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Including 387 Cases of Enforced Disappearance



SYRIAN NETWORK FOR HUMAN RIGHTS

الشبكة السورية لحقوق الإنسان

Friday, August 2, 2019

The Syrian Network for Human Rights (SNHR), founded in June 2011, is a non-governmental, independent group that is considered a primary source for the OHCHR on all death toll-related analyses in Syria.



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I. Introduction and Methodology

Arbitrary arrests and enforced disappearances have been amongst the most widespread violations since the early days of the popular uprising for democracy in Syria in March 2011. These are considered to be the most common and pervasive regime violations against Syrian citizens, affecting hundreds of thousands of Syrians. These violations are carried out by the Syrian security services, as well as their affiliated militias, as part of a deliberate and planned strategy, often in a sweeping indiscriminate manner, in order to instill terror and fear into the largest possible number of Syrian people. Approximately eight months after the start of the popular uprising, other parties began to emerge in Syria, also carrying out arrests and kidnappings. The process of documenting the cases of detention and cataloguing whether detainees are released or join the ranks of the forcibly disappeared has been one of the greatest challenges and difficulties faced by the Syrian Network for Human Rights, as is clarified in our methodology¹.

Since 2011, the Syrian Network for Human Rights has created complex electronic programs to archive and categorize the detainees' data, which the team collects and verifies; this enables us to catalogue the detainees according to gender, the location where each was arrested, the governorate from which each detainee originally came, and the party responsible for their arrest. These programs also enable us to cross-index cases and make comparisons between these parties, as well as identifying the governorates from which the largest proportion of residents have been arrested and disappeared.

¹ "Syrian Network for Human Rights Methodology", Syrian Network for Human Rights, <http://sn4hr.org/public_html/wp-content/pdf/english/SNHR_Methodology_en.pdf>



Given the importance and sensitivity surrounding the violation of arrest of Syrian citizens, the Syrian Network for Human Rights has since its establishment never stopped issuing daily news of arrest incidents, or publishing monthly reports documenting the arrests, enforced disappearances and releases that took place in the preceding month, in addition to issuing an annual report, as well as publishing dozens of other reports on different detention centers run by various parties to the conflict, and additional special reports concerning detainees. Also, the SNHR periodically submits special forms to the United Nations Working Group on Enforced or Involuntary Disappearances, the Working Group on Arbitrary Detention, and the Special Rapporteur on the question of torture.

Most of the arrests in Syria are carried out without any judicial warrant while the victims are passing through regime checkpoints or during raids, with the security forces of the regime's four main intelligence services often responsible for extra-judicial detentions. Every detainee is tortured from the very first moment of his or her arrest and denied any opportunity to contact his or her family or to have access to a lawyer. The authorities also flatly deny the arbitrary arrests they have carried out and most of the detainees are subsequently forcibly disappeared.

The Syrian regime is responsible for no fewer than 87 percent of all the arbitrary arrests that we have documented, and is the first and most prominent of all the parties to the conflict in systematically perpetrating this violation. In most cases, victims' families are unable to accurately identify the body responsible for making the arrest, given the vast array of forces affiliated with the Syrian regime (Iranian militias, the Lebanese group Hezbollah, and others), in addition to the four main regime security agencies and their many branches, all of which are authorized to arrest and torture detainees, and to commit the crimes of enforced disappearance.

The issue of detainees and disappeared persons is one of the most crucial human rights issues in Syria which there has been no progress in resolving, despite its inclusion in several resolutions of the UN Security Council, as well as in UN General Assembly resolutions, in Kofi Annan's plan, and finally in the statement of cessation of hostilities issued in February 2016, which states that "all parties undertake to work for an early release of any arbitrary detained persons, particularly women and children", and in Security Council resolution 2254 of December 2015, article 12, which states that all detainees, especially women and children, must be released immediately. Despite all these resolutions and other official statements, no progress has been made on the issue of securing the release of detainees in any of the rounds of negotiations sponsored by international parties regarding the conflict in Syria.



In light of these considerations in regard to this particular issue, we therefore recommend:

- 1- Arbitrary arrests and enforced disappearances, which are still ongoing, as detailed in this SNHR monthly report, must be ended immediately. The fates of all detainees must be revealed, and their families' right to visit them must also be ensured immediately.
- 2- All detainees imprisoned for merely exercising their political and civil rights must be released unconditionally. The use of women and children as prisoners of war must be stopped and they must all be released.
- 3- The independent international monitors of the Independent International Commission of Inquiry on the Syrian Arab Republic, which was established by the UN, and the International Committee of the Red Cross must be granted access to all official and unofficial detention centers without establishing any prior arrangements or any restrictions or conditions.
- 4- A UN committee should be formed to monitor and periodically assess the release of the detainees according to a timetable that must be presented by all the detaining parties, primarily the Syrian regime forces that are responsible for 87 percent of all detentions.
- 5- All rulings issued by the regime's field military courts and terrorism courts should be suspended or repealed, since they are non-compliant with domestic and international legislation, as well as failing to provide guarantees of a fair trial.

Methodology

This report outlines the record of arbitrary arrests by the parties to the conflict documented in July. In addition, it records the most notable raids and arrests at checkpoints that resulted in deprivation of freedom, as well as shedding light on the most notable individual cases and incidents of arbitrary arrest that the SNHR's team documented in July, as well as categorizing cases and incidents of arrest according to the location of the incident.

According to the SNHR's database, we can categorize cases of arrest according to the governorate in which the incident occurred, and according to the governorate from which the detainee originally came. In this report and in most of our reports, we categorize the record of arrests according to the place where the arrest took place, not according to the governorate from which the detainee originally came. It should also be noted that sometimes we categorize the cases of arrest according to the governorate from which the detainee originally came in order to show the magnitude of loss and violence suffered by the people of that governorate compared to other governorates, in which case we refer to this in the report.



The report also documents arbitrary arrests that subsequently turned into enforced disappearances. A number of criteria must be met before SNHR will classify a case as an enforced disappearance: the individual must have been detained for at least 20 days without his or her family being able to obtain any information from the relevant authorities about their status or location, with those responsible for the disappearance denying any knowledge of the individual's arrest or whereabouts.

The SNHR team implements strict standards in evaluating and assessing any incident of arbitrary arrest in order to avoid any faults in recording any incidents of detention, imprisonment, or deprivation of freedom in accordance with the international laws and the aforementioned set of principles on arbitrary arrest. The Detainee and Forcibly-Disappeared Department at SNHR records cases of arrest which departmental personnel collect from various sources, such as: victims' families, SNHR members in Syrian governorates, cooperating local activists, and former detainees, before diligently working to contact the families of the detainees and forcibly disappeared persons, as well as people close to them and people who survived detention, for the purpose of collecting as much information and data as possible, in light of the extraordinary and extremely complex challenges. We also record eyewitnesses' accounts and track cases of arrest to update these records regularly in order to determine the fate of a detainee, their place of detention, and the circumstances of their arrest. We have created on our website a special form [to document a detainee](#) to facilitate access and contact with victims' families.

The ongoing daily process of documenting detainees also comes with other additional challenges for SNHR, which has been documenting detainees' cases since 2011. One of the most notable challenges amongst these is the reluctance of victims' families to cooperate and reveal or provide details of any information on their family members' arrest, even confidentially, more especially if the arrested individual is female, due to a well-founded fear still prevalent in Syrian society that being discovered doing so would result in more torture and further danger for their loved ones and themselves. Instead, families try to negotiate with security forces which usually blackmail these families and demand cash payments, effectively ransoms, that can amount to thousands of dollars in some cases. Despite the fact that SNHR possesses lists detailing the cases of more than 127,000 detainees, including children and women, we can safely say that our estimate of the actual number of detainees exceeds 215,000.



The failure of the international community and of all the organs of the United Nations to apply pressure on the Syrian authorities to release even one individual (including those whose sentences are completed), even prisoners of conscience, has affirmed the conviction of many within Syrian society that it is useless to cooperate in the documentation process. Most of the releases achieved were part of exchange deals with the armed opposition. The detainee figures included in this report don't include prisoners with a criminal background, but do include cases of arrest that are based on the internal armed conflict, mainly due to opposition activity against the ruling authorities, as well as cases of detention to suppress freedom of opinion and expression.

II. July Outline

Syrian Regime forces in July continued with their campaigns of persecution and arrest, focusing primarily on civilians, former armed opposition fighters and their families in the areas that had signed settlement agreements with Syrian Regime forces. These arrests, which included women, children and elderly, were concentrated in Douma city in Damascus Suburbs governorate, with Syrian regime forces launching widespread arrests targeting entire families in the city, some of whom we documented having died due to torture in the Syrian regime detention centers in Damascus city.

Our monitoring also confirmed that Syrian Regime forces arrested some of the previously forcibly displaced civilians who had returned from north Syria to their hometowns as part of these settlement agreements. In addition, Syrian Regime forces in July arrested individuals who had returned from neighboring countries who should supposedly have been protected by the amnesty laws and reconciliation offers established by the Syrian regime.

Throughout the month of July, Syrian Regime forces continued to implement the regime's policy of pursuing civilian members of the families of activists involved in the popular uprising for democracy and of the families of fighters of factions of the Armed Opposition in areas under their control, with SNHR documenting the Syrian Regime forces carrying out systematic campaigns of raids and arrests that targeted entire families related to members of factions of the Armed Opposition. These arrests, which included women and children, were concentrated in the cities of Hama, Latakia, and Homs.

Syrian Regime forces also carried out raids and mass arrests targeting all segments of society aged between 18 and 42 years, with the aim of forced conscription and reserve military service in their forces.

In July, we recorded that Syrian Regime forces released 83 detainees from their detention centers between July 1 and July 31, most of whom had served their sentences.



Meanwhile, Kurdish-led Syrian Democratic Forces continued enforcing the group's policies of arbitrary arrest and enforced disappearance throughout the month of July, targeting political activists and members of civil society groups who oppose their ideological views. These arrests were concentrated in Hasaka governorate. Additionally, SNHR monitored in July an increased rate of mass arrests carried out by Syrian Democratic Forces against Arab civilians in Manbej city to the northeast of Aleppo governorate; SNHR documented many arrests carried out by members of Syrian Democratic Forces against women and children, torturing them along with their families and filming these crimes.

The arrests carried out by Syrian Democratic Forces targeted IDPs residing in areas under their control, mainly the residents of refugee camps, with the Syrian Democratic Forces making various allegations against these individuals, such as suspected kinship relationships between them and members of ISIS or members of Armed Opposition factions. We recorded several incidents in which the Syrian Democratic Forces arrested many members of the same family. In addition, Syrian Democratic Forces carried out widespread arrests with the aim of forced conscription in the areas under their control.

In addition to these incidents, July also saw the arrests of activists of civil society groups and media activists by Hay'at Tahrir al Sham.

Factions of the Armed Opposition, meanwhile, continued in July making arrests in the territories under their control, which were concentrated in Aleppo governorate, particularly in the Afrin and al Bab areas. Most of these arrests occurred without judicial authorization and without the participation of the police force, which is the legitimate administrative authority responsible for arrests and detentions through the judiciary. Those responsible for these operations were specific factions who detained individuals without any clear charges. The aim of these arrests was to spread fear among the population in the areas under the influence of the faction controlling the area. We recorded several cases of arrests and kidnappings carried out in order to extort ransom money to secure the hostages' release.

III. Record of Cases of Arbitrary Arrests by the Parties to the Conflict

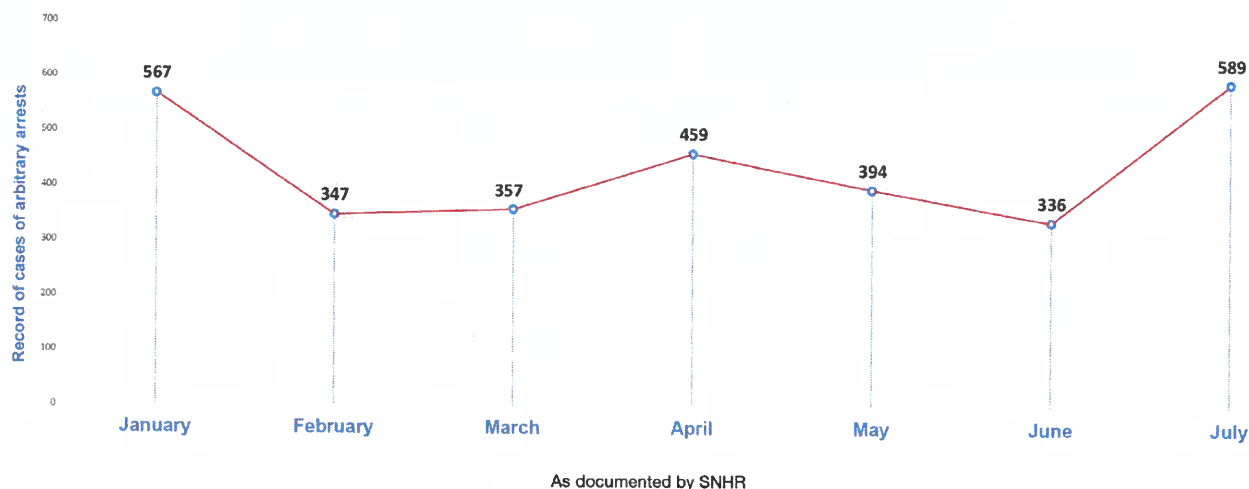
A. Record of cases of arbitrary arrests since the start of 2019:

SNHR documented 3,049 cases of arbitrary arrests at the hands of the main perpetrator parties in Syria since the start of 2019 up to August 2019, distributed as follows:





At least 3049 cases of arbitrary arrests in Syria in 2019
From January to August



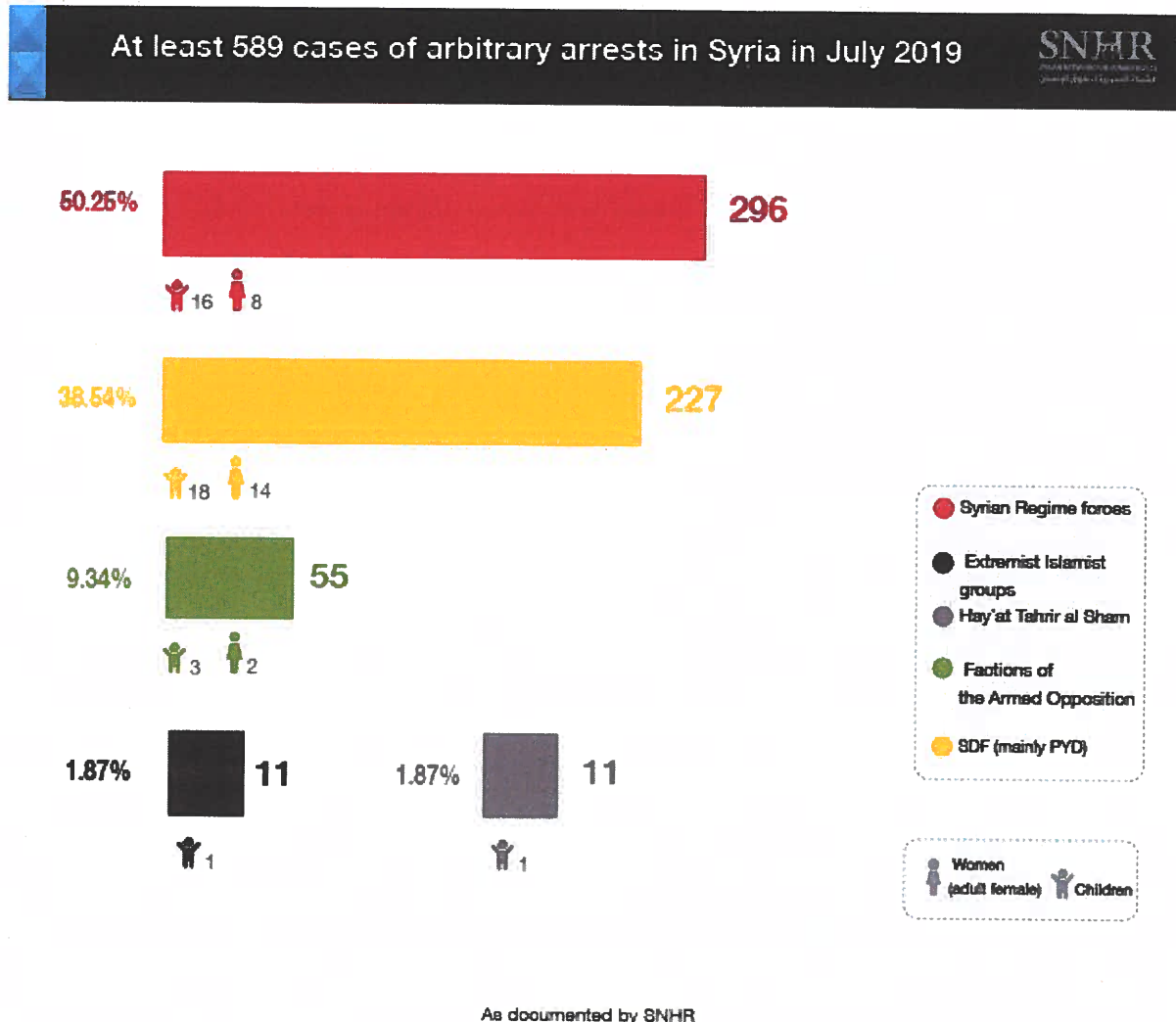
The chart above shows that July witnessed the highest rate of cases of arbitrary arrests in the first half of the year. This was due to the widespread nature of the arrests and kidnappings carried out by Syrian Democratic Forces targeting Arab civilians in areas under SDF control, specifically in Manbej city in the northwestern suburbs of Aleppo governorate.

B. Record of cases of arbitrary arrests in July:

SNHR documented at least 589 cases of arbitrary arrests in July 2019, including 38 children and 24 women (adult females), at the hands of the main perpetrator parties to the conflict in Syria, including 387 which have subsequently been categorized as cases of enforced disappearance.



These arrests were distributed according to the main perpetrator parties responsible, as follows:



A. Syrian Regime forces (army, security, local militias, and Shiite foreign militias):

296 individuals, including 16 children, and eight women. 213 of these have subsequently been categorized as cases of enforced disappearance.

B. Extremist Islamist groups:

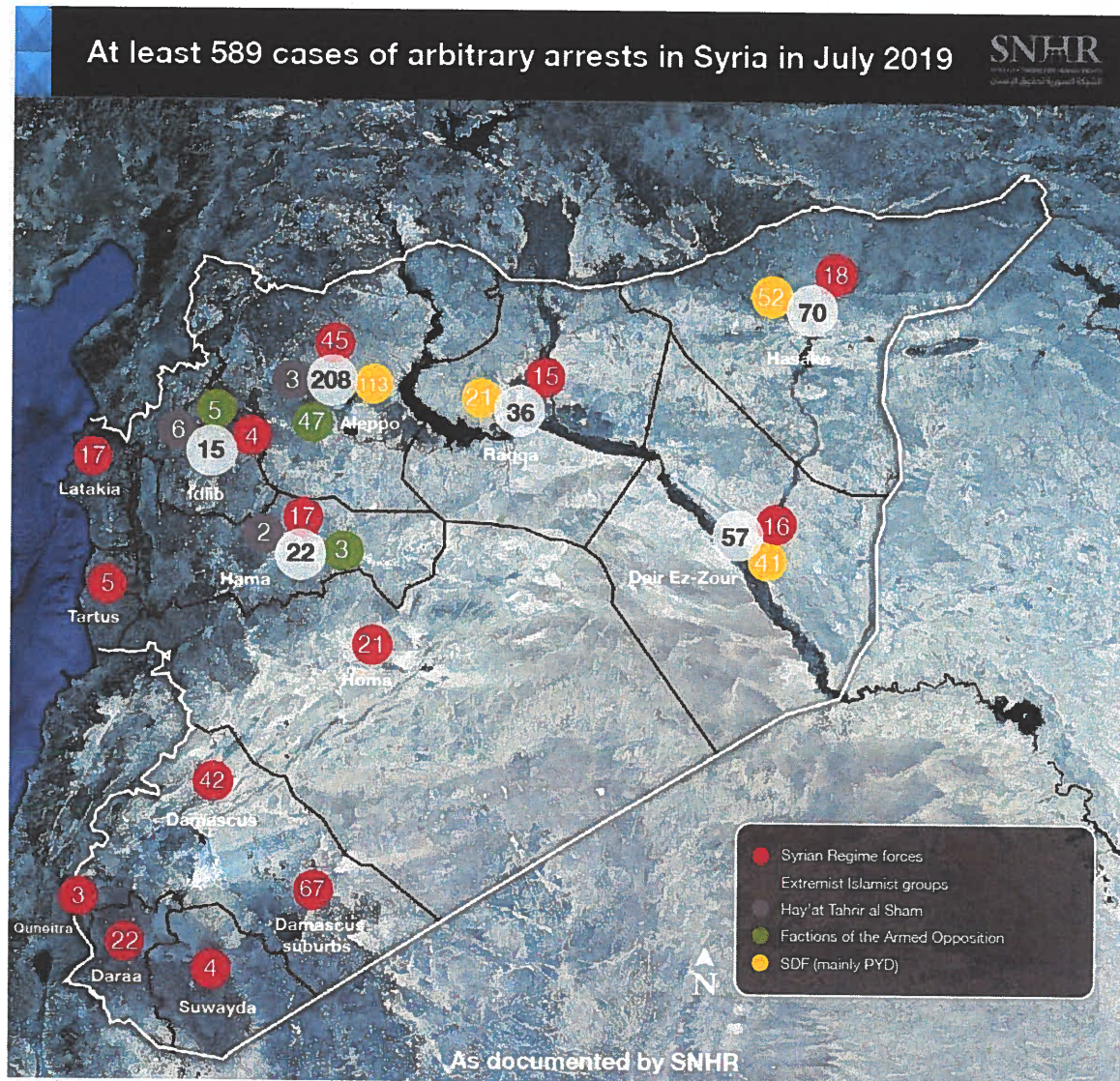
Hay'at Tahrir al Sham (an alliance composed of Fateh al Sham Front and a number of factions of the Armed Opposition): 11 individuals, including one child. Four of these have subsequently been categorized as cases of enforced disappearance.

C. Factions of the Armed Opposition: 55 individuals, including three children and two women. 21 of these have subsequently been categorized as cases of enforced disappearance.



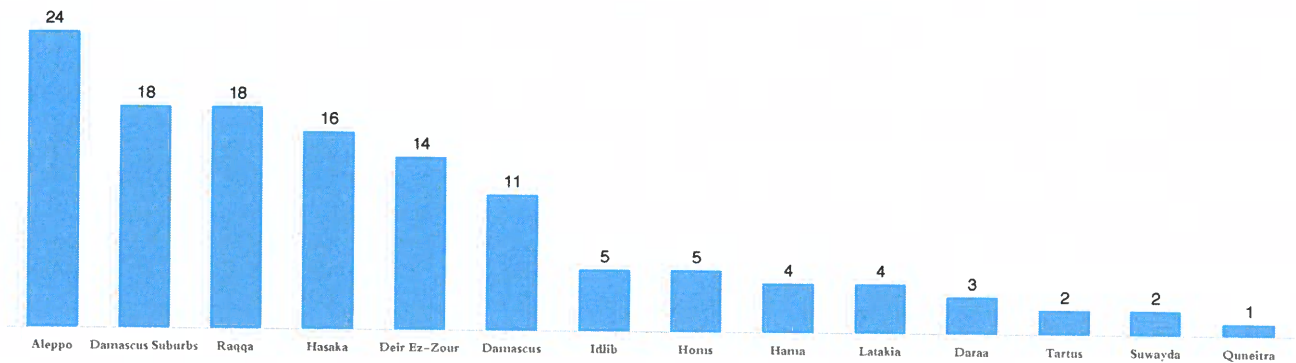
D. Kurdish-led Syrian Democratic Forces (the Democratic Union Party): 227 individuals, including 18 children and 14 women. 149 of these have subsequently been categorized as cases of enforced disappearance.

The following map shows the distribution of cases of arbitrary arrests documented in July across all the Syrian governorates by the main perpetrator parties:

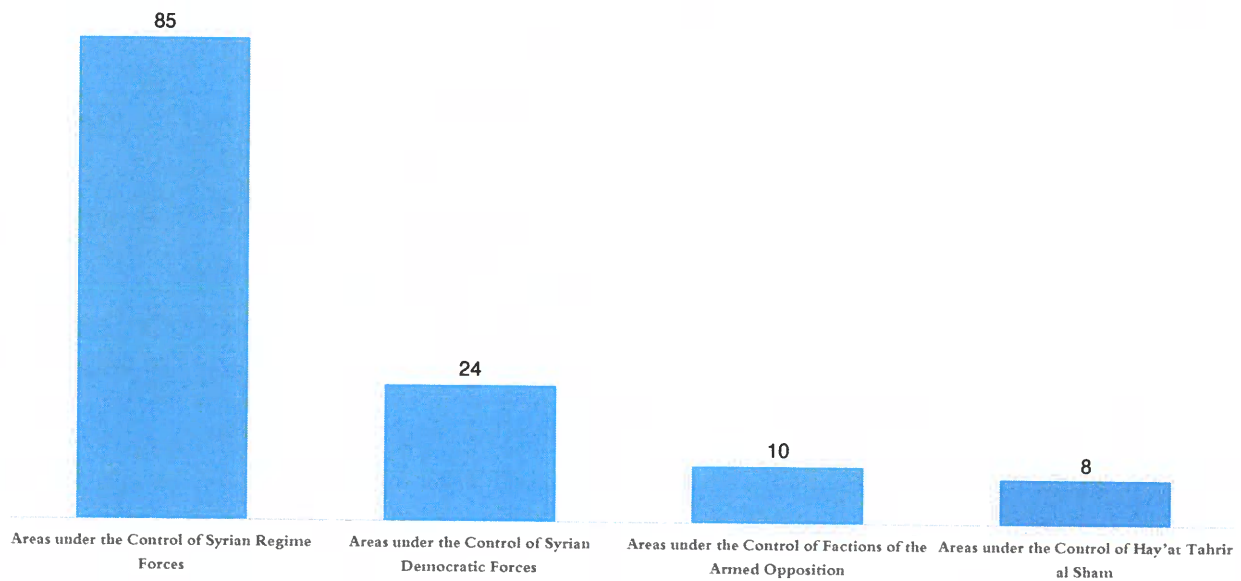


The map above shows that the highest rate of cases of arbitrary arrests was in Aleppo governorate due to its unique status compared to other Syrian governorates in having the largest number of the parties involved in the Syrian conflict present there, with control of various parts of the governorate being divided among Syrian Regime forces, Syrian Democratic Forces, factions of the Armed Opposition and Hay'at Tahrir al Sham. We find that at least 55 percent of these arrests were at the hands of Syrian Democratic Forces.

We also documented at least 127 raids and checkpoints in July, which resulted in deprivation of freedom. These were distributed across all governorates as follows:



Record of raids and checkpoints, distributed according to the responsible party as follows:



IV. Most Notable Cases and Incidents of Arbitrary Arrest in July:

A. Syrian Regime forces (army, security, local militias, and Shiite foreign militias):

Most notable incidents:

On Wednesday, July 17, 2019, Syrian Regime forces arrested a woman from Daraa city while she was on her way from Homs city to Daraa city, taking her to an undisclosed location.

On Thursday, July 18, 2019, Syrian Regime forces launched a campaign of raids and arrests in Daraa city. Two women from Daraa city were documented as being arrested and taken to an undisclosed location.

Most notable cases:

Tayseer Abdul al Jalil al Zu'bi, from al Ghariya al Sharqiya town in the northern suburbs of Daraa governorate, was arrested along with another, unnamed civilian from al Msaifra town in the southern suburbs of Daraa governorate, who was with him, by Syrian Regime forces on Sunday, June 30, 2019, at the Nasib border crossing with Jordan in the south of Daraa governorate, while both were returning from the State of Kuwait to Syria. Their fate remains unknown to the SNHR.

Mohammad Sattouf, nicknamed al Saghir, a former leader of the March 18 Division, an Armed Opposition faction, from al Quneitra city, was arrested by Syrian Regime forces on Monday, July 1, 2019, while passing through one of their checkpoints in al Quneitra city. He was among those who had previously reached settlements with Syrian Regime forces and joined the Fourth Division of Syrian Regime forces. His fate remains unknown to the SNHR.

Abdullah Hussein al Munajed, from Daraa city, was arrested by Syrian Regime forces on Tuesday, July 23, 2019, while passing through one of their checkpoints in al Sena'a area in Daraa city. He was among those who had previously reached security settlements with Syrian Regime forces. His fate remains unknown to the SNHR.

B. Extremist Islamist groups

- Hay'at Tahrir al Sham (an alliance composed of Fateh al Sham Front and a number of factions of the Armed Opposition):

Most notable cases

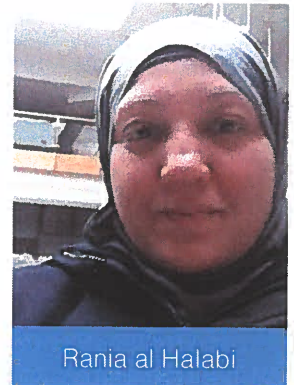
Khaled al Musa, a mosque preacher from Ma'ar Shamsha village in the eastern suburbs of Idlib governorate, was arrested on Tuesday, July 9, 2019, by Hay'at Tahrir al Sham gunmen as he reviewed a court affiliated with them in Ma'ar Debsa village in the northern suburbs of Idlib governorate. His fate remains unknown to the SNHR.



C. Factions of the Armed Opposition

Most notable cases:

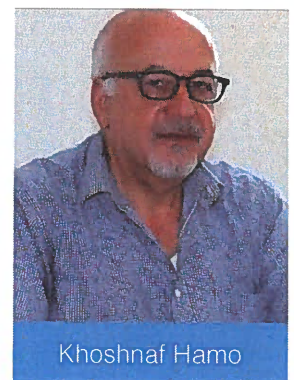
Rania al Halabi, an activist in the popular uprising and the director of the activities center of the Syrian Independent Kurds Association, from Damascus city, was born in 1974. She was arrested on Wednesday, July 17, 2019, by Military Police gunmen affiliated with factions of the Armed Opposition in a raid on her workplace in the vaccine campaign headquarters in Afrin city in the northern suburbs of Aleppo governorate and taken to one of their detention centers in the city. Her fate remains unknown to the SNHR, as well as to her family.



Ahmad al Mohammad, a lawyer from Jarablos city in the eastern suburbs of Aleppo governorate, was arrested by Military Police gunmen affiliated with factions of the Armed Opposition on Saturday, July 20, 2019, in Izaz city in the northern suburbs of Aleppo governorate and taken to one of their detention centers in the city.



Khoshnaf Hamo, head of the engineers room in the local council of Afrin city in the northern suburbs of Aleppo governorate, from Hobka village of Rajo town in Afrin area, was arrested by Military Police gunmen affiliated with factions of the Armed Opposition on Wednesday, July 24, 2019, at his workplace in Afrin city. His fate remains unknown to the SNHR.



D. Kurdish-led Syrian Democratic forces

The most notable cases:

On Sunday, July 14, 2019, Syrian Democratic Forces launched a campaign of raids and arrests in Na'em Jallad village, which is administratively a part of al Qameshli city in the northeastern suburbs of Hasaka governorate. We documented the arrest of ten civilians, including one child and one woman, who were taken to an undisclosed location.

On Sunday, July 14, 2019, Syrian Democratic Forces arrested five civilians from one family, including two children and two women, in al Jalaa village, which is administratively a part of al Boukamal area in the eastern suburbs of Deir Ez-Zour governorate. They were arrested while they were passing through one of the group's checkpoints in Jdaidet Kahit village, which is administratively a part of al Karama district in the eastern suburbs of Raqqa, and were taken to an undisclosed location.

Most notable incidents:

Fourteen-year-old Jamal Jabou, from Sharan town in Afrin district in the northern suburbs of Aleppo governorate, was arrested by Syrian Democratic Forces gunmen on Wednesday, July 3, 2019, in Ihris village in the northern suburbs of Aleppo governorate, with the objective of abducting him for forced conscription, and taken to one of their training camps.



Fourteen-year-old Mohammad Tayyari, from al Zohour neighborhood in Hasaka city, was arrested by Syrian Democratic Forces on Sunday, July 7, 2019, in al Zohour neighborhood. His fate remains unknown to the SNHR.

Zaher and Ali Ayyad al Ahmad, two brothers, from al Jerthi village in the eastern suburbs of Deir Ez-Zour governorate, were arrested by Syrian Democratic Forces, on Monday, July 22, 2019, in a raid on their place of residence in al Jerthi village. Their fate remains unknown to the SNHR.



V. Conclusions and Recommendations

- The SNHR believes that the Syrian regime has not fulfilled any of its obligations under any of the international treaties and conventions which it has ratified. We refer specifically to the International Covenant on Civil and Political Rights. It also violated several articles of the Syrian Constitution itself, with thousands of detainees detained without any arrest warrant and held for many years, without charges, and prevented from appointing a lawyer and from receiving family visits. Eighty-five percent of all detentions documented have subsequently been categorized as enforced disappearance cases, with detainees' families being denied any information on their loved ones' whereabouts, while anyone making enquiries about the detainees faces the risk of being arrested themselves for doing so.
- Hay'at Tahrir al Sham imposes absolute authority over the large areas it controls and the residents there. The group which has a political entity, and has developed a highly hierarchical structure, is therefore obliged to implement the provisions of international human rights law. Hay'at Tahrir al Sham has committed widespread violations through arrests and enforced disappearances.
- Factions of the Armed Opposition have carried out arrests and torture against a number of residents in areas under their control.
- Kurdish-led Syrian Democratic forces have violated many basic rights and practiced numerous violations such as torture and enforced disappearance. They also have a political entity with a largely hierarchical structure and are, therefore, also obliged to apply the provisions of international human rights law.

Recommendations

Security Council

- Monitor the implementation of Resolution 2042, adopted on April 14, 2012, Resolution 2043, adopted on April 21, 2012, and Resolution 2139, adopted on February 22, 2014, all of which demand the immediate cessation of the crime of enforced disappearance.

Human Rights Council

- Follow up on the issue of detainees and forcibly disappeared persons in Syria and highlight this issue in all annual meetings.
- Cooperate and coordinate with all active local human rights groups in Syria.

Independent International Commission of Inquiry (COI)

Launch investigations into the cases included in this report and previous reports. SNHR is willing to cooperate and provide more evidence and data.



International, Impartial, and Independent Mechanism (IIIM)

Address the cases mentioned in this report and past reports. SNHR is willing to cooperate and provide more evidence and data.

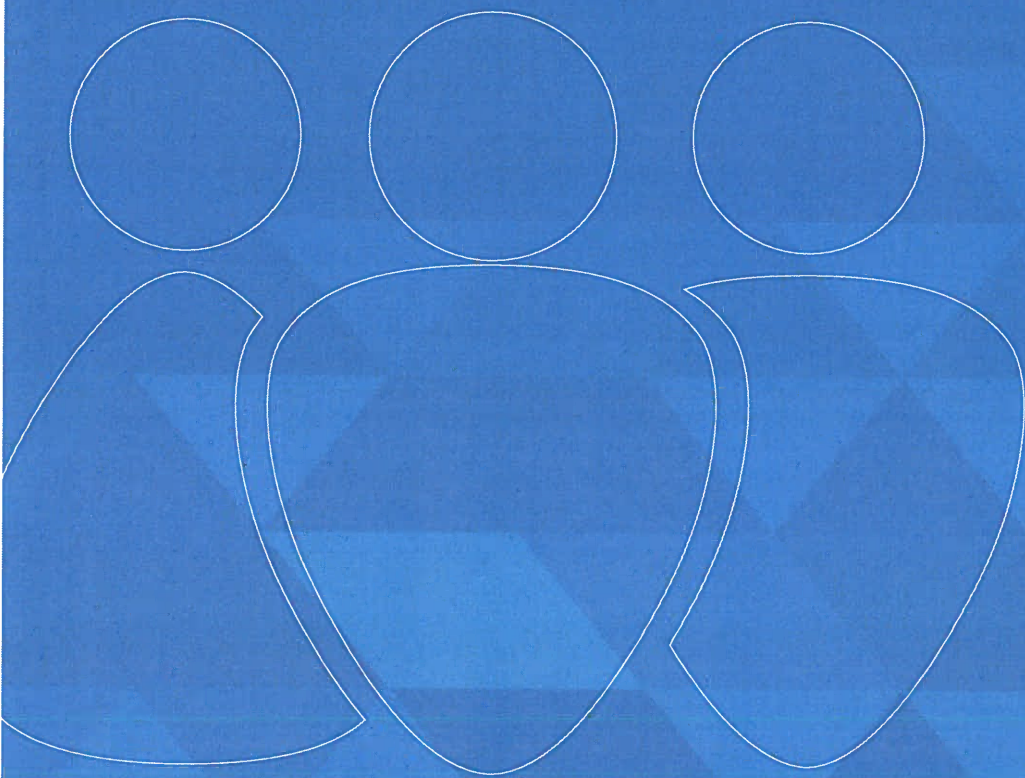
United Nations and the guarantors of the Astana talks

- An impartial special committee should be formed to monitor cases of enforced disappearance, and to make progress in revealing the fate of the nearly 95,000 documented missing persons in Syria, approximately 87 percent of whom are detained by the Syrian regime.
- Immediately begin applying pressure on all parties to ensure that they immediately reveal their detention records according to a timetable. In the meantime, detention places should be revealed immediately, and humanitarian organizations and the International Committee of the Red Cross should be allowed to visit them directly.
- Ensure the release of children and women, and the end to the practice of holding families and friends as war hostages.
- We call on the official recently appointed to take charge of the detainee file at the UN special envoy's office to include the issue of the detainees during the upcoming round of Geneva talks, as this issue is of far greater importance to the Syrian people than other longer-term issues which can be jointly addressed later by the parties after a political settlement is reached, such as the constitution.

Acknowledgments

Our sincere thanks to the relatives and families of the victims, their friends, eyewitnesses and local activists who have contributed effectively to the collection and verification of data.





@snhr



Info@sn4hr.org

www.sn4hr.org

