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At least 161 Cases of Arbitrary Arrests Documented in Syria in January 2020

Including 109 Cases of Enforced Disappearance



SYRIAN NETWORK FOR HUMAN RIGHTS

الشبكة السورية لحقوق الإنسان

Sunday, February 2, 2020

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 earliest days of the popular uprising for democracy in Syria in March 2011.

These criminal acts, which are considered to be the most common and pervasive regime violations against Syrian citizens, affecting hundreds of thousands of Syrians, 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 89 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 89 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 January. 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 January, 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 accordance with principles of 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 144,000 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. January Outline

In January, Syrian Regime forces continued to pursue and arrest individuals who had settled their security situation in areas that have signed settlement agreements with the regime; these arrests have been concentrated in the governorates of Damascus Suburbs and Aleppo.

In January, we also documented arrests of individuals simply for expressing opinions, which were concentrated in Deir Ez-Zour governorate. We also recorded arrests, including of elderly people and women, for making phone calls to areas outside the Syrian regime's control, either by raiding their homes or while they were passing through the regime's checkpoints and crossings.

In January, we recorded that Syrian Regime forces released 12 detainees from their detention centers, most of whom were from the governorates of Idlib and Daraa.

Meanwhile, Kurdish-led Syrian Democratic Forces continued enforcing the group's policies of arbitrary arrest and enforced disappearance throughout the month of January, targeting activists and members of civil society groups who oppose their policies. These arrests were concentrated in the governorates of Raqqa and Hasaka. Also in January, SNHR documented Syrian Democratic Forces carrying out arrests targeting children with the aim of forced conscription. Syrian Democratic Forces also targeted several families for arrest, as well as targeting several members of the same families, including elderly people, without providing clear charges, taking those detained to an undisclosed location. We also recorded that Syrian Democratic Forces released nearly 51 detainees from their detention centers, all of whom were released as a result of tribal agreements.

In addition to these incidents, January also saw Hay'at Tahrir al Sham arresting activists working with civil society groups, as well as media activists and other civilians, with most of these arrests occurring due to the publication of reports on social media accounts criticizing the HTS's management of areas under its control. These arrests were carried out



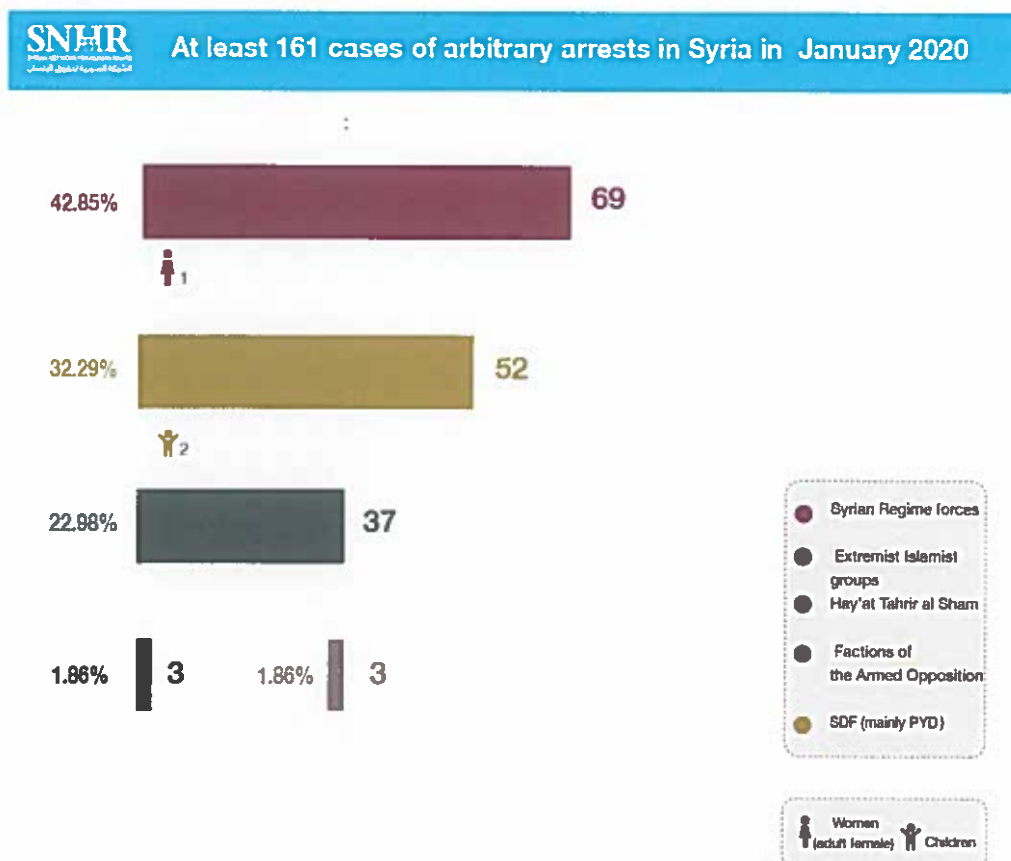
arbitrarily in the form of raids in which HTS members broke down the doors of homes and stormed their targets' homes or by kidnapping their victims while they were travelling or passing through temporary checkpoints.

Factions of the Armed Opposition also continued carrying out arrests and kidnappings in January, most of which occurred on a mass scale, in many cases targeting several members of the same families, including women and children, in the territories under their control, which were concentrated in areas under their control in Aleppo and Raqqa governorates, particularly in the Afrin and Tal Abyad 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, and were carried out without presenting any clear charges against those detained.

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

SNHR documented at least 161 cases of arbitrary arrests in January 2020, including two children and one woman (adult female), at the hands of the main perpetrator parties to the conflict in Syria, including 109 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): 69 individuals, including one woman. 53 of these have subsequently been categorized as cases of enforced disappearance.

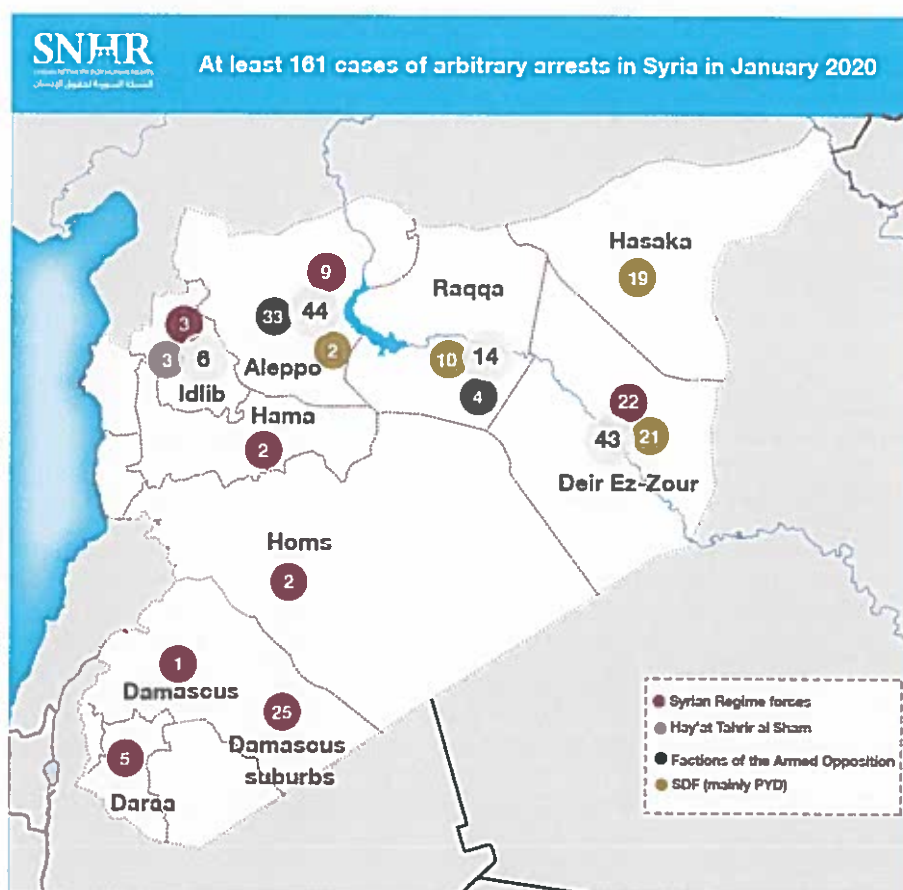
B. Extremist Islamist groups:

- Hay'at Tahrir al Sham (an alliance composed of Fateh al Sham Front and a number of factions of the Armed Opposition): Three individuals. Two of these have subsequently been categorized as cases of enforced disappearance.

C. Factions of the Armed Opposition: 37 individuals. 22 of these have subsequently been categorized as cases of enforced disappearance.

D. Kurdish-led Syrian Democratic Forces (the Democratic Union Party): 52 individuals, including two female children. 32 of these have subsequently been categorized as cases of enforced disappearance.

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



The map above shows that the highest rates of cases of arbitrary arrests during this period were seen in Aleppo and Deir Ez-Zour governorates, followed by the governorates of Damascus Suburbs and Hasaka.



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

A. Syrian Regime forces:

- Most notable incidents:

On Thursday, January 9, 2020, Syrian Regime forces carried out a campaign of raids and arrests in Sbeikhan city in the eastern suburbs of Deir Ez-Zour governorate. SNHR documented the arrest of 10 civilians, who were taken to an undisclosed location.

On Wednesday, January 15, 2020, Syrian Regime forces carried out a campaign of raids and arrests around al Omari Mosque in the center of Jisreen town in the Eastern Ghouta, east of Damascus Suburbs governorate. SNHR documented the arrest of eight civilians, who were taken to an undisclosed location.

On Thursday, January 23, 2020, Syrian Regime forces carried out a campaign of raids and arrests in the neighborhoods of al Baidar and Karm al Tal'a of Harasta city in the Eastern Ghouta, east of Damascus Suburbs governorate. SNHR documented the arrest of 10 civilians, who were taken to an undisclosed location.

On Saturday, January 25, 2020, Syrian Regime forces carried out a campaign of raids and arrests in the neighborhoods of al Mash-had, Salah al Din and al Sukkari of Aleppo city. SNHR documented the arrest of seven civilians, who were taken to an undisclosed location.

- Most notable cases:

Jasem Dahham al Khalaf, from al Salehiya town in the suburbs of Deir Ez-Zour governorate, was arrested on Saturday, January 4, 2020, by Syrian Regime forces in a raid on his home in al Salehiya town. His fate remains unknown to SNHR.

Ahmad Hussein Zain al Abdin, from Tseel town in the northwest of Daraa governorate, was arrested on Friday, January 10, 2020, by Syrian Regime forces while he was passing through one of the regime's checkpoints in the vicinity of Nawa city, west of Daraa governorate. His fate remains unknown to SNHR.

Yousef al Hasan, from Granij town, which is administratively a part of al Sh'aitat area in the eastern suburbs of Deir Ez-Zour governorate, was arrested on Wednesday, January 8, 2020, by Syrian Regime forces while he was passing through one of the regime's checkpoints in Damascus city. His fate remains unknown to SNHR.



Thaer Munir al Na'san, a college student at the faculty of Veterinary Medicine in Daraa University, from Tseel town, west of Daraa governorate, was arrested on Sunday, January 19, 2020, by gunmen affiliated with Syrian Regime forces in Daraa al Mahatta area of Daraa city. His fate remains unknown to SNHR.

B. Extremist Islamist groups

- Hay'at Tahrir al Sham:

- Most notable cases:

Ekrema Abdul Raouf Mansour, from Qal'at al Madiq city in the western suburbs of Hama governorate, who is a resident of the Kafr Lousin area in the northern suburbs of Idlib, was arrested by gunmen affiliated with Hay'at Tahrir al Sham on Saturday, January 4, 2020, after being lured to the Sarjila police station, because he published a photo of Hay'at Tahrir al Sham's leader holding an olive oil bottle. His fate remains unknown to SNHR

C. Factions of the Armed Opposition

- Most notable incidents:

On Sunday, January 12, 2020, gunmen affiliated with a faction of the Armed Opposition carried out a campaign of raids and arrests in Kourkan village, which is administratively a part of Afrin city in the northern suburbs of Aleppo governorate. SNHR documented the arrest of 11 civilians, including three women, all of whom were taken to an undisclosed location.

On Thursday, January 17, 2020, gunmen affiliated with a faction of the Armed Opposition carried out a campaign of raids and arrests in Kakhra village of Mabata district, which is administratively a part of Afrin city in the northern suburbs of Aleppo governorate. SNHR documented the arrest of three civilians, who were taken to an undisclosed location.

On Sunday, January 19, 2020, members of the National Army forces carried out a campaign of raids and arrests in Tal Abyad village, which is administratively a part of Tal Abyad area in the northern suburbs of Raqqa governorate. SNHR documented the arrest of four civilians from one family, who were taken to an undisclosed location.

On Thursday, January 23, 2020, gunmen affiliated with a faction of the Armed Opposition carried out a campaign of raids and arrests in Ma'rata village, which is administratively a part of Afrin city in the northern suburbs of Aleppo governorate. SNHR documented the arrest of nine civilians, who were taken to an undisclosed location.



- **Most notable cases:**

Abdul Razzaq Abdul Rahman Mohammad, aged 48, from Kafrdelli Tahtani village, which is administratively a part of Afrin city in the northern suburbs of Aleppo governorate, was arrested on Saturday, January 4, 2020, by gunmen of Military Police affiliated with factions of the Armed Opposition in Kafrdelli Tahtani village. His fate remains unknown to SNHR.

Brothers Walat and Idris Haj Ali Abbou, from Kakhra village of Mabata district, which is administratively a part of Afrin city in the northern governorate of Aleppo suburbs, were arrested on Sunday, January 12, 2020, by gunmen affiliated with a faction of the Armed Opposition in Kakhra village. Their fate remains unknown to SNHR.

D. Kurdish-led Syrian Democratic forces (mainly PYD)

- **Most notable incidents:**

On Thursday, January 2, 2020, Syrian Democratic Forces carried out a campaign of raids and arrests in al Khababesa neighborhood of al Sh-heil city in the eastern suburbs of Deir Ez-Zour governorate. SNHR documented the arrest of eight civilians from one family, who were taken to an undisclosed location.

On Saturday, January 4, 2020, Syrian Democratic Forces carried out a campaign of raids and arrests in al Kalasa neighborhood of Hasaka city. SNHR documented the arrest of three women and six Russian-national children, who were taken to an undisclosed location.

On Thursday, January 9, 2020, Syrian Democratic Forces carried out a campaign of raids and arrests in al Ahmar and al Daman villages in the eastern suburbs of Deir Ez-Zour governorate. SNHR documented the arrest of 15 civilians, who were taken to an undisclosed location.

On Wednesday, January 15, 2020, Syrian Democratic Forces carried out a campaign of arrests at one of the SDF's checkpoints (Brigade 17 checkpoint), north of Raqqa city. SNHR documented the arrest of 10 civilians, who were taken to an undisclosed location.

- **Most notable cases:**

Brothers Ahmad and Hamoudi Mohammad al Mekhlef al Haloum, from al Khababesa neighborhood of al Sh-heil city in the eastern suburbs of Deir Ez-Zour governorate, were arrested by Syrian Democratic Forces on Thursday, January 2, 2020, in al Khababesa neighborhood. Their fate remains unknown to SNHR.



The 16-year-old female child, Sultana Bakr, from Sheeh town, which is administratively a part of Afrin city in the northwest of Aleppo governorate, was arrested on Tuesday, January 7, 2020, near the prison in al Meselmiya village, north of Aleppo governorate. Her fate remains unknown to 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, held for many years, without charges, and prevented from appointing a lawyer and from receiving family visits. 65.08 percent of all detentions documented have subsequently been categorized as cases of enforced disappearance, 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. The Syrian regime has also violated the right to liberty enshrined in article 9 of the ICCPR through the widespread practice of arbitrary and unlawful detentions.
- 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.

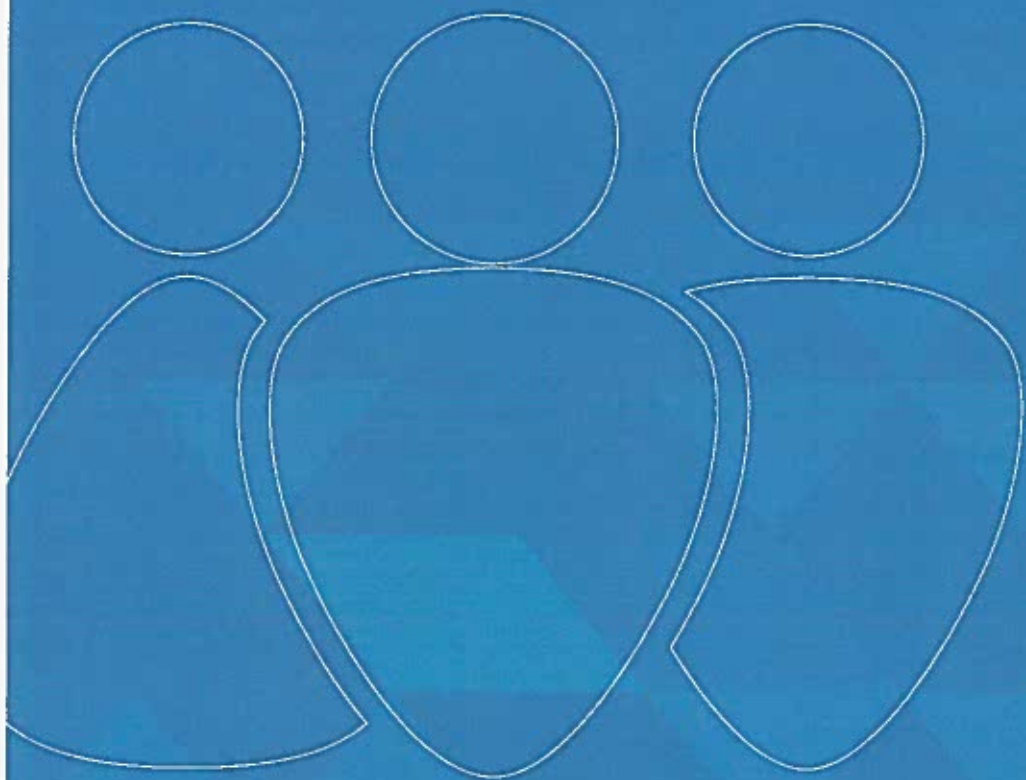
United Nations and the guarantors of the Astana talks

- An impartial special committee should be formed to monitor cases of enforced disappearance, and to make progress in revealing the fate of the nearly 98,000 documented missing persons in Syria, approximately 85 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

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