

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	894
Land:	Syrien
Kilde:	Syrian Network for Human Rights
Titel:	16 Individuals Died due to Torture in Syria in October 2018. 925 Individuals Died due to Torture at the hands of the Syrian Regime in 2018
Udgivet:	3. november 2018
Optaget på baggrundsmaterialet:	26. november 2018

16 Individuals Died due to Torture in Syria in October 2018

925 Individuals Died due to Torture at
the hands of the Syrian Regime in 2018



SYRIAN NETWORK FOR HUMAN RIGHTS

الشبكة السورية لحقوق الإنسان

Saturday, November 3, 2018

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.



Contents

- I. Introduction and Methodology
- II. Executive Summary
- III. Most Notable Deaths due to Torture in October
- IV. Conclusions and Recommendations

I. Introduction and Methodology

International law completely prohibits torture and other forms of cruel, inhumane, or degrading treatment. This being a customary rule, states can't dismiss or undermine this rule in favor of other rights or values, even in times of emergency. Violating the prohibition of torture is an international crime according to international criminal law as people who issued orders for torture, or failed to prevent its occurrence, are regarded criminally responsible for such practices. Nonetheless, torture is being practiced in Syria in a systematic manner to extremely brutal and sadistic degrees. Also, torture is practiced on sectarian and ethnic basis in many cases – especially inside the detention centers of Syrian regime forces who has been, and still is, the primary and main perpetrator of the crimes of torture. Syrian regime forces have been practicing arbitrary, random, concentrated arrests as a policy since the early days of the popular uprising for freedom in March 2011. We started recording deaths due to torture on a daily basis in parallel with arrests and enforced-disappearances. Syrian regime forces have practiced extremely brutal acts of torture for the purpose of retaliation, murder, and as a way to get rid of the ever-increasing detained opposition figures, and to submit and erode the popular uprising by terrorizing, degrading, and fragmentizing it. We have outlined the most notable methods of torture in an [extensive study](#) that was released in 2014.

Other parties have committed the crime of torture, even if to a lesser extent than the Syrian regime. However, we have recorded a notable increase, since 2015, in rates of deaths due to torture at the hands of other parties – particularly at the hands of ISIS, who managed to build multiple detention centers, and an apparatus specifically dedicated to arrest and torture in its areas of control, as well as Kurdish Self-Management forces, who practiced torture methods that were similar to the Syrian regime's especially against detainees who



are accused of being affiliates of factions from the armed opposition and their relatives while some of the acts of torture they committed were based on ethnic grounds. Even though forces from the armed opposition never practiced torture to an extent where it can be described as consistent acts of a large scope against civilians, we have monitored a rise in the rates of such practices as well as in deaths due to torture at detention centers for factions from armed opposition since November 2016.

All of those parties have failed to distinguish, in their crimes of killing by torture, between a child, a woman, or an elder, where we documented hundreds of cases where such individuals were killed in order to submit the people and intimidate them. Some of those parties tend to inform a victim's family without delivering the dead body while Syrian regime forced victims' families to sign papers that certify that the victim died due to health reasons that are not related to torture without even seeing the dead body.

Fadel Abdul Ghany, chairman of SNHR, says:

"The norm of 'Responsibility to Protect' must be implemented in light of the government's failure to protect its people, and the fruitlessness of the diplomatic and peaceful efforts so far. Crimes against humanity and war crimes are being perpetrated every day in Syria and mainly at the hands of the organs of the state itself."

Methodology

The report outlines deaths due to torture at the hands of the main five parties (Syrian regime forces, extremist Islamic groups, Kurdish Self-Management forces, armed opposition factions, and group we couldn't identify) that we were able to document in October. Also, the report sheds light on the most notable of these cases.

This report draws upon the ongoing monitoring of news and developments by SNHR team, and on an extensive network of relations with various sources that have been built over the course of our work. When we receive information, or hear some news about a violation via the internet or media outlets, we work on following-up on this news and try to verify and collect evidences and data. As with other human rights groups, SNHR was not able to visit Syrian regime forces' detention centers due to the ban imposed on our members which was also the case for the detention centers that are affiliated to the rest of the parties to the conflict.



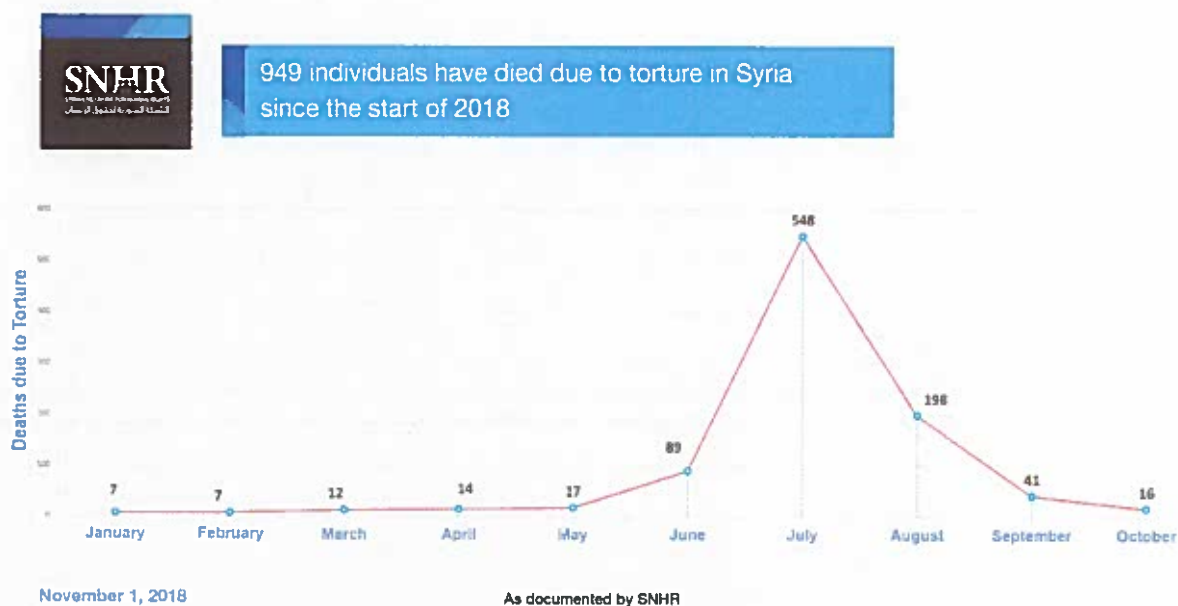
We obtain information on victims who died due to torture in the Syrian regime's prisons by speaking with either former detainees or victims' families and friends. Most of them get information about their detained relatives by bribing officials in charge. Conclusively confirming deaths remains subject to ongoing documentation and verification as cases of this nature remain open. In light of the serious difficulties we encounter in the process of documentation. The cases included in this report only represent a fraction of the actual total number of violations that are being perpetrated.

Please see SNHR methodology for [documenting victims](#)

II. Executive Summary

A. Deaths due to torture since the start of 2018

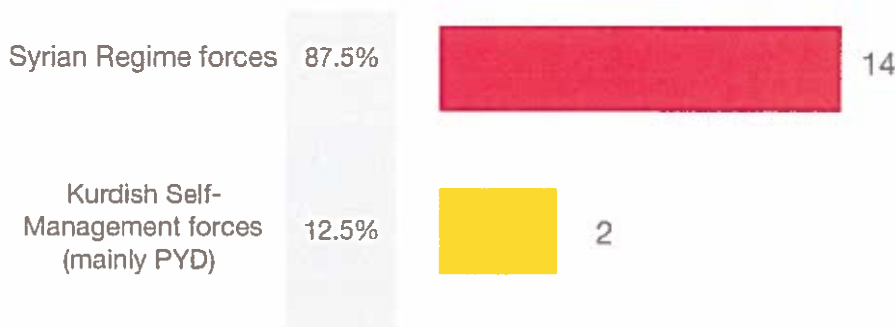
SNHR has documented 949 cases of death due to torture at the hands of the parties to the conflict in both official and unofficial detention centers between the start of 2018 and November of the same year, including 925 deaths at the hands of Syrian regime forces. The death toll is distributed by month as follows:



B. Deaths due to torture in October 2018

SNHR has documented no fewer than 16 cases of death due to torture in the official and non-official detention centers in October, as follows:

16 individuals died due to torture in Syria in October 2018



As documented by SNHR

SNHR
SYRIAN NETWORK FOR HUMAN RIGHTS
الشبكة السورية لحقوق الإنسان

A. Syrian regime forces (army, security, and local militias): 14

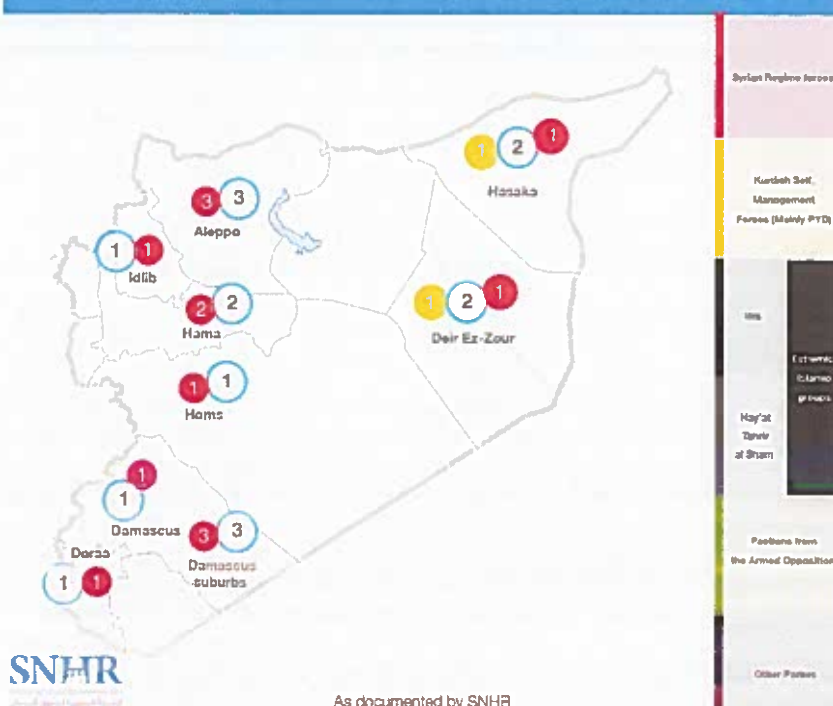
B. Self-Management forces (primarily consisting of the Democratic Union Party – a branch of the Kurdistan Workers' Party): 2

Deaths due to torture have been continuous since 2011. This is a very strong indicator of the systematic violence and excessive force used against detainees.

The highest number of deaths due to torture in October was recorded in Aleppo and Damascus governorates, with three individuals killed under torture in each.

The death toll is distributed across governorates as follows:

16 individuals died due to torture in Syria in October 2018



As documented by SNHR



The most notable deaths in October are:

A University student and a case of kinship

III. Most Notable Deaths due to Torture in October

University students

Qutaiba Mohammad Hakkoush, a student at the Engineering Institute in Damascus University, originally from Kherbat al Naqous village in western Hama governorate, was born in 1990. He was arrested by Syrian regime forces on Friday, February 21, 2014 in Kherbat al Naqous village. On Monday, October 29, 2018, we received information confirming that he had died due to torture in November 2014 in a detention center.



Qutaiba Hakkoush

Cases of kinship

Siblings [Hussein](#) and [Fayyad](#) Ahmad Fatta, from Darayya city in Western Ghouta in western Damascus suburbs governorate. On Wednesday, October 24, 2018, we received information confirming that they had died due to torture in a detention center. Syrian regime forces arrested Hussein on Monday, September 2, 2013, in Sehnaya town in western Damascus suburbs governorate, subsequently arresting his brother Fayyad in 2014.

IV. Conclusions and Recommendations

The Syrian regime has perpetrated torture through multiple institutions in a systematic, widespread and institutional manner which constitutes an explicit breach of the international human rights law and qualifies as crimes against humanity. In many cases, these breaches have reached levels of intensified violations of the right to life. Also, these crimes, which have been perpetrated after the start of the non-international armed conflict in a systematic and widespread manner, constitute a blatant breach of the international human rights law and constitute war crimes. It has been proven that the Syrian regime is fully aware of these acts, and fully knows that the inhuman detention conditions will definitely lead to death, but failed to take action in this regard. Furthermore, the Syrian regime never launched any investigation, or held those who were involved accountable, but rather legalized their crimes and attempted to conceal and hide criminal evidences.



The perfunctory trials that ISIS conducted for the detainees end with sentences of death by torture, field-execution, or death by brutal, innovative ways. None of these trials respect the rules of the international human rights law or the international humanitarian law which constitutes a war crime.

In this regard, Kurdish Self-Management forces didn't respect the rules of the international human rights law or the international humanitarian law. The acts of torture these forces practice on their foes, in the context of the armed non-international conflict, constitute a war crime.

The acts of torture carried out by factions from the armed opposition are an explicit violation of the international human rights law when committed against residents in their areas of control, and of the international humanitarian law when committed against one of their foes in the armed non-international conflict, and constitute a war crime.

Recommendations

Security Council and United Nations

- Renew the calls for the Syrian regime to commit to ending acts of torture, immediately demand that all torture victims' fates are revealed, and rescue the remainder of detainees as soon as possible.
- Apply pressure on the Syrian government to implement Security Council resolutions 2042, 2139, and 2254. In case the Syrian government didn't comply, which has been the case since the popular uprising started in Syria, action should be taken under Chapter VII of the Charter of the United Nations in order to save detainees inside detention centers from dying.
- Russia should stop hindering the referral of the case in Syria to the International Criminal Court.
- All of the United Nations relief organs should search for the families who lost their provider or one of their members to torture, ensure the uninterrupted delivery of aids to people who are truly in need, and commence rehabilitation efforts.
- Immediately punish all individuals involved in the machine of torture.

International community

- States party to the Convention against Torture should take all necessary measure to establish their jurisdiction over the perpetrators of torture crimes, and make every possible effort to achieve so.
- Impose new serious sanctions against the Syrian regime in order to deter it from killing Syrian citizens under torture.



- Provide more finance, support, and grants for the local organizations that work on rehabilitating and taking care of the torture victims and their families.
- Support individual activists and local organizations who are documenting violations without exploiting influence or enforcing political directions.

Commission of Inquiry (COI)

Launch investigations on the cases included in this report and past reports. SNHR is willing to cooperate and provide more evidences 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 evidences and data.

Syrian regime

- Launch an immediate investigation on all cases of death inside detention centers, and cease practicing systematic acts of torture which constitute crimes against humanity, as the regime's apparatuses practice these acts on a daily basis.
- All death sentences should be suspended, considering that they were based on confessions extracted under brutal torture.
- Immediately secure access for the Commission of Inquiry, the Committee of the Red Cross, and all objective human rights groups to detention centers.
- Take immediate action in order to end all forms of torture, improve the conditions inside detention centers, and commit to protect tens of thousands of detainees from being tortured and degraded.
- Release arbitrarily arrested detainees and particularly children and women, and reveal the fates of thousands of forcibly-disappeared persons.
- The Syrian regime is responsible for deaths due to torture, and has to immediately start compensating all of the victims' families.

Extremist Islamic groups

Ensure the implementation of the international human rights law in their prisons and areas of control, and cease all forms of torture inside detention centers.



Armed opposition factions

- Respect the rules of the international human rights law, and end all unlawful trials, as well as all acts of torture inside detention centers.
- Immediately secure access for the International Committee of the Red Cross and objective human rights groups to all detention centers, and cease holding detainees in secret detention centers.
- Hold all individuals involved in committing torture accountable, and discharge them immediately.

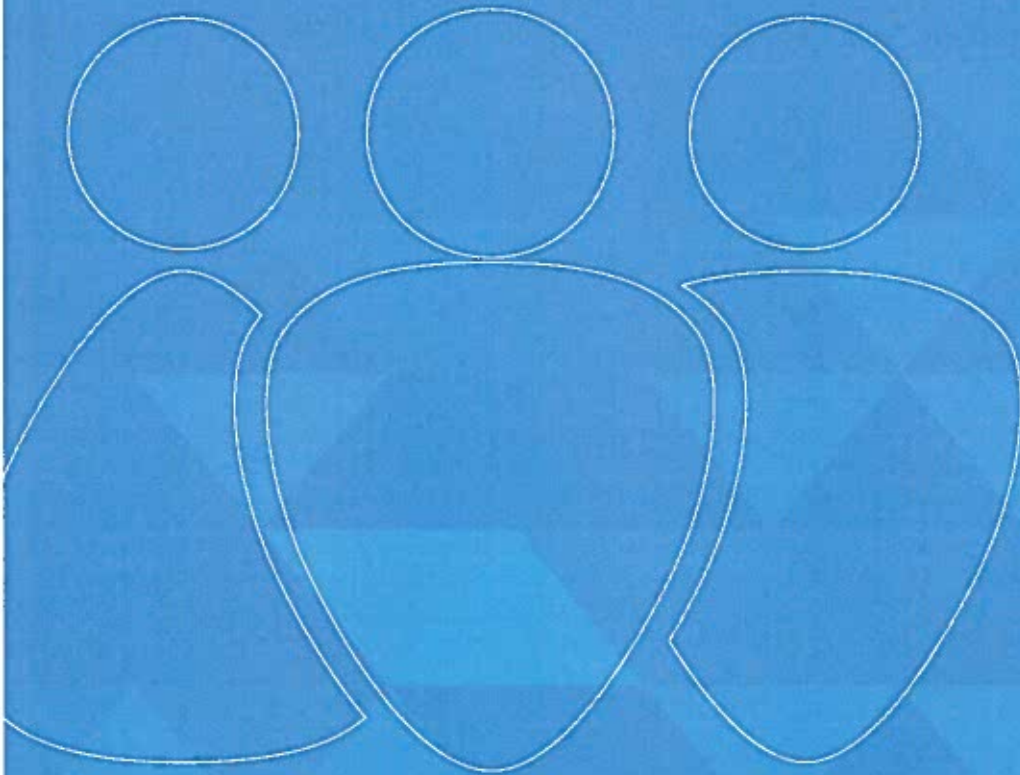
Kurdish Self-Management

- Respect the standards of the international human rights law and cease the use of torture against political or military opponents, and launch investigations to expose those who were involved in these crimes and hold them accountable.
- Reveal all detainees and publicize lists of their names, make the locations and sites of the secret detention centers public, and allow families and human rights groups to visit them.

Acknowledgment and Condolences

Our most sincere thanks to all families, eyewitness, and activists who contributed effectively to this report. Our most heartfelt condolences to the victims' families and friends.





@snhr



Info@sn4hr.org

www.sn4hr.org

