabhat al-Nusra was a branch of al-Qa'ida in Syria and denounced the formation of the group that called itself the Islamic State of Iraq and al-Sham (ISIS) and later renamed itself IS.²⁴ The first attack for which Jabhat al-Nusra claimed responsibility was on 6 January 2012 when a suicide bomber attacked an area of the Syrian capital, Damascus, killing 26 people.²⁵ The armed group is predominantly comprised of Syrian nationals, unlike IS.²⁶ Jabhat al-Nusra has participated in battles against the Syrian government, rival armed groups opposing the Syrian government and the YPG in the governorates of Idleb, Aleppo, Homs and Damascus Countryside. It has a significant presence through Idleb governorate.

Ahrar al-Sham Islamic Movement

The Ahrar al-Sham Islamic Movement is a coalition of four formerly separate armed groups, namely the Ahrar al-Sham Brigades, the al-Fajer Islamic Movement, the Islamic Vanguard and the al-Ayman Brigades,

Aref Haj Youssef, "Map of the armed groups in Aleppo", 6 March 2015, *al-Jumhuriya*, <http://aljumhuriya.net/33255> (accessed on 11 May 2016).

¹¹ Jeffrey Bolling, "Rebel groups in northern Aleppo province", 29 August 2012, Institute for the Study of War, http://www.understandingwar.org/sites/default/files/Backgrounder_RebelGroupsNorthernAleppo.pdf (accessed on 10 May 2016); Barbara Surk, "Islamist fighters take army base as rebel forces make gains in Aleppo", 16 December 2012, *The Independent*, <http://www.independent.co.uk/news/world/middle-east/islamist-fighters-take-army-base-as-rebel-forces-make-gains-in-aleppo-8421110.html> (accessed on 9 May 2016).

¹² Amnesty International, "Syrian and Russian forces targeting hospitals as a strategy of war", 3 March 2016, available at <https://www.amnesty.org/en/press-releases/2016/03/syrian-and-russian-forces-targeting-hospitals-as-a-strategy-of-war/>.

¹³ Also known as Fatah Halab.

¹⁴ Abu Adam al-Halabi, "New groups join the Fatah Halab operation room", 14 May 2015, Siraj Press, <http://bit.ly/1WliQAK> (accessed on 10 May 2016).

¹⁵ Ahmad alhalapy, "Statement announcement the creation of al-Shamia Front", posted on 25 December 2014, <https://www.youtube.com/watch?v=9LXKK77JF74&feature=youtu.be> (accessed on 11 May 2016); Jennifer Cafarella and Genevieve Casagrande, *Syrian armed opposition powerbrokers*, March 2016, Institute for the Study of War, http://www.understandingwar.org/sites/default/files/Syrian%20Armed%20Opposition%20Powerbrokers_0.pdf (accessed on 11 May 2016); Aref Haj Youssef, "Map of the armed groups in Aleppo", 6 March 2015, *al-Jumhuriya*, <http://aljumhuriya.net/33255> (accessed on 11 May 2016).

¹⁶ ARA News, "The al-Shamia Front appoints a new leader before the Aleppo battle", 19 April 2016, <http://bit.ly/2920Fya> (accessed on 29 June 2016).

¹⁷ El Dorar El Shamia, "Shehab el-Dine returns as Nour al-Dine Zinki's new leader", 16 April 2016, <http://eldorar.com/node/97028> (accessed on 11 May 2016).

¹⁸ Nour al-Dine Zinki Battalion, "Interview with Toufic Shehab el-Dine on Al Jazeera channel", posted on 14 March 2014, <https://www.youtube.com/watch?v=eeOY8z1YFiY> (accessed on 11 May 2016).

¹⁹ Aref Haj Youssef, "Map of the armed groups in Aleppo", 6 March 2015, *al-Jumhuriya*, <http://aljumhuriya.net/33255> (accessed on 11 May 2016).

²⁰ Al-Modon, "The leaders of the Free Syrian Army to al-Modon: we will retake the land in northern Aleppo", 16 February 2016, <http://bit.ly/299Lwug> (accessed on 20 May 2016).

²¹ Also known as Jaysh al-Fateh.

²² Arabi 21, "Army of Conquest returns again and al-Turkistani Party joins it", 2 May 2016, <http://bit.ly/1XUuaP2> (accessed on 11 May 2016); Zaiton, "With the exception of Jund al-Aqsa... new formation in the Army of Conquest", 2 May 2016, <http://www.zaitonmag.com/?p=13096> (accessed on 10 May 2016).

²³ Par Kadi, "Announcing the creation of Jabhat al-Nusra in the Levant", posted on 24 January 2012, <http://bit.ly/27Tu6lk> (accessed on 11 May 2016).

²⁴ Agence France Presse (AFP), "Zawahiri disbands main Qa'ida faction in Syria", 8 November 2013, *Global Post*, <http://www.globalpost.com/dispatch/news/afp/131108/zawahiri-disbands-main-qaeda-faction-syria-0> (accessed on 10 May 2016).

²⁵ Ruth Sherlock, "Inside Jabhat al-Nusra-the most extreme wing of Syria's struggle", 2 December 2012, *The Telegraph*, <http://www.telegraph.co.uk/news/worldnews/middleeast/syria/9716545/Inside-Jabhat-al-Nusra-the-most-extreme-wing-of-Syrias-struggle.html> (accessed on 11 May 2016).

²⁶ Aron Lund, "Who are the soldiers of the Islamic State?", 24 October 2014, Carnegie Endowment for International Peace, <http://carnegieendowment.org/syriaincrisis/?fa=57021> (accessed on 11 May 2016); the National Counterterrorism Centre, "Jabhat al-Nusra", 2016, https://www.nctc.gov/site/groups/al_nusrah_front.html (accessed on 11 May 2016).

founded in early 2013. Hassan Aboud commanded the movement until his assassination in 2014.²⁷ The Ahrar al-Sham Islamic Movement is present in Idlib, Aleppo, Damascus and Hama and is part of several military operation rooms across the country involved in fighting the Syrian government and IS. It is currently led by Abou Yahia al-Hamawi, a Syrian national.²⁸

In mid-2013, the United States of America (USA) announced that it would begin providing military support to armed groups fighting the Syrian government and the IS armed group.²⁹ In early 2014, according to several articles published by think tanks and the media, the USA and allies, in particular France, Qatar, Saudi Arabia, Turkey, the United Arab Emirates and the United Kingdom established a co-ordination body known as the northern operation command (commonly referred to by its Turkish acronym, MOM).³⁰ The MOM appears to be primarily responsible for vetting armed groups and co-ordinating the supply of lethal and non-lethal equipment, such as ammunition and fighters' salaries.³¹

According to media reports and two sources close to the coalition's command, at least seven of the around 31 armed groups that comprise Aleppo Conquest have received lethal and non-lethal support from the MOM, including the al-Shamia Front and Division 16.³² The Nour al-Dine Zinki Movement also apparently received military and financial support from the MOM,³³ but stopped being funded by it in September 2015 after it joined forces with the Aleppo City Battalion and the al-Zaher Bibers Movement, which was accused of kidnapping two Italian humanitarian workers.³⁴ The Nour al-Dine Zinki Movement is reported to have received financial and military support from Turkey, Qatar and other Gulf states thanks to the fact that it has fought the Syrian government alongside the Ansar Battalions and the al-Mujahidin Army since 2014.³⁵

According to media reports, Qatar, Saudi Arabia and Turkey have provided military and financial support to the armed groups in the Army of Conquest coalition.³⁶

On 22 February 2014, the UN Security Council adopted Resolution 2139, which demanded all parties to the conflict to: end attacks on civilians and indiscriminate use of weapons in populated areas; end arbitrary

²⁷ Stanford University, *Mapping militant organizations: Ahrar al-Sham*, November 2014, available at <http://web.stanford.edu/group/mappingmilitants/cgi-bin/groups/view/523> (accessed on 11 May 2016).

²⁸ Aron Lund, "Abu Yahia al-Hamawi, Ahrar al-Sham's new leader", 12 September 2015, Syria Comment, <http://www.joshualandis.com/blog/abu-yahia-al-hamawi-ahrar-al-shams-new-leader/> (accessed on 11 May 2016).

²⁹ Paul Lewis, "Syrian rebels to start receiving US weapons amid anxiety from Congress", 23 July 2013, *The Guardian*, <http://www.theguardian.com/world/2013/jul/23/syria-rebels-us-arms-shipments-congress> (accessed on 10 May 2016).

³⁰ David Ignatius, "Foreign nations' proxy war in Syria creates chaos", 2 October 2014, *The Washington Post*, https://www.washingtonpost.com/opinions/david-ignatius-foreign-nations-proxy-war-creates-syrian-chaos/2014/10/02/061fb50c-4a7a-11e4-a046-120a8a855cca_story.html (accessed on 9 May 2016); Adam Entous, "Covert CIA mission to arm Syrian rebels goes awry", 26 January 2015, *The Wall Street Journal*, <http://www.wsj.com/articles/covert-cia-mission-to-arm-syrian-rebels-goes-awry-1422329582> (accessed on 10 May 2016); International Crisis Group, *New Approach in Southern Syria*, September 2015, available at <http://www.crisisgroup.org/~media/Files/Middle%20East%20North%20Africa/Iraq%20Syria%20Lebanon/Syria/163-new-approach-in-southern-syria.pdf> (accessed on 10 May 2016); Charles Lister, "Why Assad is losing", 5 May 2015, Brookings, <http://www.brookings.edu/research/opinions/2015/05/05-assad-losing-syria-lister?cid=00900015020149101US0001-0507> (accessed on 10 May 2016).

³¹ Adam Entous, "Covert CIA mission to arm Syrian rebels goes awry", 26 January 2015, *The Wall Street Journal*, <http://www.wsj.com/articles/covert-cia-mission-to-arm-syrian-rebels-goes-awry-1422329582> (accessed on 10 May 2016).

³² Kyle Orton, "Whose side is America on in Aleppo?", 6 May 2016, <https://kyleorton1991.wordpress.com/2016/05/06/whose-side-is-america-on-in-aleppo/#more-2533> (accessed on 10 May 2016); Aref Haj Youssef, "Map of the armed groups in Aleppo", 6 March 2015, *al-Jumhuriya*, <http://aljumhuriya.net/33255> (accessed on 11 May 2016); Manhal Barish, "Amnesty International, *We had nowhere to go: Forced displacement and demolition in northern Syria*", 30 January 2016, *al-Quds al-Arabi*, <http://www.alquds.co.uk/?p=474194> (accessed on 11 May 2016).

³³ Aref Haj Youssef, "Map of the armed groups in Aleppo", 6 March 2015, *al-Jumhuriya*, <http://aljumhuriya.net/33255> (accessed on 11 May 2016).

³⁴ Nour al-Dine Zinki Movement, "Statement announcing the merging of Nour al-Dine Zinki Movement with Aleppo City Battalion and al-Zaher Bibers Movement", posted on 16 September 2015, <https://www.youtube.com/watch?v=rlxKZMuP4g> (accessed on 10 May 2016); Manhal Barish, "Thuwar al-Sham Brigades and al-Shamia Front create the biggest force in Aleppo with 7,000 fighters", 30 January 2016, *al-Quds al-Arabi*, <http://www.alquds.co.uk/?p=474194> (accessed on 11 May 2016).

³⁵ Aref Haj Youssef, "Map of the armed groups in Aleppo", 6 March 2015, *al-Jumhuriya*, <http://aljumhuriya.net/33255> (accessed on 11 May 2016); Aron Lund, "The Mujahideen Army of Aleppo", 8 April 2014, Carnegie Endowment for Peace, <http://carnegieendowment.org/syriaincrisis/?fa=55275> (accessed on 11 May 2016).

³⁶ Kim Sengupta, "Turkey and Saudi Arabia alarm the West by backing Islamist extremists the Americans had bombed in Syria", 12 May 2015, *The Independent*, <http://www.independent.co.uk/news/world/middle-east/syria-crisis-turkey-and-saudi-arabia-shock-western-countries-by-supporting-anti-assad-jihadists-10242747.html> (accessed on 10 May 2016); Gareth Porter, "Gulf allies and 'Army of Conquest'", 28 May 2015, *al-Ahram Weekly*, <http://weekly.ahram.org.eg/News/12392/21/Gulf-allies-and-%E2%80%98Army-of-Conquest%E2%80%99.aspx> (accessed on 10 May 2016); Gareth Porter, "Obama's failure on Saudi-Qatari aid to al-Qaeda affiliate", 23 May 2015, Middle East Eye, <http://www.middleeasteye.net/columns/obama-s-fail-saudi-qatari-aid-al-qaeda-affiliate-1176814251> (accessed on 10 May 2016).

detention, abductions, enforced disappearance, torture and other ill-treatment; and lift sieges on populated areas and allow rapid, safe and unhindered humanitarian access.³⁷ The resolution also reminded all parties to the conflict of their obligation under international humanitarian law to ensure the protection of civilians not participating in hostilities. However, the UN Security Council did not specify any sanctions for non-compliance. The demands were reiterated in UN Security Resolution 2254, adopted on 18 December 2015, which also tasked the UN with facilitating negotiations between the Syrian government and the opposition.³⁸ However, violations of international humanitarian law and human rights abuses continued unabated in the absence of enforcement mechanisms in the Security Council resolutions. In February 2016, the Special Envoy of the UN Secretary-General for Syria, Staffan de Mistura, facilitated talks in Geneva between the Syrian government and representatives of the opposition. At least 35 armed groups from Syria, including some of the groups operating under the Aleppo Conquest such as Division 16, recognized Resolution 2254 as a roadmap for a peace process in Syria and declared that they supported the peace talks in Geneva.³⁹ The Ahrar al-Sham Islamic Movement and other armed groups sent representatives to Geneva to participate in the talks. The peace talks have so far focused mainly on ceasefire agreements and have not dealt with the issues of abduction, detention, torture and summary killings. Since April 2016, the peace talks have been on hold.

As well as the concerns detailed in this briefing, Amnesty International has documented other serious violations of international humanitarian law in Aleppo by armed groups that are part of the Aleppo Conquest coalition. These include attacks between February and April 2016 in which indiscriminate shelling and the use of improvised explosive weapons killed or injured approximately 800 civilians living in Sheikh Maqsood, a residential neighbourhood held by the People's Protection Units (known by their Kurdish acronym, YPG), the military wing of the Autonomous Administration of the predominantly Kurdish region of northern Syria.⁴⁰ Amnesty International welcomed Aleppo Conquest's statement of May 2016 affirming the armed groups' commitment to respect international humanitarian law and announcing that it would investigate the attacks, but it is not aware of what steps have been taken since.⁴¹

1.2 VIOLATIONS BY OTHER ACTORS

Over the last five years, Amnesty International and other human rights organizations have extensively documented grave violations of international humanitarian law and international human rights law including war crimes and crimes against humanity, committed by Syrian government forces in many areas of Syria, including Aleppo and Idlib. These violations have included indiscriminate aerial and ground shelling using high explosive unguided weapons such as barrel bombs; mass arbitrary detentions and enforced disappearances; systematic torture and other ill-treatment; extrajudicial executions; and prolonged sieges of civilian areas.⁴² Thousands are believed to have died in custody.⁴³

³⁷ UN Security Council, Resolution 2139, 22 February 2014, <http://www.un.org/press/en/2014/sc11292.doc.htm> (accessed on 15 May 2016).

³⁸ UN Security Council, Resolution 2254, 18 December 2015, http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_res_2254.pdf (accessed on 12 May 2016).

³⁹ Aksalser, "Statement by the biggest armed groups in Syria about 'attending Geneva'", 1 February 2016, <http://bit.ly/22HabbS> (accessed on 11 May 2016).

⁴⁰ Amnesty International, "Syria: Armed opposition groups committing war crimes in Aleppo city", 13 May 2016, available at <https://www.amnesty.org/en/latest/news/2016/05/syria-armed-opposition-groups-committing-war-crimes-in-aleppo-city/>

⁴¹ See Twitter post: <https://twitter.com/arabthomness/status/731864492527767552>

⁴² See Amnesty International, *Death everywhere: War crimes and human rights abuses in Aleppo, Syria* (Index: MDE 24/1370/2015), May 2015, available at <https://www.amnesty.org/en/documents/mde24/1370/2015/en/>; Amnesty International, "Syrian and Russian forces targeting hospitals as a strategy of war", 3 March 2016, available at <https://www.amnesty.org/en/press-releases/2016/03/syrian-and-russian-forces-targeting-hospitals-as-a-strategy-of-war/>; Amnesty International, *Between prison and the grave: Enforced disappearances in Syria* (Index: MDE 24/2579/2015), November 2015, available at <https://www.amnesty.org/en/documents/mde24/2579/2015/en/>; Amnesty International, "In Madaya you see walking skeletons: Harrowing accounts of life under siege in Syria", 8 January 2014, available at <https://www.amnesty.org/en/press-releases/2016/01/harrowing-accounts-of-life-under-siege-in-syria/>; Human Rights Watch, *Death from the Skies: Deliberate and Indiscriminate air strikes on civilians*, April 2013, available at <https://www.hrw.org/report/2013/04/10/death-skies/deliberate-and-indiscriminate-air-strikes-civilians>; Human Rights Watch, *Torture Archipelago: Arbitrary arrests, torture, and enforced disappearances in Syria's underground prisons since March 2011*, July 2012, available at <https://www.hrw.org/report/2012/07/03/torture-archipelago/arbitrary-arrests-torture-and-enforced-disappearances-syrias>; Independent International Commission of Inquiry on the Syrian Arab Republic, *Out of sight, out of mind: Deaths in detention in the Syrian Arab Republic*, February 2016, available at http://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/A-HRC-31-CRP1_en.pdf

⁴³ See Human Rights Watch, *If the dead could speak: Mass deaths and torture in Syria's detention facilities*, December 2015, available at <https://www.hrw.org/report/2015/12/16/if-dead-could-speak/mass-deaths-and-torture-syrias-detention-facilities>

Among a number of unlawful attacks in Syria that were conducted by Russia's armed forces and documented by Amnesty International, several took place in Aleppo and Idlib governorates between 30 September and 29 November 2015, killing and injuring scores of civilians. These were attacks on residential areas including with the use of unlawful weaponry, such as cluster munitions and unguided weapons, and in the vicinity of hospitals. Amnesty International concluded that these attacks were grave violations of international humanitarian law, possibly constituting war crimes.⁴⁴ In January 2016, the Russian government rejected the findings of Amnesty International but failed to address evidence that they had violated the laws of war.⁴⁵

Amnesty International and other international human rights organizations, along with the Commission of Inquiry on Syria, have all documented grave human rights abuses committed by the armed group that calls itself the Islamic State (IS).⁴⁶ With regards to Aleppo and Idlib, the Commission of Inquiry has issued several reports concluding that IS fighters have committed war crimes and crimes against humanity including abductions, torture and summary killings of civilians and captured fighters.⁴⁷ In December 2013, Amnesty International issued a report that documented grave violations by IS in northern Syria, including abductions, arbitrary detention, torture and other ill-treatment, and unlawful killings, some of which amount to war crimes.⁴⁸

In October 2015, Amnesty International published its findings that the Autonomous Administration of the predominantly Kurdish region of northern Syria, in particular its police and military wing, the YPG, had committed serious violations of international humanitarian law, including war crimes, by deliberately destroying civilian homes and forcibly displacing civilians.⁴⁹ Earlier in the year, it had documented that the Autonomous Administration was arbitrarily detaining peaceful critics and civilians believed to be sympathizers or members of IS people for periods of up to a year without charge or trial and denying them basic fair trial rights.⁵⁰

⁴⁴ See Amnesty International, 'Civilian objects were not damaged': Russia's statement on its attacks in Syria unmasked, Syria (Index: MDE 24/3113/2015), December 2015, available at <https://www.amnesty.org/en/documents/mde24/3113/2015/en/>.

⁴⁵ See Amnesty International, "'Clichés and Fakes': Russia's response to concerns about its attacks in Syria fail to convince", 29 January 2016, available at <https://www.amnesty.org/en/documents/mde24/3296/2016/en/>.

⁴⁶ See Office of the UN High Commissioner for Human Rights, "UN Commission of Inquiry: Syria victims reveal ISIS's calculated use of brutality and indoctrination", 14 November 2014, available at <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15295&LangID=E>; Amnesty International, *Rule of fear: ISIS abuses in detention in northern Syria* (Index: MDE 24/063/2013), December 2013, available at <https://www.amnesty.org/en/documents/MDE24/063/2013/en/>.

⁴⁷ See Office of the UN High Commissioner for Human Rights, "UN Commission of Inquiry: Syria victims reveal ISIS's calculated use of brutality and indoctrination", 14 November 2014, available at <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15295&LangID=E>; Independent International Commission of Inquiry on the Syrian Arab Republic, *Oral update of the independent international commission of inquiry on Syria*, March 2014, available at <http://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/OralUpdate18March2014.pdf>; Independent International Commission of Inquiry on the Syrian Arab Republic, *Out of sight, out of mind: Deaths in detention in the Syrian Arab Republic*, February 2016, available at http://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/A-HRC-31-CRP1_en.pdf.

⁴⁸ See Amnesty International, *Rule of fear: ISIS abuses in detention in northern Syria* (Index: MDE 24/063/2013), December 2013, available at <https://www.amnesty.org/en/documents/MDE24/063/2013/en/>.

⁴⁹ See Amnesty International, *We had nowhere to go: Forced displacement and demolition in northern Syria* (Index: MDE 24/2503/2015), October 2015, available at <https://www.amnesty.org/en/documents/mde24/2503/2015/en/>.

⁵⁰ See Amnesty International, "Syria: Arbitrary detentions and blatantly unfair trials mar PYD fight against terrorism", 7 September 2015, available at <https://www.amnesty.org/en/latest/news/2015/09/syria-abuses-mar-pyd-fight-against-terrorism/>.

2. ABDUCTIONS

In the absence of local government authority, non-state armed groups became the effective rulers in the neighbourhoods, towns and cities which they took over in Aleppo and Idlib governorates. They seized government buildings such as municipality offices and courthouses and abolished laws previously applied by the Syrian government. With the stated aim of preventing social disorder, the armed groups established between 2014 and 2015 administrative institutions and created makeshift “justice systems” composed of “courts”, prosecution offices, police forces and detention centres. They applied their own interpretations of Shari’a (Islamic law) to govern all aspects of public and private life and appointed judges, many of whom had no practical experience of applying Shari’a. In Idlib, some groups, such as Jabhat al-Nusra and the Ahrar al-Sham Islamic Movement, imposed a strict interpretation of Shari’a and imposed punitive measures on perceived infractions.

One of the reasons given by the armed groups for establishing “courts” in Aleppo and Idlib was to prevent the arbitrary detention of civilians who had not committed any offence. The cases documented by Amnesty International indicate, however, that armed groups have carried out abductions and deprived persons of their liberty without any legal basis – even under the quasi-judicial system under which they are operating.

This chapter and the following one cover 24 cases of civilians abducted by armed groups in Aleppo and Idlib governorates between 2012 and 2016. This chapter covers 19 cases, while the following one covers five cases in which there are allegations that the armed groups tortured the persons abducted. The armed groups accused of committing these abductions are Jabhat al-Nusra and the Ahrar al-Sham Islamic Movement of the Army of Conquest coalition and the al-Shamia Front, the Nour al-Dine Zinki Movement and Division 16 of the Aleppo Conquest coalition. Those abducted include 11 human rights activists who appear to have been targeted for criticizing the conduct of these armed groups; members of minorities abducted solely on account of their religion or ethnicity; and individuals, including children and a humanitarian worker, accused of sympathizing with, or providing information to, the Syrian government and IS. The victims include one woman, 19 men and three boys. In most cases, according to Amnesty International’s information, individuals abducted were detained in makeshift places of detention such as former factories, residential houses and farms. As of 28 June 2016, 10 of the 24 abducted civilians whose cases were documented by Amnesty International were missing, while the other 11 had been released.

Amnesty International is also aware of cases of individuals who received a threat of abduction by armed groups that was not carried out. It interviewed three journalists and media activists and two lawyers who said they were threatened with abduction by armed groups because of their work.

2.1 JOURNALISTS AND MEDIA ACTIVISTS

According to the Syrian Network for Human Rights, a local monitoring group, 367 journalists and media activists were abducted by armed groups in Aleppo and Idlib governorates between early 2012 and June 2016. However, the true scale of abductions may be higher than the number of cases reported to local monitors and Amnesty International due to fear of reprisals against victims and their families.

Amnesty International has interviewed six journalists and media activists who reported that they had been abducted, detained and later released by an armed group in Aleppo or Idlib in the period between 2014 and 2016. Five of them said they had been held by Jabhat al-Nusra, and one said he had been detained at different times by the Nour al-Dine Zinki Movement and the al-Shamia Front. They considered that they had been abducted and detained solely for expressing their opinion through social media and local newspapers, in particular for criticizing the rule of the armed group in question and reporting on issues that are deemed politically or socially unacceptable. Many seemed to have been released after public pressure on the armed group. Three of those held by Jabhat al-Nusra said they had been tortured (their cases are covered in the following chapter). Amnesty International also interviewed a close relative of one media activist who, they said, was abducted by the Ahrar al-Sham Islamic Movement in March 2016 and remains in its custody. Another seven journalists and media activists told Amnesty International that they had been threatened with abduction by an armed group between 2014 and 2016.

ABDUCTIONS TO REPRESS FREEDOM OF EXPRESSION

According to the Syrian Center for Journalistic Freedoms (SYJA), on 7 March 2016, “the executive force of the Army of Conquest” abducted five media activists and destroyed their cameras and equipment during a peaceful demonstration in Idlib city protesting against Syrian government abuses and calling on armed groups to unite.⁵¹ According to media reports, the activists were arrested by Jabhat al-Nusra for carrying the flag of the National Coalition for Syrian Revolutionary and Opposition Forces and chanting revolutionary songs.

“Saed”⁵², one of the protesters, told Amnesty International:

“The Syrian government’s air strikes on Idlib prevented us from protesting. We saw the ceasefire agreement [implemented on 27 February 2016] as an opportunity to protest. We were happy to chant revolutionary songs again but little did we know that Jabhat al-Nusra would crack down on protesters. The protest lasted for an hour before Jabhat al-Nusra fighters violently dispersed protesters, ripped the revolutionary flags apart and arrested the five activists. We did not know their whereabouts for more than 24 hours.”⁵³

“Mustafa”⁵⁴, one of the five activists who was abducted by Jabhat al-Nusra during the protest, told Amnesty International: “We were blindfolded and taken to a house. They locked us in a room together and we were not allowed to speak to our relatives. They did not take us to see a judge and the reason behind our abduction was unclear.” “Mustafa” and his friends believed that they were released two days later due to public pressure.⁵⁵

On 10 January 2016, Jabhat al-Nusra raided the premises of Radio Fresh⁵⁶, a radio station in Kafranbel, a town in the northern part of Idlib governorate, and abducted two of its broadcasters and confiscated and destroyed some of the equipment there.⁵⁷ Two witnesses told Amnesty International that Jabhat al-Nusra raided the radio station for playing music which it deemed to be socially unacceptable and offensive to Islam. The witnesses added that it was the second time that the station had been attacked by Jabhat al-Nusra.

“Imad”⁵⁸, one of the witnesses to the attack, told Amnesty International:

“Several Jabhat al-Nusra fighters raided the office at 7am. I saw their cars with the logo stamped on the doors. They confiscated and destroyed some of the equipment and began shouting that we were playing inappropriate music on the radio. The music we played was either revolutionary songs or Fairuz [a popular Lebanese singer]. They arrested two staff members... and their whereabouts were unknown for two days. They were released after

⁵¹ The Syrian Center for Journalistic Freedoms, “Statement about the attacks on press detentions and the detention of journalists in Idlib”, 8 March 2016, <http://bit.ly/1WsKbB7> (accessed on 13 May 2016).

⁵² Real name withheld.

⁵³ Phone interview, 25 April 2016.

⁵⁴ Real name withheld.

⁵⁵ Phone interview, 25 April 2016.

⁵⁶ See Radio Fresh Facebook page: <https://www.facebook.com/Radio.Fresh.90.00FM/?fref=photo>

⁵⁷ Radio Nasaem Syria, “Fighters belonging to Jabhat al-Nusra raid Radio Fresh and ‘Mazaya women’s centre’ and the media centre in Kafranbel and humiliate and beat activists”, 18 January 2015, <http://www.nasaem-syria.fm/modules/pageitems/localpage.aspx?ProdId=299> (accessed on 13 May 2016); Assafir, “al-Nusra arrests two media activists in Idlib”, 10 January 2016, <http://assafir.com/Windows/PrintArticle.aspx?ChannelID=5&ArticleID=465943&ref=ArticleFooter> (accessed on 13 May 2016).

⁵⁸ Real name withheld.

‘confessing’ wrongdoing. We continued playing the music but much less than before. We are more careful in our work.”⁵⁹

Fayez Daghim, a media activist, was abducted by the Ahrar al-Sham Islamic Movement in Ma’rat al-Nu’man, a town in the northern part of Idlib governorate, on 22 March 2016. A close relative told Amnesty International that he was abducted for criticizing armed groups in Idlib on Facebook and is still held by the Ahrar al-Sham Islamic Movement at the Bab al-Hawa border crossing. He told Amnesty International:

“In the past few months Fayez became highly critical of the armed groups, in particular the Army of Conquest. He accused the armed groups of corruption in their humanitarian work. At the beginning we did not know who took him but then we found out from a person who was recently released from Bab al-Hawa detention centre that Fayez was being held there. The Ahrar al-Sham Islamic Movement did not allow the family to see him and refused to disclose the reason for his arrest.”⁶⁰

In Aleppo, activists told Amnesty International that armed groups they described as “moderate”, in that they do not apply a strict interpretation of Shari’a, tolerated a limited degree of freedom of expression as long as activists did not openly criticize their conduct. “Louay”⁶¹, a media activist who primarily reports on abuses by the Syrian government, told Amnesty International that the Nour al-Dine Zinki Movement and the al-Shamia Front had each abducted him once in 2015 for criticizing them. He recounted his experience to Amnesty International:

“I have been a media activist for the past four years. I have devoted my time to documenting abuses but I could not turn a blind eye to the unjust rule of some the armed groups [and issues] such as corruption. So I expressed my critical opinion on Facebook against two of them. As a result, I was kidnapped twice for a few days but held at different locations. I was not taken to their detention centres in the city but instead I was held in two houses. When I was held by the Nour al-Dine Zinki Movement, I could hear the sounds of men being tortured through the walls but I did not see them because I was blindfolded. Neither armed group let me call my family. I was released after public pressure and had to pledge to stop criticizing them. I did stop because I was afraid that the next time they took me I would not be released alive. I did not see a judge and there was no interrogation.”⁶²

THREATS AND CENSORSHIP

According to the Syrian Journalists Association, in January 2015, Jabhat al-Nusra and the Ahrar al-Sham Islamic Movement confiscated and burned issues of local newspapers that had denounced the attack on the French satirical weekly newspaper *Charlie Hebdo* in Paris on 7 January 2015.⁶³ The newspapers, which were printed in Turkey and distributed by the Syrian Network for Print Media in Syria, included *Enab Baladi*, *Souriatna*, and *Sada al-Sham*. Journalists at *Enab Baladi*, *Souriatna* and the Syrian Network for Print Media confirmed to Amnesty International that, since the 2015 incident, the Ahrar al-Sham Islamic Movement, the group that controls the Bab al-Hawa border crossing with Turkey, has restricted access to certain editions deemed insulting to Islam.

A journalist working at *Enab Baladi* explained the situation to Amnesty International:

“We face three problems: the Ahrar al-Sham Islamic Movement preventing the newspapers from entering Syria because they include information [deemed] insulting to Islam and the *mujahidin* [rebel fighters]; checkpoints controlled by other armed groups confiscating the newspapers even after [their entry] was cleared by Ahrar al-Sham; and attacks against our journalists and distributors. In 2015, we had to pull out dozens of our employees from Idlib and Aleppo because they were receiving threats of abductions and killings. In the last couple of months, the situation has become slightly better, but restrictions are still in place.”⁶⁴

Another journalist working at *Souriatna* told Amnesty International that their distributors and journalists had also been threatened with abduction at the end of 2015. He said: “We stopped distributing the newspaper in Idlib and Aleppo for eight months out of fear that our staff might be targeted. But now we have resumed

⁵⁹ Phone interview, 19 April 2016.

⁶⁰ Phone interview, 20 April 2016.

⁶¹ Real name withheld.

⁶² Phone interview, 18 May 2016.

⁶³ The Syrian Journalists Association, “Statement by the Journalists Association about the ban on the distribution of newspapers in the liberated areas... and denouncing the republication of harmful cartoons”, 20 January 2015, <http://bit.ly/25HDGsM> (accessed on 13 May 2016).

⁶⁴ Phone interview, 18 May 2016.

distribution after we decided not to publish any topics or pictures that might be deemed by some people to offend Islam or armed groups.”⁶⁵

Three activists interviewed by Amnesty International said that they had received verbal and written threats from Jabhat al-Nusra, the al-Shamia Front and the Nour al-Dine Zinki Movement for criticizing these armed groups on Facebook. In mid-2015, two media activists from Aleppo city were verbally threatened by members of the al-Shamia Front and the Nour al-Dine Zinki Movement for accusing both armed groups of corruption on Facebook.⁶⁶

“Issa”⁶⁷, a 24-year-old media activist, told Amnesty International:

“I have been working as a media activist since before the government lost control of Idlib. I was one of the people who celebrated the Syrian government’s defeat. Even before the Army of Conquest was formed, our lives were governed by Jabhat al-Nusra and other armed groups. They are in control of what we can and cannot say. You either agree with their social rules and policies or you disappear. In the past two years, I was threatened three times by Jabhat al-Nusra for criticizing their rule on Facebook. The threats were delivered by former friends who joined both groups. I took the threats seriously and stopped posting on Facebook anything that might put me at risk. A force preventing you from speaking is the same as someone trying to suffocate you with a pillow.”⁶⁸

2.2 LAWYERS, POLITICAL ACTIVISTS AND OTHERS

Lawyers, political activists and humanitarian workers, both men and women, have also faced reprisal attacks from armed groups on account of their activities, perceived religious beliefs and political opinions.

Amnesty International has conducted interviews with three lawyers, two political activists and one humanitarian worker who reported that they had been abducted, detained and later released by an armed group in Aleppo or Idlib in the period between 2014 and 2016. Two of them said they had been held by Jabhat al-Nusra, one by the Ahrar al-Sham Islamic Movement, one by the Nour al-Dine Zinki Movement and two by the al-Shamia Front. Two of those held by the armed groups, a political activist who alleged abduction by Jabhat al-Nusra and a humanitarian worker who alleged abduction by the Nour al-Dine Zinki Movement, said they had been tortured (their cases are covered in the following chapter). Amnesty International also interviewed the family of two Idlib residents who were abducted in early 2016 for violating Jabhat al-Nusra’s regulations, which, for instance, forbid residents from smoking, drinking and selling alcohol, and deserting their homes for a long period of time. As of 28 June 2016, all three individuals abducted were still missing. A fourth lawyer told Amnesty International that he had been threatened with abduction by an armed group in early 2016.

The four lawyers who were abducted or threatened with abduction appear to have been targeted for opposing torture in “courts” run by Jabhat al-Nusra and the al-Shamia Front in Aleppo and Idlib or more broadly criticizing their rule. Two of the lawyers, both from Aleppo city, told Amnesty International that in early 2016 they publicly criticized what they described as the incompetence of judges working at the “court” run by the al-Shamia Front. As a result, one was verbally threatened with “disappearance” and the other was abducted and detained for a few days by al-Shamia Front forces.⁶⁹ The latter was released after pledging not to interfere in or publicly speak about the affairs of the “court”.

The third lawyer with whom Amnesty International spoke said he was abducted in mid-2015 and held in a place of detention run by the al-Shamia Front in Aleppo city.⁷⁰ He declined to explain the reason behind the incident out of fear of reprisal attacks, but a former detainee held in the same place of detention had told Amnesty International that he had met the lawyer there and learnt that he was abducted for opposing the use of torture in places of detention run by the al-Shamia Front’s “court”.⁷¹

⁶⁵ Phone interview, 19 May 2016.

⁶⁶ Phone interview, 20 April 2016.

⁶⁷ Real name withheld.

⁶⁸ Phone interview, 24 May 2016.

⁶⁹ Phone interviews, 17 May 2016.

⁷⁰ Phone interview, 16 May 2016.

⁷¹ Phone interview, 15 May 2016.

The fourth lawyer interviewed by Amnesty International, who lived in Idleb governorate, was targeted for similar reasons. “Bassel”⁷² told Amnesty International that he was abducted in November 2015 from his home in Ma’rat al-Nu’mān for publicly criticizing the rule of Jabhat al-Nusra on Facebook. He said:

“Jabhat al-Nusra do not know what Shari’a is. They think it only means that women must wear the veil and men should abstain from drinking alcohol. I was happy to be free from the Syrian government’s unjust rule but now the situation is worse. I publicly criticized Jabhat al-Nusra on Facebook accusing them of committing worse human rights abuses than those perpetrated by the government. The next morning, Jabhat al-Nusra forces took me from my home. They were more than five men. They dragged me to the car and told me who they were. I was blindfolded for 30 minutes until I arrived at an abandoned house. I was held in a room for 10 days. It did not look like a proper detention centre. The interrogator told me I was not a lawyer because I do not know Shari’a, which is not true. He told me that I either had to give up my profession or my family would never see me again. At first, I refused. Ten days later I accepted their offer when I heard men screaming. I left Syria as soon as I was released.”⁷³

“Lina”⁷⁴, a political activist who was formerly held by the Syrian government, told Amnesty International that she was abducted on 15 April 2014 and held at the detention centre at the Bab al-Hawa border crossing run by the Ahrar al-Sham Islamic Movement for eight days. She described her experience:

“I had just been released from detention by the Syrian government and was on my way to Turkey when two of my friends and I were detained at the Bab al-Hawa border crossing. We were stopped at the crossing for not wearing a veil. The Ahrar al-Sham Islamic Movement forces took me to the interrogation room alone at night. The interrogator asked me about my activities during the revolution. He told me that I would not be released because he was suspicious of my affiliation with the Syrian government even though I told him I had just been released from detention by the Syrian government. They released my friends and kept me in detention. The guards treated me well but the interrogator was very rude to me. He sometimes woke me up at night to interrogate me about my personal life. They forced me to wear a veil and cover my face. They brought a religious man who made me kneel to confess my wrongdoings. The interrogator repeatedly threatened to conduct a virginity test. I was in the single cell alone until they brought in an Ismaili [Shi’a Muslim] girl from al-Salamia [a city in Hama governorate] who stayed with me for two hours. I was not allowed to talk to her. A day before my release they brought in a judge specialized in Shari’a who ordered my release on 23 April 2014 because there was no case against me. I was not allowed to shower the entire time I was held.”⁷⁵

Amnesty International interviewed a close relative of two men who were abducted by Jabhat al-Nusra in early 2016 after returning to their homes in Idleb governorate. “Hassna”⁷⁶ explained that her relatives had gone back to their homes to check on their belongings after they fled the fighting in mid-2014. She said:

“My relatives fled Idleb in mid-2014 because of the air strikes. They took their families to Turkey and lived in one of the camps. In early 2016, they decided to go back and check on their homes. They live next to each other. They called us when they arrived saying that their homes had not been destroyed. We tried calling them the next day but their phones were off. We called a neighbour who told us that Jabhat al-Nusra fighters had detained them during the night. I don’t know why they would do that. My relatives are both old men in their early 60s and they never had a problem with anyone in the area. My neighbour told me that Jabhat al-Nusra had been growing suspicious of people who return to their homes after spending more than a year away. Apparently, another neighbour of ours was also abducted after returning to his house. In May, we found out that they were referred to the House of Justice court in Selqine but we don’t know what happened afterwards. The wife of one of the men wanted to go and ask about them in court but she was afraid they might detain her as well.”⁷⁷

As of 28 June 2016, the two men remained missing.

⁷² Real name withheld.

⁷³ Phone interview, 20 April 2016.

⁷⁴ Real name withheld.

⁷⁵ Interview in Turkey, 14 December 2015.

⁷⁶ Real name withheld.

⁷⁷ Phone interview, 8 May 2016.

ARMED GROUP 'COURTS' IN ALEPPO AND IDLEB GOVERNORATES

In July 2015, the “courts” established by various armed groups in Aleppo city and the rest of the governorate were integrated under the umbrella of the Supreme Judicial Council.⁷⁸ According to lawyers interviewed by Amnesty International, several armed groups, including the Nour al-Dine Zinki Movement and Division 16, recognized the Supreme Judicial Council as the sole judicial power in Aleppo governorate. They added that the Council successfully prohibited armed groups from influencing the affairs of the “courts”. As of June 2016, the Supreme Judicial Council controlled the central “court” in al-Ansari neighbourhood in Aleppo city and its four branches in the rest of Aleppo governorate, specifically in the towns of Azaz, al-Qassemiya, Kafermaha and al-Atareb. The deputy director of the Supreme Judicial Council told Amnesty International that the Free Syrian Police is the authority responsible for executing arrest warrants issued by the public prosecutor’s office, which was established when the Council was created.⁷⁹ He added that the Council’s jurisdiction covers only cases not related to the conflict such as murder, robbery and property disputes.

The al-Shamia Front established its own “court” in Aleppo city in February 2015 and did not put it under the supervision of the Supreme Judicial Council; it also operates its own police force, which it refers to as its “security apparatus”. The “court” prosecutes cases involving members of the Syrian armed forces and of armed groups, on the one hand, and civilians, on the other. According to two members of the “court”, arrest warrants issued by the public prosecutor’s office are carried out by either the “security apparatus”, which is composed of members of the al-Shamia Front and has branches in Aleppo city and other parts of the governorate, or the Free Syrian Police.⁸⁰ Individuals detained outside of Aleppo city are transferred to the “court” in Aleppo city for prosecution.⁸¹

The Supreme Judicial Council runs a place of detention located near its central “court” and the al-Shamia Front’s “court” runs a separate one in its premises.

In 2014, Jabhat al-Nusra established a “court” known as the House of Justice in different towns in Idlib governorate, including Harem, Saraqeb and Selqine. In 2015, the Ahrar al-Sham Islamic Movement established a body known as Da’wa wa’l-Irshad (Call and Guidance) in Idlib governorate, which includes a “judicial authority”.⁸² The judicial authority runs religious courts applying Shari’a in Idlib city and the rest of the governorate, including at the Bab al-Hawa border crossing.

LEGISLATION

The “courts” run by the Supreme Judicial Council and the al-Shamia Front in Aleppo and the House of Justice in Idlib have been implementing the provisions and procedures of the Unified Arab Code, a set of Shari’a-based legal codes endorsed by the Arab League between 1988 and 1996 but never applied anywhere until the Syrian uprising. The Unified Arab Criminal Code sanctions the use of corporal punishments such as stoning, amputation and flogging for specific *hudud* crimes (crimes that have fixed penalties under Shari’a).⁸³ However, the Supreme Judicial Council and the al-Shamia Front’s “court” have agreed on the Islamic principle of not imposing *hudud* punishments during times of war. According to a lawyer who trained officials in the House of Justice “court”, Jabhat al-Nusra has appointed judges who do not have the qualifications to implement the Unified Arab Code, but they have nonetheless been executing *hudud* punishments. He added that, in some cases, sentences issued in the House of Justice have been based on the judge’s own radical interpretation of Shari’a and were inconsistent with the Unified Arab Criminal Code.

⁷⁸ Mohammad Adib, “Report about the Supreme Judicial Council, its structure, system and objectives”, posted on 31 July 2015, <https://www.youtube.com/watch?v=uXVgXI2LRtI> (accessed on 12 May 2016).

⁷⁹ Phone interview, 10 May 2016.

⁸⁰ Phone interview, 30 May 2016.

⁸¹ Phone interview, 30 May 2016.

⁸² Radio al-Kul, “Restructuring Ahrar al-Sham’s Shari’a office at and establishing a judicial authority for the movement”, 18 November 2015, <http://bit.ly/211cK70> (accessed on 12 May 2016).

⁸³ Wilayat Nowhere, “Document summary – ‘The Unified Arab Code - a Study and Assessment’ by the Islamic Sham Organization”, 5 December 2014, <https://wilayatnowhere.wordpress.com/2014/12/05/document-summary-the-unified-arab-code-a-study-and-assessment-by-the-islamic-sham-organization/> (accessed on 12 May 2016).

2.3 CHILDREN

According to the Special Representative of the Secretary-General for Children and Armed Conflict, abduction of children is reported to have increased in Syria since 2014, especially by IS.⁸⁴ While there is very little information concerning the abduction of children in areas controlled by armed groups in Aleppo and Idlib governorates, Amnesty International has managed to document testimonies alleging the abduction of two boys by the Ahrar al-Sham Islamic Movement in Aleppo and of one boy by Jabhat al-Nusra in Idlib between 2012 and 2015.

“Ahmad”⁸⁵, the father of a 14-year-old boy, described to Amnesty International how his son was abducted by the Ahrar al-Sham Islamic Movement on 14 December 2015 from a checkpoint at the Bab al-Hawa border crossing while he was on his way to visit his grandparents in the northern part of Idlib governorate. As of 28 June 2016, he remains missing. Ahmad said:

“We left Idlib in early 2014 because of the air strikes. We settled in one of the camps in Antakya in Turkey. There are no schools in the camp and we did not have money to pay for my son’s transportation to a school outside of the camp. My son was very bored and complained that he missed Syria so I allowed him to go back to see his grandparents, who live in the northern part of Idlib governorate. He was accompanied by two trusted friends of mine who live in the same camp in Antakya and were going to Idlib city. They left early in the morning. A few hours later, I received a phone call from one of my friends saying that the Ahrar al-Sham Islamic Movement had detained my son and my [other] friend at a checkpoint at Bab al-Hawa. I asked my friend to go to the Bab al-Hawa detention centre to find out what had happened but he was too afraid. I did not know what to do. I was scared to go to Bab al-Hawa. Forty days later, my other friend, who had been abducted with my son, was released. He told me that my son was held in a cell in solitary confinement and was suffering from hallucinations because he hadn’t been allowed to see the sun for a long time. Since then, I’ve had no information about him.”⁸⁶

Amnesty International also interviewed the man who was detained with Ahmad’s son. He said:

“They did not tell us why we were detained. They accused the child of fighting with IS but that is not true. He lives in Turkey and hadn’t been to Syria for a long time. I saw him a week before I was released when I accidentally walked by his cell. He was being held in a cell in solitary confinement. He was talking to himself, shouting and crying. The prison guard proudly told me that he was suffering from hallucinations because he hadn’t seen the sun or been exposed to fresh air since the moment of his detention. When I asked if he was going to be released, he [the guard] slapped me on the face and asked me to continue walking. I saw more than 10 unaccompanied boys detained at Bab al-Hawa. They were held in the same cells as older men.”⁸⁷

In another case documented by Amnesty International, in early July 2012, a 16-year-old boy was abducted, apparently by Saraya Abou Amara, an armed group which merged with the Ahrar al-Sham Islamic Movement at the end of 2012, from a town in the northern part of Aleppo governorate. A close relative told Amnesty International that the child was abducted from his friend’s house after school hours. He said:

“Members of Saraya Abou Amara called the child’s mother and told her that they had her son. They even beat the child as he was talking to her. Since then, we have received conflicting messages about his whereabouts. The armed group split and some members joined the al-Tawhid Brigade while others joined the Ahrar al-Sham Islamic Movement. We asked both groups but they said they didn’t have him. We lost hope. I think he was targeted because the family lived in the government-controlled area of Aleppo but his school was in the opposition-controlled area. We never thought that he would be targeted.”⁸⁸

Amnesty International interviewed a 15-year-old boy who was abducted by an armed group believed to be Jabhat al-Nusra in the north of Idlib governorate in early 2014 and held for three days. He told Amnesty International that armed group abducted him from the street while he was playing with his friends.⁸⁹ He

⁸⁴ See UN General Assembly, *Report of the Special Representative of the Secretary-General for the Children and Armed Conflict*, June 2015, available at http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2015_409.pdf

⁸⁵ Real name withheld.

⁸⁶ Phone interview, 16 December 2015.

⁸⁷ Phone interview, 5 May 2016.

⁸⁸ Phone Interview, 5 April 2016.

⁸⁹ Phone interview, 16 April 2016.

added that he was held in an abandoned building for three days and was blindfolded all the time but was not beaten or otherwise mistreated. The boy's father explained to Amnesty International that his son was abducted to pressure him to join the armed group. He said:

"Jabhat al-Nusra was pressuring men to join the armed group. Even those who resisted were forced to join. My friends left for Turkey because they were afraid. I went into hiding until my wife told me that they had taken my son. I knew it was Jabhat al-Nusra because they were in control of my village. I told them that I would join the group if they released my son. They released him the next day but I immediately fled with my family to Turkey."⁹⁰

2.4 MINORITIES

Members of the Kurdish minority living in Sheikh Maqsoud, a predominantly Kurdish neighbourhood of Aleppo, have been targeted by groups operating as part of the Aleppo Conquest coalition. The area has been surrounded from the west and north by Division 16 since 2015.⁹¹ In 2016, a worker from the field hospital in Sheikh Maqsoud provided Amnesty International with the names of 25 civilians he recorded as having been abducted by Division 16 between 2012 and 2016. He told Amnesty International:

"Residents of Sheikh Maqsoud have to go through the neighbourhoods of Aleppo city that are under the control of Division 16 before arriving at Afrin [a predominantly Kurdish town in the northern part of Aleppo governorate]. Many people were abducted between 2013 and 2015 so people eventually stopped taking the risk. A new route opened to Afrin from Sheikh Maqsoud after the Syrian government regained control of parts of the north of Aleppo governorate in 2016."⁹²

Amnesty International documented the abduction of three Kurdish residents, including two women, as they travelled from Sheikh Maqsoud to Afrin or Aleppo city. All abductions were reported to have been carried out by Division 16.

"Lamia"⁹³, a resident of Sheikh Maqsoud neighbourhood, described how her mother, Farida Sleiman, born in 1955, was abducted by Division 16 from Sakan al-Shababi neighbourhood in Aleppo city. She went missing on 21 August 2013 and, as of 28 June 2016, her whereabouts remained unknown. "Lamia" told Amnesty International:

"My mum left Sheikh Maqsoud in the morning to attend a dental appointment in the part of Aleppo city that was under the control of the opposition. She left and never came back. My neighbour offered to drive her to the appointment and was abducted with her at the checkpoint. He was released 10 days later and told us that she was being held by Division 16. I suspect that my neighbour was released because he is an Arab. He did not know where exactly he was held. Three days following my neighbour's release, my brother went to Sakan al-Shababi to ask about our mother. He called me saying that he was able to locate the detention centre run by Division 16. It was the last time I heard from him. His whereabouts are unknown until today but we suspect that he is also being held by the same armed group. My mother suffers from diabetes and high blood pressure. I can only hope that they have been providing her with the medication she needs. To date, we don't have any news about their fate and we are too afraid to approach Division 16."⁹⁴

"Hussam"⁹⁵, a resident of Sheikh Maqsoud, recounted how his mother, aged 60, was abducted by Division 16 in early 2013. He said:

"My mother and my sister were on their way to Afrin when they were abducted at a checkpoint in al-Ashrafieh neighbourhood. The taxi driver warned my sister that they were approaching a checkpoint controlled by Division 16. The group took them as soon as they found out that they were from Sheikh Maqsoud. My sister managed to run away when the forces were interrogating the driver at the checkpoint but she couldn't take my mother. She continued to Afrin and never came back to Sheikh Maqsoud. A Kurdish man released a few months ago told me

⁹⁰ Phone interview, 16 April 2016.

⁹¹ Amnesty International, "Syria: Armed opposition groups committing war crimes in Aleppo city", 13 May 2016, available at <https://www.amnesty.org/en/latest/news/2016/05/syria-armed-opposition-groups-committing-war-crimes-in-aleppo-city>

⁹² Phone interview, 28 April 2016.

⁹³ Real name withheld.

⁹⁴ Phone interview, 29 April 2016.

⁹⁵ Real name withheld.

that my mother and two other Kurdish women were working in the kitchen in one of the detention centres under Division 16. I am happy that she is alive but I am afraid to go and ask about her.”⁹⁶

Amnesty International has received reports that several Christian residents of Aleppo and Idlib governorates have faced abductions and other abuses on account of their religion. Three activists and two priests interviewed by Amnesty International said that Jabhat al-Nusra and the Ahrar al-Sham Islamic Movement had destroyed churches and carried out abductions of Christians in Idlib. They added that some Christian families had been forced either to convert or to leave the governorate. According to Christian Solidarity International, an international Christian human rights organization, Jabhat al-Nusra in Idlib has also targeted Christians for abduction, confiscated their homes and stolen their belongings.⁹⁷

A Syrian Orthodox bishop told Amnesty International that on 22 April 2013 two bishops called Youhana Ibrahim and Boulous al-Yazeji were on a humanitarian mission to Aleppo to negotiate the release of priests from Aleppo when they were abducted along with their driver and their friend by fighters believed to belong to the Nour al-Dine Zinki Movement. He said:

“The driver was allowed to leave and he told us about the kidnapping. He said that some of the armed men were speaking a foreign language. Through intermediaries we learned that that the Nour al-Dine Zinki group was involved in the abduction, but that the bishops were transferred to al-Nusra custody in Idlib. Their whereabouts are unknown. We have received information that they were killed but we couldn’t confirm that news.”⁹⁸

Amnesty International was not able to verify these allegations independently.

⁹⁶ Phone interview, 29 April 2016.

⁹⁷ Email correspondence with Christian Solidarity International, 20 May 2016.

⁹⁸ Phone interview, 22 April 2016.

3. TORTURE AND OTHER ILL-TREATMENT

Much of the reporting on torture in Syria is understandably focused on the Syrian government and IS. While the scale of the patterns of abuse cannot be compared, armed opposition groups in the Aleppo and Idlib governorates have also been responsible for torturing and otherwise ill-treating individuals they have abducted and detained.

Amnesty International has documented five cases in which individuals abducted and detained by armed opposition groups in the Aleppo and Idlib governorates between 2014 and 2015 have alleged they were tortured. Four of the individuals – three media and political activists and one journalist – told Amnesty International they had been tortured as a punishment by Jabhat al-Nusra al-Dine after being abducted and accused by the group of promoting secular beliefs, criticizing the armed group or supporting revolutionary ideologies. Based on interviews with former detainees, Jabhat al-Nusra has carried out torture in makeshift places of detention such as a school, a residential house and a factory. The fifth – a humanitarian worker – told Amnesty International that he had been abducted by the Nour al-Dine Zinki Movement from a hospital in Aleppo governorate and held in a disused factory used as a detention centre. He said Nour al-Dine Zinki Movement fighters had tortured him to sign a statement of confession.

Amnesty International received information from two activists alleging that five other media activists were tortured during detention by Jabhat al-Nusra in Idlib between 2014 and 2015 for similar reasons but could not independently verify these accounts. In addition, lawyers and activists interviewed by Amnesty International said that they were aware of more cases of torture and other ill-treatment of detainees by the al-Shamia Front, the Nour al-Dine Zinki Movement and Division 16 in Aleppo governorate, in particular against captured members of Syrian government armed forces and security forces, and pro-government *shabiha* militias, as well as persons suspected of being “infiltrators” or fighters belonging to IS or other rival armed groups.

The methods of torture reported to have been used by Jabhat al-Nusra and Nour al-Dine Zinki Movement are similar to some of the ones used by the Syrian government, including beating with objects; *shabeh*, a stress position which involves the person being suspended by their wrists from a hook in the ceiling for hours; and the *dulab* (tyre), which involves forcing a person into a tyre while their hands are tied or handcuffed behind their back and then beating them.

“Hazem”⁹⁹, a journalist working for an international media outlet, told Amnesty International that he was abducted by Jabhat al-Nusra in July 2014 for his work. He told Amnesty International:

“I was abducted in the morning while walking on the streets of Ma’rat al Nu’mān by a group of men who had their faces covered. At first I did not know who they were or what they wanted. They took me to the pharmaceutical factory in Aleppo city where I was told by the guards that it was a detention centre run by Jabhat al-Nusra. I was put in a small room measuring around 2m². I saw five other single rooms with only one common bathroom.

⁹⁹ Real name withheld.

Detainees were not allowed to talk to each other but they gathered us together during prayer time so I found out that the others were accused of belonging to IS. During the interrogation, I was accused of offending the jihad and *mujahidin* [rebel fighters] and for working with a media channel that opposes al-Qa'ida. They tortured me three times after each interrogation. They beat me with an iron rod on my back, knees and the soles of my feet. I felt like I was tortured for hours but it could have been only minutes. I could not tell because the pain makes you lose the notion of time. They also used a plier to squeeze each of my 10 fingers. Thankfully, I was only held for three days or else I would have not survived the torture. I was released due to public pressure and did not see a judge. The interrogator told me that the torture was my punishment.”¹⁰⁰

Amnesty International reviewed the release form given to Hazem by his interrogator. The form stated that Hazem had been “acquitted of the charges after pledging that he would only report on issues that support the Islamic faith”.¹⁰¹

“Farid”¹⁰², a media activist from the northern part of Idlib governorate, was abducted in both 2015 and 2016 by Jabhat al-Nusra for his work. He told Amnesty International about his first abduction:

“I was abducted in December 2015 by Jabhat al-Nusra from a checkpoint on my way back from Turkey. They took me to a school which had been converted into a detention centre in Ma’rat al-Nu’mān. I was held in a room with 40 other men, all civilians. They did not provide us with blankets or mattresses. People were sleeping on the ground. It was winter and I could not sleep due to the cold because the windows were broken. After 15 minutes they called my name. They asked for my phone’s password but I refused to give it to them. As a result, three fighters took me outside and started kicking me all over my body until I started bleeding from my nose. Then they took me inside and hanged me in the *shabeh* position by hanging me to the ceiling from my wrists with a metallic chain lifting my toes off the ground, so all of my weight was on my wrists. I could not bear the pain. I felt that my spine was cracking so I gave them the password. When they untangled me, I looked at the watch and saw that I had stayed in the *shabeh* position for six hours. My wrists were bleeding. After four hours of interrogation I was accused of offending Jabhat al-Nusra. The judge, whose office is located in the school, told me that I should be executed for my accusations. The judge was Syrian; I know him. I was released two days later, I think because of public pressure. I did not believe my ears when they said I could go. I thought the judge had made his decision to execute me.”¹⁰³

“Saleh”¹⁰⁴, a 19-year-old activist from Ma’rat al-Nu’mān, told Amnesty International that he was abducted by Jabhat al-Nusra in December 2014 and accused of being a non-practising Muslim affiliated with the Free Syrian Army. Saleh worked as a freelance journalist with local and international media outlets, mainly reporting from the front lines with the Free Syrian Army. “Saleh” was acquitted of the charges against him by the House of Justice “court” run by Jabhat al-Nusra. He told Amnesty International:

“I was not part of a Free Syrian Army group and never carried a weapon. I was hired by some media channels to report from the front lines. I was abducted around 5am from the media office of one of the Free Syrian Army groups. I screamed that I was an activist and not a fighter but they did not care. They snatched a bracelet off my hand and burned it because there was a symbol of the revolutionary flag on it. They took me and around 15 fighters to a building and held us in a room. The men who abducted us told us that they were Jabhat al-Nusra. I was very scared. The next day they took me for interrogation. Around three fighters began beating me all over my body with their fists. I did not know why. They did not ask me anything. Then they took me back to the room. They beat me every day for 20 days with their fists and wooden sticks. Once, I asked to see a doctor because I was bleeding from my forehead but they ignored me.

“Twenty days later, they transferred me to the detention centre in Harem. There they welcomed me with a session of beating with cables. I was held in a shared cell with 17 men, all civilians. I could hear people screaming all day and all night. After spending 24 days in a shared cell, they took me to the torture room. They put me in the *shabeh* position by tying my hands to the ceiling with chains, lifting my toes off the ground. Then they began beating me with a wooden stick. I stayed in the same position for five days. They allowed me to take a 10 minute break every hour. I saw death a hundred times during those five days.

¹⁰⁰ Phone interview, 16 May 2016.

¹⁰¹ On file at Amnesty International.

¹⁰² Real name withheld.

¹⁰³ Phone interview, 20 May 2016.

¹⁰⁴ Real name withheld.

“After the physical torture came the psychological torture during interrogation. They went through my Facebook [account] where they found a post I had made mocking Jabhat al-Nusra. The interrogator accused me of being secular, which is true, but I denied it. They started beating me until I confessed that I was a non-practising Muslim. Then they blindfolded me and drove me to the court in Selqine. I was in the car with another person. They detained me in a shared cell with several other men. The detainees told me that there was no torture at the court. The guard saw my bruises and said that the guards in Harem were monsters and that they would be held accountable.

“Luckily, a man was released so I asked him to inform my parents of my whereabouts. A couple of days later my mother and sister came to Selqine. My mother met with one of the judges, who was Egyptian. He said I could be released only if I worshipped Islam and stopped working with the Free Syrian Army. I agreed. I was released after 60 days of torment.”¹⁰⁵

“Ibrahim”¹⁰⁶, a political activist who believes in a secular state, said he was abducted by Jabhat al-Nusra in Aleppo on 7 April 2015 and subjected to torture during his three-day period of detention. He believes that he was targeted for organizing peaceful protests in support of the 2011 uprising. He told Amnesty International:

“Jabhat al-Nusra raided a protest three days before I was abducted. They removed all of the revolutionary flags and accused the protesters of being secular and against al-Qa’ida. Three days later, I went to the court run by the Supreme Judicial Council to submit a complaint against them. On my way back, I was kidnapped by a group of men from the Ansari neighbourhood in Aleppo city. They handcuffed my hands and beat me in the car. They drove for an hour or so. I found out it was Jabhat al-Nusra during the interrogation that lasted about two hours. They asked me questions such as ‘Why are you against Jabhat al-Nusra?’ and ‘Why are you carrying the revolutionary flag and not the flag of Islam?’ In the second interrogation, the interrogator accused me of compiling GPS co-ordinates of Jabhat al-Nusra’s military bases to give to the US coalition. After the second interrogation, I was taken to the torture room. They placed me in the *shabeh* position, hanging me from the ceiling from my wrists so that my toes were off the ground. Then they started beating me with cables all over my body. I think they kept me hanging for 30 minutes. I was in tremendous pain. I thought it was over but it wasn’t. After the *shabeh* they used the *dulab* [tyre] technique. They folded my body and forced me to go inside a tyre and then they started beating me with wooden sticks. Then they took me to a solitary confinement cell. The next day the guards blindfolded me and drove me for half an hour. Then they dropped me off on the side of a road like an animal. I don’t know in which area I was held but the detention centre looked like a factory so I suspect it was in the western part of Aleppo governorate. I did not see a judge. I was detained for three days and I think I was released because of public pressure.”¹⁰⁷

“Halim”¹⁰⁸, a humanitarian worker, said he was abducted by the Nour al-Dine Zinki Movement on 13 July 2014 when he was supervising a project in one of the hospitals in Aleppo city. During his incommunicado detention, which lasted around two months, he was forced to sign a “confession” extracted under torture. He described his ordeal to Amnesty International:

“I was at the hospital when 10 fighters in a pick-up vehicle came and raided the hospital. They were wearing black clothes and their faces were covered. They took me to al-Qassemiya soap factory, used as a detention centre by the Nour al-Dine Zinki Movement. When you enter the factory there is an open space. To the left, there are nine detention cells – seven for men and two for women – and interrogation rooms. The Free Syrian Police forces told me that the director of the hospital had submitted a complaint against me. They took me to the first cell. I was given a mattress and a pillow. The cell was around 20m². Ten people were held with me in the same cell but by the time I was released the number had increased to 24. There was a man with me called Mustafa. He said he was tortured using the *balingo* technique (lifting him off the ground by his wrists handcuffed behind his back). The day I arrived, he was tortured again. We had to help him eat and use the bathroom because he was in severe pain. On the fifth day, I was taken to the interrogation room. The interrogators accused me of spying for the Syrian government and providing them with the hospital’s GPS co-ordinates. I denied this. The real problem was that I had complained to the director of the hospital about misused funds.

¹⁰⁵ Interview in Turkey, 10 December 2015.

¹⁰⁶ Real name withheld.

¹⁰⁷ Phone interview, 4 April 2016.

¹⁰⁸ Real name withheld.

“During the period of my kidnapping I was interrogated six to seven times. The last two weeks before I was released they brought an employee from the hospital. He told me that they had forced him to say that I bribed him to stand at the entrance of the hospital to monitor and report back to me about the hospital’s activities. They also accused me of stealing and selling equipment to afford to pay the bribe... When I refused to sign the confession paper, the interrogator ordered the guard to torture me. The guard used the *bisat al-rih* [flying carpet] technique. He placed my hands above my head, and forced me to lift my legs in a perpendicular position. He then started beating me with cables on the soles of my feet. I couldn’t bare the pain so I signed the paper. I was released on 6 September 2014 without seeing a judge. They never returned my belongings. I had my wallet, ID cards, the only pictures I had of my parents, all gone... During my whole detention period, I was not allowed to call my family. I begged them to let me call my family. I was always thinking of my family and whether they were managing. I was the sole breadwinner of the family.”¹⁰⁹

¹⁰⁹ Interview in Turkey, 5 December 2015.

4. SUMMARY KILLINGS

Since 2014, Amnesty International has received a number of allegations of summary killings carried out in Aleppo and Idlib by Jabhat al-Nusra, the al-Shamia Front and their affiliated “courts”, as well as the Supreme Judicial Council. Among those believed to have been summarily killed are civilians, captured members of the Syrian government armed forces and security forces, and of pro-government *shabiha* militias, as well as persons alleged to be “infiltrators”, IS fighters and fighters from other rival groups that oppose the Syrian government. In some cases, armed groups have carried out execution-style killings in front of crowds.

International humanitarian law prohibits the deliberate killing of detained individuals whether they are civilians, captured soldiers, militia members or fighters, or so-called “infiltrators”. The summary killing of such individuals is a serious violation of international humanitarian law and a war crime. The passing of sentences and the carrying out of executions without a previous judgement pronounced by a regularly constituted court affording all judicial guarantees that are generally recognized as indispensable is also a war crime.¹¹⁰

Amnesty International has reviewed public statements published by the House of Justice “court” run by Jabhat al-Nusra between 2014 and 2015 announcing the killing of several individuals – civilians, captured fighters and persons alleged to be “infiltrators” – in Aleppo and Idlib.¹¹¹ In one case, on 20 September 2015, the House of Justice in Hreitan, a town in the north of Aleppo governorate, “sentenced” three males – two men and a 17-year-old boy called Ahmad Kalash who was accused of homosexuality – to death by shooting.¹¹² A resident of Hreitan told Amnesty International:

“I saw people gathering in the al-Baghdad neighbourhood in Hreitan. I don’t remember the exact date but it was during September 2015. When I approached the crowd, I saw the body of the boy shot twice. His mother was crying. He looked young. A man standing there told me that he was shot by Jabhat al-Nusra in front of all the people because he was gay. I remembered his case from a year ago when he was detained by al-Nusra after he reported that he was sexually assaulted by a group of men. Instead [of helping him] al-Nusra forces detained him and those he alleged assaulted him. I did not see the bodies of the other two men.”¹¹³

“Saleh”¹¹⁴, who was held by Jabhat al-Nusra in a detention centre at the House of Justice “court” in Selqine in December 2014, told Amnesty International:

“I saw five women held together in a shared cell while serving food to the detainees. The guard told me they were accused of adultery and would only be forgiven by death. One month after my release, I saw a video posted on-line showing Jabhat al-Nusra men executing one of the women by gunshot in a street. She was a middle-aged woman. The other four women did not appear in the video.”¹¹⁵

¹¹⁰ International Committee of the Red Cross, Customary International Humanitarian Law, Volume 1: Rules, Rule 156.

¹¹¹ Aks al-Ser, “House of Justice in Hreitan decided to execute three people accused of homosexuality”, 21 September 2015, <http://bit.ly/25IgLEd> (accessed on 17 May 2016); All4Syria, “House of Justice in Aleppo executes a man accused of assassinating a religious figure from Jabhat al-Nusra”, 23 January 2016, <http://all4syria.info/Archive/287864> (accessed on 17 May 2016).

¹¹² Aks al-Ser, “House of Justice in Hreitan decided to execute three people accused of homosexuality”, 21 September 2015, <http://bit.ly/25IgLEd> (accessed on 17 May 2016).

¹¹³ Phone interview, 30 May 2016.

¹¹⁴ Interview in Turkey, 10 December 2015.

¹¹⁵ Interview in Turkey, 10 December 2015.

Amnesty International was not able to review the video because it was removed by YouTube. However, the organization reviewed two other videos posted on-line showing Jabhat al-Nusra announcing the killing of two women accused of adultery in Idlib governorate in 2015.¹¹⁶ There is also evidence that Jabhat al-Nusra summarily killed scores of captured members of the Syrian government armed forces after seizing territories from them in 2015. On 9 September 2015, Jabhat al-Nusra and other armed groups gained control of Abu al-Zohour airport in Idlib governorate, capturing at least 60 members of the Syrian armed forces.¹¹⁷ Videos posted on-line on 19 September 2015 show what appears to be Jabhat al-Nusra killing the captured soldiers by gunshots.¹¹⁸

In Aleppo, two officials of the Supreme Judicial Council and the “court” run by the al-Shamia Front told Amnesty International that certain crimes under the Unified Arab Criminal Code such as killing a person for their money, murder or apostasy are punishable with the death sentence.¹¹⁹ In an interview with Amnesty International, the deputy director of the Supreme Judicial Council said: “Death sentences are carried out in the detention centre according to Shari’a principles. The body is then given to the family for proper burial.”¹²⁰

An official working in the “court” run the by al-Shamia Front told Amnesty International that the “court” primarily sentences to death captured members of the Syrian government armed forces and security forces, and of pro-government *shabiha* militias, as well as persons suspected of being “infiltrators”. The official did not disclose to Amnesty International where these executions take place, however.¹²¹

On 25 January 2015, the “security apparatus” of the al-Shamia Front announced the execution of three individuals, Abdullah Adel Hamam, Mohammad Haydar Hiyani and Ibtissam Melhem, after they had been accused of poisoning al-Shamia Front fighters and spying on behalf of the Syrian government.¹²² A local organization confirmed to Amnesty International that Ibtissam Melhem had been arrested by the al-Shamia Front earlier in January 2015 and taken to an unknown location.¹²³

Amnesty International interviewed three residents of Aleppo city who said they witnessed the summary killing by gunfire of four captured members of the Syrian government forces and pro-government *shabiha* militias by the al-Shamia Front between 2014 and 2015. A resident of Aleppo city told Amnesty International:

“I witnessed the summary killing of two captured *shabiha* fighters by the al-Shamia Front in front of al-Shifa hospital in Aleppo city on two separate dates in 2015. The al-Shamia Front announced the execution publicly and then shot them with a rifle. They left the bodies for a few hours on the street for people to see.”¹²⁴

Two other residents described to Amnesty International a similar incident of public execution-style summary killing by gunfire of two Syrian government soldiers in a neighbourhood in Aleppo city in late 2014. One of the residents told Amnesty International:

“The al-Shamia Front had captured several members of the Syrian government forces during clashes in late 2014 in Aleppo city. Two of the soldiers who I think were commanders were first to be executed by gunfire in front of a crowd of people. The bodies stayed in the street for a day before residents removed them after the blood covered the pavement.”¹²⁵

¹¹⁶ AIAanWorld, “In the footsteps of Daesh... Jabhat al-Nusra summarily executes a woman in Ma’rat Masrine”, posted on 14 January 2015, https://www.youtube.com/watch?v=sAuRfDz_Flo (accessed on 26 May 2016); Syria al-Ghad, “Al-Nusra executes a woman accused of adultery for the second time this week”, posted on 20 January 2015, <https://www.youtube.com/watch?v=B1rmeSuORDs> (accessed on 26 May 2016).

¹¹⁷ See Facebook post: <https://www.facebook.com/Syrian.Revolution/videos/10156223060555727/>; Orient News, “Liberating Abu al-Zohour military airport”, posted on 9 September 2015, <https://www.youtube.com/watch?v=pqbVO92jEoE> (accessed on 26 May 2016).

¹¹⁸ Twitt-Book, “al-Nusra executes Syrian government forces in Abu al-Zohour airport – Twitt-Book”, <https://www.youtube.com/watch?v=jEUKtjroCyw> (accessed on 26 May 2016); ARA News, “Jabhat al-Nusra and other Islamist armed groups execute captives in Abu al-Zohour military airport in Idlib”, 20 September 2015, <http://bit.ly/1XSwRVy> (accessed on 26 May 2016).

¹¹⁹ See the Unified Arab Criminal Code available at <http://www.carjj.org/sites/default/files/united-arab-criminal-law-part1.pdf> and <http://www.carjj.org/sites/default/files/united-arab-criminal-law-part2.pdf>

¹²⁰ Phone interview, 10 May 2016.

¹²¹ Phone Interview, 30 May 2016.

¹²² Halab News, “A cell affiliated to the regime was executed after attempting to poison al-Shamia Front forces”, 25 January 2015, <http://halabnews.net/?p=62350https://www.facebook.com/ActGroup.PalSyria/photos/a.443767102335638.102066.435367703175578/811469968898681/?type=3&theater> (accessed on 20 March 2016).

¹²³ Email correspondence, 22 April 2016.

¹²⁴ Phone interview, 16 May 2016.

¹²⁵ Phone interview, 16 May 2016.

5. INTERNATIONAL HUMANITARIAN LAW

In Syria, the conduct of parties to the non-international armed conflict there, including non-state armed groups, is governed by the rules of international humanitarian law, also known as the laws of war. International humanitarian law, which applies only during situations of armed conflict, seeks to protect anyone who is not actively participating in hostilities, notably civilians and anyone, including those who were previously participating in hostilities, who is wounded or surrenders or is otherwise captured. It sets out standards of humane conduct and limits the means and methods of conducting military operations. Its central purpose is to limit, to the extent feasible, human suffering in times of armed conflict.

The rules of international humanitarian law are binding on all parties to armed conflicts, including non-state armed groups such as those operating under the aegis of the Aleppo Conquest and Army of Conquest coalitions.

Syria is a state party to the 1949 Geneva Conventions. Article 3 Common to the four Geneva Conventions, which applies to all parties to non-international armed conflicts, including the one currently taking place in Syria, and is considered customary international law, prohibits “murder of all kinds, mutilation, cruel treatment and torture”, “humiliating and degrading treatment”, “taking of hostages” and “the passing of sentences and the carrying out of executions without previous judgement pronounced by a regularly constituted court”.¹²⁶

Violations of these rules – such as the torture or summary killing of detainees, whether civilians, captured soldiers or so-called “infiltrators” – are war crimes.¹²⁷

Under international humanitarian law, military commanders and civilian superiors are criminally responsible for war crimes committed by their subordinates if they ordered such acts or if they knew, or had reason to know, such crimes were about to be committed or were being committed and did not take the necessary measures to prevent their commission, or to punish persons responsible for crimes that had already been committed.¹²⁸

All states have the right to vest universal jurisdiction in their national courts over war crimes committed in other states.¹²⁹ They must investigate war crimes over which they have jurisdiction and, if appropriate, prosecute the suspects.¹³⁰

¹²⁶ Common Article 3(1) of the Geneva Conventions.

¹²⁷ Rome Statute of the International Criminal Court, Article 8(2)(c).

¹²⁸ International Committee of the Red Cross, Customary International Humanitarian Law (ICRC, Customary IHL), Vol 1: The Rules (Rules 152 and 153).

¹²⁹ ICRC, Customary IHL, Rule 157.

¹³⁰ ICRC, Customary IHL, Rule 158.

6. CONCLUSION AND RECOMMENDATIONS

The cases of abduction, torture and summary killings documented by Amnesty International offer a glimpse into the reality of life under armed opposition groups in Aleppo and Idlib governorates. Civilians who live under constant threat of indiscriminate attack by government forces simply for living in areas controlled by armed groups have suffered abuse at the hands of these groups as they assert their authority through rough “justice” and cruel punishments. Media activists, journalists, lawyers, humanitarian workers and others have been subjected to abduction and torture and other ill-treatment at the hands of armed groups that form part of the Army of Conquest and Aleppo Conquest coalitions. Residents of Aleppo and Idlib have also witnessed the summary killing by Jabhat al-Nusra and the al-Shamia Front of civilians and captured members of Syrian government armed forces and security forces, and of pro-government *shabiha* militias, as well as persons suspected of being “infiltrators”, fighters belonging to IS and other rival armed groups. These and many of the other serious abuses against captives, many committed through an arbitrary quasi-judicial apparatus, are war crimes. Those who order or commit such acts must be brought to justice.

These abuses have taken place in a context in which armed opposition groups across Syria have committed war crimes by killing and injuring civilians through the indiscriminate use of weapons such as mortars, improvised explosive devices and suicide car bombs in attacks on residential areas under government control. No matter how systematic and widespread the violations being committed by Syrian government forces and IS are, war crimes are never excusable.

The broader political context is one in which faltering peace negotiations may conceivably lead to armed opposition groups being asked to play a part in both ending the conflict and contributing to a future political transition. If they are to have the confidence of people living under their rule in Syria, both they and the international community, particularly those governments that support them militarily and financially, must address the abuses without delay.

In this regard, Amnesty International makes the following recommendations:

TO ARMED GROUPS OPPOSING THE SYRIAN GOVERNMENT:

Including those operating under aegis of the Aleppo Conquest and Army of Conquest coalitions:

- Publicly condemn, from the highest level of leadership, all human rights abuses and violations of international humanitarian law, including abductions, arbitrary detention, torture and other ill-treatment, unfair “trials”, summary killings, and the use of cruel and inhuman punishments;
- Instruct those under their command that violations of international humanitarian law will not be tolerated under any circumstances and those who commit such abuses will be held fully accountable;
- Immediately and unconditionally release any person held solely on account of their political opinion, religion or ethnicity;

- Inform families of the fate and whereabouts of abducted relatives, including those who have died, notifying them of the circumstances of their death and location of their burial place;
- Allow independent international inspection of all places of detention and ensure that conditions and the treatment of detainees at all places conform to relevant international standards, such as the UN Standard Minimum Rules for the Treatment of Prisoners, and that all detainees are fully protected against torture or other ill-treatment in custody;
- End the use of punishments that violate the prohibition of torture and other cruel, inhuman or degrading treatment or punishment;
- Remove from the ranks members suspected of responsibility for ordering or committing serious violations of international humanitarian law, including possible war crimes;
- Co-operate with independent and impartial investigations into violations of international humanitarian law, including by the UN-mandated Commission of Inquiry on Syria.

TO ALL MEMBERS OF THE INTERNATIONAL SYRIA SUPPORT GROUP:

To France, Qatar, Saudi Arabia, Turkey, the United Kingdom and the USA, in particular:

- Pressure the armed groups engaged in the Syrian conflict to end all violations of international humanitarian law, in particular abductions, torture and other-ill treatment and summary killings;
- Urge the armed groups to comply with the human rights and humanitarian provisions of UN Security Council Resolutions 2139 and 2254;
- Immediately cease the transfer of arms, munitions and other military equipment, including logistical and financial support, to armed groups implicated in committing war crimes and other serious human rights abuses and violations of international humanitarian law;
- Cease the authorization of arms transfers to any end user who is likely to use the arms to commit or facilitate war crimes or other serious human rights abuses or violations of international humanitarian law, and prevent arms transfers in circumstances where they could be diverted and result in such crimes or violations;
- Implement a robust, enforceable and verifiable oversight mechanism before transferring any arms, munitions and other military equipment to armed groups in Syria, so as to remove the substantial risk that any arms and military equipment supplied are misused or diverted to commit or facilitate war crimes or other serious human rights abuses or violations of international humanitarian law;
- Take effective measures to prevent the transfer of financial or material support to armed groups committing war crimes and other serious human rights abuses and violations of international humanitarian law in Syria;

To the European Union in particular:

- Pressure France and the United Kingdom to immediately cease the transfer of arms, munitions and other military equipment, including logistical and financial support, where there is credible evidence that armed groups have committed war crimes or other serious human rights abuses or violations of international humanitarian law;

To the Russia and the USA in particular:

- Prioritize the issues of abduction, arbitrary detention and torture and other ill-treatment by both armed groups and Syrian government forces, as well as enforced disappearance by the state, during peace talks brokered by the UN.

TO ALL STATES:

- Accept a shared responsibility to investigate and prosecute war crimes and other crimes under international law committed in Syria and, in particular, seek to exercise universal jurisdiction in national courts over war crimes and other crimes under international law committed in Syria;
- As part of this shared responsibility, establish joint international investigation and prosecution teams to

investigate crimes under international law committed in Syria to improve the effectiveness of investigation, improve the chances of arrest and co-ordinate prosecutions.

TO THE UN SPECIAL ENVOY FOR SYRIA:

- Ensure that violations of international humanitarian law and human rights abuses, such as arbitrary detention, abduction, torture and enforced disappearances, are prioritized during the UN-brokered peace talks in Geneva;
- Press the USA and Russia to help ensure that confidence-building measures agreed in the context of those peace talks include the release of those arbitrarily detained by both armed groups and the state in Syria and the provision of information to the families of all those who have gone missing after being detained.

TO THE UN SECURITY COUNCIL:

- Refer the situation in Syria to the Prosecutor of the International Criminal Court;
- Impose targeted sanctions on commanders and members of armed groups responsible for war crimes in violation of UN Security Council Resolution 2139.

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'TORTURE WAS MY PUNISHMENT'

ABDUCTIONS, TORTURE AND SUMMARY KILLINGS UNDER ARMED GROUP RULE IN ALEPPO AND IDLEB, SYRIA

While government forces have been responsible for the majority of violations in the conflict in Syria, the situation in the governorates of Aleppo and Idlib is an informative case study of what happens when armed opposition groups gain territorial control and set up quasi-judicial institutions.

Based on interviews with individuals who were subjected to abduction and detention and later released and family members of other persons who were abducted and are still missing, this briefing documents 24 cases of abductions carried out between 2012 and 2015. In five cases, victims said they were subjected to torture. The armed groups accused are the al-Shamia Front, the Nour al-Dine Zinki Movement and Division 16 in Aleppo, all of which joined the Aleppo Conquest coalition in 2015, and Jabhat al-Nusra and the Ahrar al-Sham Islamic Movement in Idlib, both of which joined the Army of Conquest coalition that same year. They enjoy support from powerful backers such as Qatar, Saudi Arabia, Turkey and the USA.

It also documents a number of allegations of summary killings carried out by armed groups in Aleppo and Idlib against civilians, captured members of the Syrian government's armed forces and security forces, and of pro-government *shabiha* militias, as well as persons alleged to be "infiltrators".

Amnesty International calls on all armed opposition groups in Syria to condemn violations, immediately and unconditionally release any person held solely on account of their political opinion, religion or ethnicity, and to allow independent international inspection of all places of detention.

