Flygtningenævnets baggrundsmateriale

Bilagsnr.:	1812
Land:	Syrien
Kilde:	Syrian Network for Human Rights
Titel:	SNHR Obtains hundreds of death certificates for people forcibly disappeared by the Syrian Regime, whose families have not been notified of their deaths, which have not been announced by civil register offices
Udgivet:	12. december 2022
Optaget på baggrundsmaterialet:	26. juni 2023



SNHR Obtains Hundreds of Death Certificates for People Forcibly Disappeared by the Syrian Regime, Whose Families Have Not been Notified of Their Deaths, Which Have Not Been Announced by Civil Register Offices

The Syrian Regime Has Killed Hundreds of Forcibly
Disappeared Persons in its Prisons, Including Prominent
Activists from the Uprising against the Regime

Monday 12 December 2022

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.

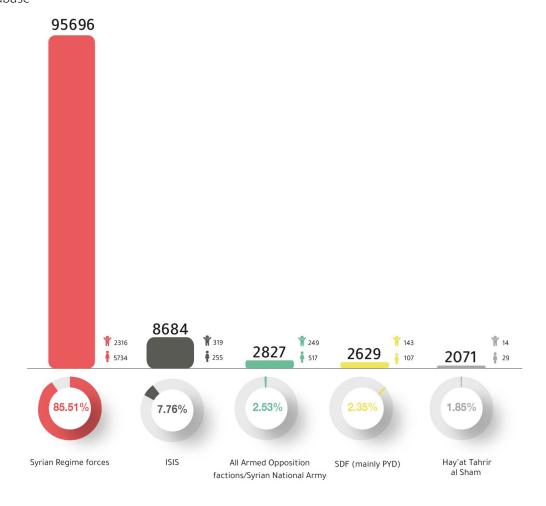


Content:

I. The Syrian Regime Has Recorded Thousands of Forcibly Disappeared Persons as Dead

Since 2011, the Syrian Network for Human Rights (SNHR) has worked to document cases of arbitrary arrest and enforced disappearance at the hands of the Syrian regime and the other parties to the conflict, building up an expansive database through our continued and ongoing daily monitoring in the years since then. Our database contains details about each documented detainee, their date of arrest, and of release if applicable, and whether or not they have become forcibly disappeared in case no new information has emerged about them in the period since their detention. In the course of our work on the issue of arbitrary arrest and enforced disappearance, we release a monthly report documenting arbitrary arrests and enforced disappearances, which also provides an outline for the incidents and cases documented every month. In parallel with our documentation efforts over the past 11 years, we have been able to build a strong network of relationships with local activists, victims' families, survivors, and eyewitnesses both in Syria and abroad. We also took it upon ourselves to facilitate communication channels in order to ensure better access and documentation, including a dedicated e-mail address and phone numbers designated particularly for receiving cases to be documented, as well as providing forms on our website. Such practices have helped us in our continuous and ongoing documentation that we conduct in accordance with our methodology, which is in turn, guided by international laws and guidelines on arbitrary arrest and enforced disappearance.

Below is a chart of the current toll of enforced disappearances in Syria as documented on SNHR's database



The following aggregate chart illustrates the yearly increase in enforced disappearance cases over the past 11 years



In early 2018, we began to notice that many families with forcibly disappeared relatives held in regime detention centers had been receiving death certificates issued for their missing relatives. The documents in question were issued without any regime organ issuing any official notification. Instead, the families simply learnt of the existence of these death certificates when visiting civil register offices to conduct regular transactions and file paperwork. As the news spread, hundreds of other families of forcibly disappeared persons flocked to civil register offices to obtain family statements in the hope that these might contain information about the fate of their own missing loved ones. In cases where the forcibly disappeared persons were found to be dead, these families were at least finally able to obtain death certificates. In 2018, many civil register offices in governorates like Damascus, Homs, Hama, Damascus suburbs and Latakia were overwhelmed by families desperate to find out the fate of their loved ones, which prompted those offices to release lists of names of those certified as having died, many of whom were included among the 'disappeared' documented by SNHR. The registry offices have now been issuing these lists for five years (including 2018), with hundreds of families finding out about their loved ones' death through this means. This trend has continued for the past few years, save for a few occasions when a number of civil register offices in the governorates of Damascus and Damascus suburbs temporarily refused to cooperate with the families by releasing death certificate or providing any answers to families' questions about whether or not certain names had been registered as dead.

We believe this happened under instructions from the regime's security authorities to stop families from gathering at those offices. In any case, families have kept returning to civil register offices in the hopes of obtaining death certificates for their loved ones and simply to have the closure of knowing for sure that they're dead. We have shed light on these cruel and humiliating methods of registering the deaths of forcibly disappeared persons in three extensive reports. The bereaved families of forcibly disappearing persons have been forced to experience finding out about their loved ones' deaths in such a shockingly cruel and impersonal way by visiting the civil register offices and reading these 'death lists' since the civil register offices do not notify these families of the deaths of their loved ones.

Since the start of 2022, we have begun to receive notification of death certificates being issued for individuals whose cases had not been revealed before, and whose families were unaware of their status. Some of these death certificates were issued for very prominent activists from the popular uprising against the Syrian regime, as well as for women and children. With these new developments, we decided to give due diligence and attention to this sensitive and complex issue. To that end, we have been able to utilize our network of relationships and sources, which we have built up over the past 11 years, to obtain hundreds of new death certificates. At this point, our team had accrued great experience with respect to reviewing and verifying certificates.

What remains is the process of informing the families who have not yet learnt the fate of their missing loved ones, which is one of the most sensitive and delicate stages in these kinds of cases. We have come to learn that it is better to break the news in stages, during which we exchange and gradually release information and try to be as considerate of their psychologically and emotionally vulnerable state as we can. Still, such news is always difficult to break and to receive. In many cases, family members are, understandably, devastated, breaking down in tears, since, no matter how many years have passed since their loved ones were first forcibly disappeared, many people cling to the hope of seeing them again. On the other hand, there are many families who we have not been able to reach, and it is our hope that, in releasing this report, we can build more bridges with thousands of families with forcibly disappeared relatives. Lastly, it should be noted that we maintain the highest levels of diligence and care in our relationship with our large team in Syria, as well as with our sources. We take every possible precaution so as to not reveal any information that may put their lives in danger. Moreover, we have come across many families with forcibly disappeared relatives who do not wish to be told or to accept that their relatives have died, which is, of course, well within their right since they have every right to deal in any way they see appropriate with this information.

Fadel Abdul Ghany, director of SNHR says:

We have stressed previously that the Syrian regime may have recorded the deaths of hundreds of detainees who were forcibly disappeared in its detention centers at the civil registry. We also noted that such practices may even date back to before 2018, but were only revealed by the Syrian regime at the beginning of 2018, yet we never had proof of this before now. After obtaining hundreds of death certificates that have never been made public before, we can now confirm as a fact what we have long suspected, namely that the families of these dead people were never notified that their loved ones had been registered as dead at the civil registry. We are referring here to people who were arrested by the Syrian regime and who then went on to become forcibly disappeared, with no-one knowing anything about their fate. We seriously fear that the tens of thousands of other people still classified as forcibly disappeared in the Syrian regime's detention centers have also met their demise.

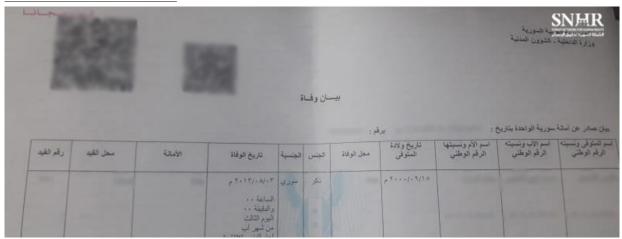
Samples of the new documents obtained by SNHR that include death certificates for forcibly disappeared persons held in regime detention centers who were registered as dead in the civil registry in 2022

Death certificate for a female child who was forcibly disappeared by the Syrian regime. She was registered as dead at a civil register office. According to the document, she was six years old when she was registered as dead.



¹ All information included in this report have been redacted for security considerations.

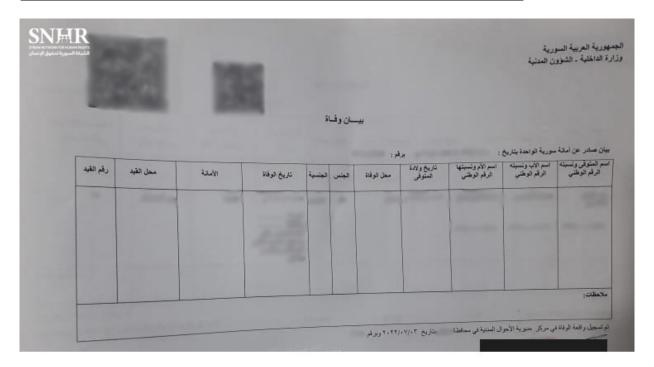
Death certificate for a male child who was forcibly disappeared by the Syrian regime. He was registered as dead at a civil register office. According to the document, he was 13 years old when he was registered as dead.



Death certificate for a forcibly disappeared person in a regime detention center. The incident of death was registered in a Syrian governorate in 2022, according to the civil register office.



Death certificate for a forcibly disappeared person in a regime detention center. The incident of death was registered in a Syrian governorate in 2022, according to the civil register office.

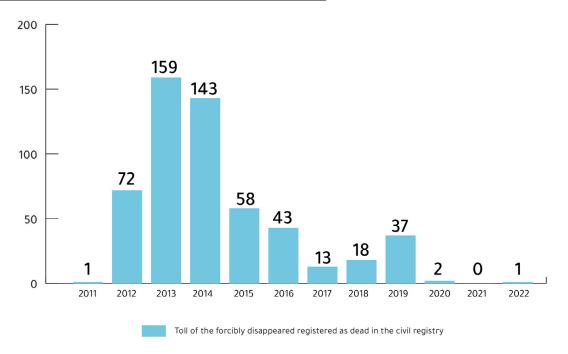


II. SNHR Obtains 547 Previously Unpublished Death Certificates for Forcibly Disappeared Persons, Whose Families Had Not Been Made Aware of These Documents

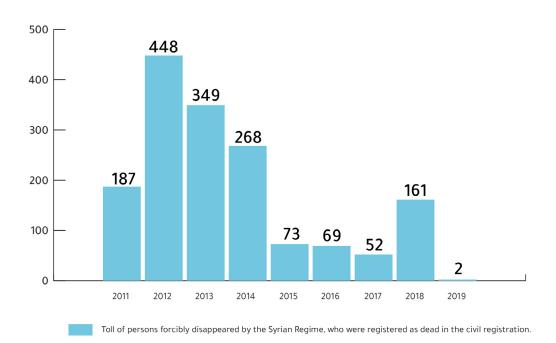
Between 2018 and 2021, SNHR received and stored approximately 1,062 death certificates. Since the beginning of 2022, we have obtained 547 new death certificates. The new batch of certificates stands out, however, because these were obtained from sources within the Syrian regime and have not been published by the regime's civil register offices. Additionally, the families of the persons named in those documents have not been made aware of their loved ones' deaths. According to SNHR's data, a total of 1,609 of the individuals forcibly disappeared in regime detention centers between the start of 2018 and November 2022 have now been registered as dead, including 24 children, 21 women (adult female), and 16 medics. Nonetheless, these documents do not specify any cause of death. Furthermore, the Syrian regime has failed to return the bodies of those certified as dead to their families or even to inform them of their loved ones' grave location, as well as failing to notify any of the families of their loved ones' deaths when they occurred. Among these cases are four that were previously identified in leaked photos from the Syrian regime's military hospitals.

It should be noted that this report only reflects the bare minimum of cases which we have been able to document, with the actual number of forcibly disappeared persons registered as dead by the Syrian regime being far greater. However, we abide by a strict methodology, according to which a case is counted only if we can obtain a death certificate, since we do not rely on estimations or projections in our work.

Chart showing the distribution of forcibly disappeared persons registered as dead in the civil registry according to the year of death listed in their death certificates by Syrian regime forces. The chart concerns the new 547 death certificates that were recently revealed.

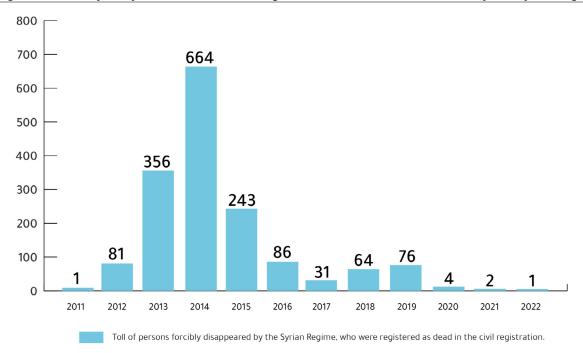


The chart below shows the distribution of the 1,609 forcibly disappeared persons registered as dead at civil registered offices by the year of their arrest at the hands of Syrian regime forces:



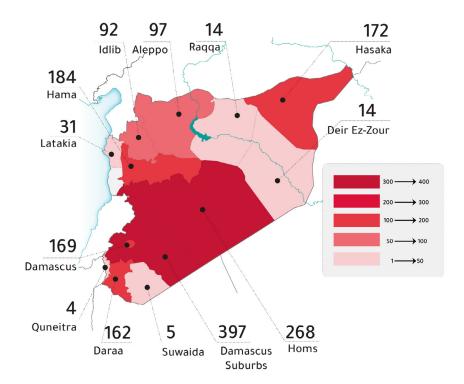
As the chart shows, the largest percentage of the 1,609 cases we recorded were arrested by Syrian regime forces in 2012, then 2013, and then 2014. Notably, those three years also recorded the highest rates of enforced disappearances into regime detention centers according to SNHR's database. We have detailed the strategy adopted by the Syrian regime and how it leads to enforced disappearances in our <u>annual reports on enforced disappearance</u> which are released yearly on the International Day of the Victims of Enforced Disappearances.

The chart below shows the distribution of forcibly disappeared persons registered as dead at the civil register offices by the year of death, according to the death certificates issued by the Syrian regimes:



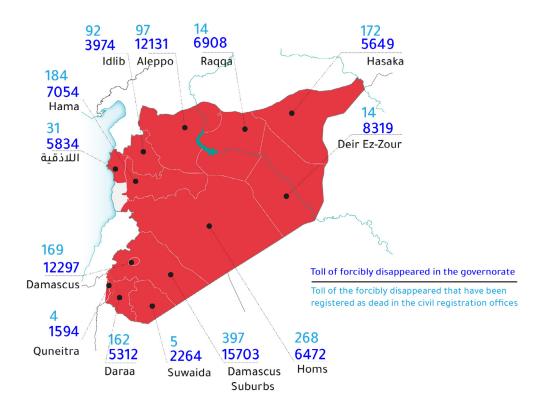
The chart shows that 2014 saw the largest percentage of the 1,609 cases documented according to the death certificates issued by the civil register offices, followed by 2013, and then 2015. Notably, those years also saw the highest documented toll of deaths due to torture at the hand of Syrian regime forces according to SNHR's database. We have detailed the methods of torture adopted by the Syrian regime at its detention centers in <u>our annual reports on deaths due to torture</u> which are released on the International Day in Support of Victims of Torture ever year.

The map below shows the distribution of forcibly disappeared persons registered as dead at the civil register offices according to their governorate of origin:



As the map illustrates, the largest percentage of the 1,609 cases were recorded in Damascus suburbs, followed by Homs, then Hama, and the Hasaka. According to SNHR's database, Damascus suburbs also saw the highest figures of all Syrian governorate in terms of the number of victims of enforced disappearance with at least 15,703 persons from that governorate documented as being forcibly disappeared. On the other hand, Damascus suburbs has the sixth largest toll of deaths due to torture across Syria with 1,692 of the victims who died due to torture coming from Damascus suburbs.

A map showing a comparison between the forcibly disappeared persons between March 2011 and August 2022 and the forcibly disappeared persons registered at dead at the civil register offices by the Syrian regime in every governorate between the start of 2018 and November 2022.



Account by some of the relatives of forcibly disappeared persons who were registered as dead at civil register offices at different times between the beginning of 2018 and November 2022.

Mahmoud Ali al-Mer'ie, born in 1957, who graduated from the department of law at Damascus University, came from al-Rastan city in the northern suburbs of Homs governorate. He was arrested on Thursday, October 13, 2011, by personnel from the Syrian regime's infamous Air Force Intelligence Directorate in Homs city. His family was able to visit him in March 2012 in Sednaya Military Prison in Damascus suburbs governorate. On Tuesday, February 12, 2019, his family learnt that he had died on Wednesday, February 13, 2013, according to the civil registry records. SNHR can confirm he was in good health at the time of his arrest, which makes it highly likely that he died due to torture and medical negligence in a regime detention center in Damascus. Syrian regime forces have not returned his body to his family as of this writing.



Family statement issued by the civil register office for Mahmoud Ali Mer'ie



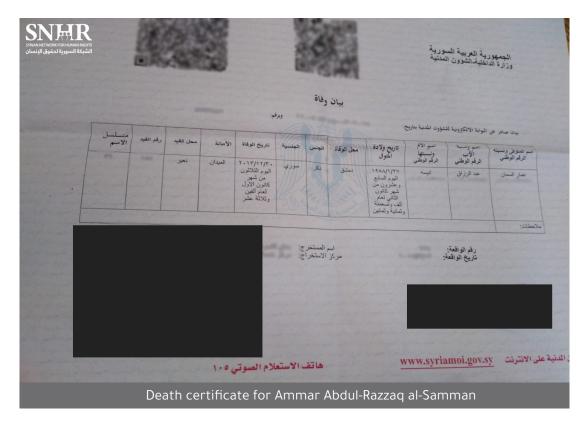
SNHR spoke with Mr. Hekmat Mer'ie², Mahmoud's son, who told us:

"My dad was arrested as he was commuting to work via car in Homs city. I received information from the Air Force Intelligence that they were the ones who arrested him before he was transferred to Sednaya Military Prison." Hekmat noted that he was eventually granted permission to visit his father in March 2012 after many grueling attempts: "After that visit, we could not find out his location or any information about his fate. On February 11, 2019, the civil register offices in al-Rastan city started receiving lists of the names of detainees who were registered as dead, and my father's name was among them. The family statement we obtained had February 13, 2013, as the date of my father's death. They concealed his death all that time. We never received any of his belongings, his ID, or even his dead body. We also do not know where he was buried. All we have is a paper with the date of death."

Ammar Abdul Razzaq al-Samman, born in 1988, a tailor from Damascus city, was arrested on Thursday, October 28, 2013, by personnel from the Syrian regime's Air Force Intelligence Directorate in a raid on his house in Damascus city's al-Zahera al-Jadida neighborhood. He was taken to an undisclosed location. He has been forcibly disappeared ever since, with the Syrian regime denying his detention and refusing to allow anyone to visit him, even lawyers. On March 13, 2018, his family learnt that he had died on December 30, 2013, according to the civil registry records. SNHR can confirm he was in good health at the time of his arrest, which makes it highly likely that he died due to torture and medical negligence in a regime detention center in Damascus. Syrian regime forces have not returned his body to his family as of this writing.



² Via phone in April 2019



SNHR spoke with Mr. Abdul Razzaq³, Ammar's father, who told us:

"Over five servicemen wearing civilian and military attires raided our house in al-Zahera neighborhood in Damascus city, while others were also waiting outside. They arrested Ammar and took him to the car. I went after them to ask him about the cause of arrest, and I found out they were from the Palestine branch. We asked about him but we found out nothing. Even though we learnt from the civil register office that Ammar had died, a former detainee who was released under the most recent amnesty decree in April 2022 contacted me in June and confirmed to me that Ammar was still alive, and that he saw him in the Military Police branch in al-Qaboun area in Damascus city. He also told me that my son had lost the ability to walk."

Ehab Talal Abu Sa'b, born in 1989, from al-Qerya town, suburbs of Suwayda governorate, was arrested on Friday, March 22, 2013, by personnel from the Syrian regime's Military Security directorate at a checkpoint north of the town and taken to an undisclosed location. He has been forcibly disappeared ever since, with the Syrian regime denying his detention and refusing to allow anyone to visit him, even lawyers. On Tuesday, August 7, 2018, his family learnt that he had died on Monday, February 10, 2014, according to the civil registry records. SNHR can confirm he was in good health at the time of his arrest, which makes it highly likely that he died due to torture and medical negligence in a regime detention center in Damascus. Syrian regime forces have not returned his body to his family as of this writing.



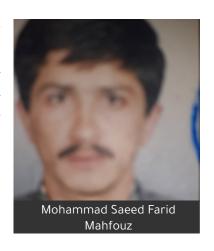
³ Via phone in July 2022.



SNHR spoke with Mr. Kefah⁴, Ehab's brother, who told us:

"On a Friday afternoon, Ehab left his house in al-Qerya town for Suwayda city with his aunt and her husband. They were stopped by a temporary military checkpoint in northern al-Qerya. The checkpoint was operated by officers from the Military Security and policemen from al-Qerya. They asked Ehab to get out of the car and they arrested him, In Early-August 2018, we went to obtain a family statement from the civil register office in al-Qerya town, and were shocked to find out that Ehab's name had the word 'dead' next to it. The date of death was also written as February 10, 2014. We had no idea he had died. Ehab lost the sight in his right eye before he was arrested and forcibly disappeared by the Syrian regime."

Mohammad Saeed Farid Mahfouz, born in 1967, a driver from Damascus city, who lived in al-Zabadani city in western Damascus suburbs governorate, was arrested on Saturday, August 13, 2013, by Syrian regime forces at a border crossing as he was attempting to travel to Lebanon. He was taken to an undisclosed location. He has been forcibly disappeared ever since, with the Syrian regime denying his detention and refusing to allow anyone to visit him, even lawyers. On April 30, 2018, his family learnt that he had died on March 12, 2014, according to the civil registry records. SNHR can confirm he was in good health at the time of his arrest, which makes it highly likely that he died due to torture and medical negligence in a regime detention center. Syrian regime forces have not returned his body to his family as of this writing.



⁴ Via phone in April 2019

SNHR spoke with Mr. Awni⁵, a friend of Saeed's family, who told us:

"Mohammad Saeed and his brother travelled to Lebanon for work. When he was passing through a border crossing, whose name I do not remember, he was stopped by Syrian regime forces who told him he was wanted by the Political Security. We found out he was arrested on reports someone wrote about him out of spite. Five months after his arrest, we received information that he was being held at al-Fayha Branch in Damascus, and one month after that we were told he was in al-Mazza Prison. On April 30, 2018, his family obtained a death certificate and it was written that he died on March 12, 2014. In 2021, however, his family received information that he is being held in Sednaya Military Prison, and in 2022 a former detainee told us that he saw him in Sednaya Military Prison in September 2021."

Ibrahim Ismail Badran, born in 1967, a civil engineer from Douma city, in Eastern Ghouta in eastern Damascus suburbs governorate, was arrested on Sunday, August 25, 2013, by Syrian regime forces at a checkpoint near al-Wafdin Camp, near Douma city, on his way back to Douma from Damascus city. He was taken to an undisclosed location. He has been forcibly disappeared ever since, with the Syrian regime denying his detention and refusing to allow anyone to visit him, even lawyers. On Monday, February 4, 2019, his family learnt that he had died on July 8, 2014, according to the civil registry records. SNHR can confirm he was in good health at the time of his arrest, which makes it highly likely that he died due to torture and medical negligence in a regime detention center. Syrian regime forces have not returned his body to his family as of this writing.





SNHR spoke with Mr. Mohannad⁶, Ibrahim's son, who told us:

"My father was arrested at a checkpoint near al-Wafdin camp in Douma city. We never received any new updates ever since then despite our intensive attempts to find him. We were shocked by the news of his death when we obtained a family statement from the civil register office which indicated that he was 'dead'."

Ahmad Hasan al-Dghiem, born in 1973, a day laborer from Jarjanaz town in the southern suburbs of Idlib governorate, was arrested on Sunday, October 28, 2012, by Syrian regime forces on his way back from Lebanon at the al-Dabbousiya border crossing in the western suburbs of Homs governorate. He was taken to an undisclosed location. He has been forcibly disappeared ever since, with the Syrian regime denying his detention and refusing to allow anyone to visit him, even lawyers. On Tuesday, February 1, 2022, his family learnt that he had died on November 10, 2014, according to the civil registry records. SNHR can confirm he was in good health at the time of his arrest, which makes it highly likely that he died due to torture and medical negligence in a regime detention center. Syrian regime forces have not returned his body to his family as of this writing.



SNHR spoke with Mr. Omar⁷, Ahmad's son, who told us:

"Since the moment of my father's arrest, we have received no updates, and his fate is still unknown, even though we hired several lawyers to find out what happened to him. We know that he was seen by a former detainee from Ma'aret al-Neu'man in al-Mazza Military Airport in Damascus in 2013, then we learnt from a relative of ours who went to the civil register offices that he died on November 10, 2014, according to the death certificates we obtained."

Omar Mohammad Ghannoum, born in 1992, from al-Hamidiya village, which is administratively affiliated with al-Qsair city, in western Homs governorate, was a medical student at Tishreen University in Latakia city when he was arrested on Wednesday, May 1, 2013, by Syrian regime forces at the university. He was taken to an undisclosed location. He has been forcibly disappeared ever since, with the Syrian regime denying his detention and refusing to allow anyone to visit him, even lawyers. On Friday, January 17, 2020, his family learnt that he had died on Monday, November 24, 2014, according to the civil registry records. SNHR can confirm he was in good health at the time of his arrest, which makes it highly likely that he died due to torture and medical negligence in a regime detention center. Syrian regime forces have not returned his body to his family as of this writing.



⁶ We spoke to Mr. Mohammad in April 2019.

⁷ Via phone on February 14, 2022.

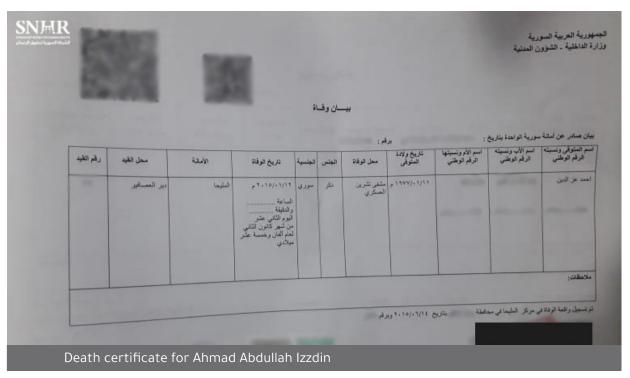


SNHR spoke with Mr. Haytham⁸, Omar's cousin, who told us that Omar's family tried repeatedly through intermediaries to find any information about Omar, but to no avail.: "On May 1, 2013, Omar was arrested from Tishreen University in Latakia by Syrian regime servicemen. We've had no updates about him ever since even though we tried again and again to find his whereabouts. When his family extracted a family statement, they were shocked to read that Omar has been dead since November 24, 2014."

Ibrahim Yousef Izzdin, and his cousin Ahmad Abdullah Izzdin, were born in 1972 and 1977 respectively, from Deir al-Asafeer in Eastern Ghouta, Damascus suburbs governorate, Ibrahim worked in construction while Ahmad was a government employee at a state institution. They were arrested on Sunday, June 2, 2013, by Syrian regime forces at a checkpoint on the road leading to Mleiha town in Eastern Ghouta, Damascus suburbs governorate and taken to al-Mazza Military Prison in Damascus city. They have been forcibly disappeared ever since, with the Syrian regime denying their detention and refusing to allow anyone to visit them, even lawyers. In 2021, their families learnt that they had died on December 9, 2014, and January 12, 2015 respectively according to the civil registry records. SNHR can confirm that both men were in good health at the time of their arrest, which makes it highly likely that they died due to torture and medical negligence in a regime detention center in Damascus. Syrian regime forces have not returned their bodies to their families as of this writing.

⁸ Via phone on May 13, 2020



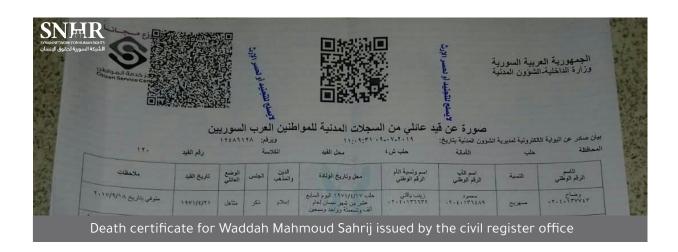


SNHR spoke with Mr. Bassam Izzdin⁹, Ibrahim's nephew, who told us:

"My uncle Ibrahim and his cousin Ahmad left Eastern Ghouta during the siege via the Mleiha crossing. They passed through a checkpoint known as the al-Nasim checkpoint on the road leading to al-Mleiha town in coordination with the mukhtar of the Deir al-Asafeer town and the head of the municipality. However, they were arrested by the Air Force Intelligence at the checkpoint. They took them to al-Mazza Military Prison where they were held. We have received no new updates ever since. However, in 2021, the families of Deir al-Asafeer were notified by the mukhtar that they needed to obtain death certificates for their relatives in order to activate the 'Takamul' card for government subsidies on basic needs for Syrian families. It was then when we found out that they were registered as dead in 2014 and 2015 in the civil registry records."

Waddah Mahmoud Sahrij, born in 1971, from Aleppo city, a former Sharia judge for armed opposition factions in Aleppo city, who held a Sharia diploma from al-Azhar University in Egypt, was arrested on Friday, December 16, 2016, by Syrian regime forces in an area between al-Kallasa and al-Itha'a neighborhoods in Aleppo city. He was taken to an undisclosed location. He has been forcibly disappeared ever since, with the Syrian regime denying his detention and refusing to allow anyone to visit him, even lawyers. On Tuesday, July 9, 2019, his family learnt that he died on Monday, September 18, 2017, according to the civil registry records. SNHR suspects that he died due to torture in a regime detention center. Syrian regime forces have not returned his body to his family as of this writing.



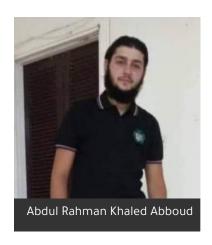


⁹ Via phone in November 2022.

SNHR spoke with Mr. Ahmad¹⁰, Waddah's brother, who told us:

"My brother was arrested by State Security servicemen in December 2016. He has been forcibly disappeared ever since. We received unconfirmed information that he was being held in Sednaya Military Prison, in Damascus suburbs governorate. In July 2019, Waddah's wife went to the civil register office in Aleppo city to obtain a family statement. The statement indicated that Waddah has been dead since September 18, 2017. We did not know where he died or any other information."

Abdul Rahman Khaled Abboud, born in 1996, from Sarmin city in the northern suburbs of Idlib governorate, was arrested in late-December 2017 by the Syrian Democratic Forces (SDF) in Manbej city, eastern Aleppo. The SDF handed him over to Syrian regime forces in Aleppo city, in 2018. and has been forcibly disappeared ever since, with the Syrian regime denying his detention and refusing to allow anyone to visit him, even lawyers. On September 29, 2021, his family learnt that he had died on October 1, 2019 according to the civil registry records. SNHR can confirm he was in good health at the time of his arrest, which makes it highly likely that he died due to torture and medical negligence in a regime detention center. Syrian regime forces have not returned his body to his family as of this writing.



SNHR spoke with Mr. Mahmoud¹¹, a relative of Abdul Rahman, who told us:

"Abdul Rahman was married. His child was born three months after his arrest. He was arrested by the SDF in Manbej city, where he lived and worked. The SDF delivered him to the [Syrian regime's] Military Security branch in Aleppo in April 2018. On September 29, 2021, his family visited the civil register office in Idlib governorate, and we found out he was registered as dead on October 1, 2019."

Mohammad Khair Ibrahim al-Bqa'ie, born in 1983, from Deir al-Asafeer town in Eastern Ghouta, Damascus suburbs governorate, was arrested on Wednesday, April 18, 2012, by Syrian regime forces in Deir al-Asafeer town during a raid on the town. He was taken to an undisclosed location. He has been forcibly disappeared ever since, with the Syrian regime denying his detention and refusing to allow anyone to visit him, even lawyers. In March 2022, his family learnt that he had died on January 20, 2014, according to the civil registry records. SNHR can confirm he sustained a severe injury to his back during his arrest, which makes it highly likely that he died due to torture and medical negligence in a regime detention center in Damascus. Syrian regime forces have not returned his body to his family as of this writing.

¹⁰ Via phone on April 16, 2022

¹¹ Via phone on April 16, 2022.

SNHR spoke with Mr. Emad¹², a relative of Mohammad's, who told us:

"Mohammad Khair was married. He was arrested near his house in a raid by Syrian regime forces on Deir al-Asafeer town. During his arrest, he was beaten by regime servicemen which caused an injury to his back, after which he was unable to stand and walk. He was held with around 150 other people in the town's square. They released everyone except for Mohammad Khair and another person from the same family. He has not been seen ever since. His family was unable to do anything about the situation at the time in light of the siege imposed on Eastern Ghouta since August 2013. In 2017, a family member was able to check with the Military Police branch in al-Qaboun area and the civil register office in Damascus about Mohammad, but he received no information about his fate. In March 2022, his family learnt that he died in a regime detention center in Damascus when they checked with the civil register office after the mukhtar told the town's residents to obtain death certificates for their dead relatives to activate the 'Takamul' card for government subsidies on basic needs for Syrian families. When they did that, they found out he died in 2014."

Yahya Badr al-Din Hijazi and his son Badr, born in 1959 and 1989 respectively, from al-Basateen neighborhood in Hama city, were arrested on Friday, February 11, 2012, by Syrian regime forces who raided their home in the neighborhood. In 2012, Syrian regime forces arrested Yahya's second son Mohammad, born in 1991, during his military service at a military point in Damascus suburbs governorate. The three of them have been forcibly disappeared ever since, with the Syrian regime denying their detention and refusing to allow anyone to visit them, even lawyers. In November 2022, SNHR obtained death certificates issued by the civil register office indicating that they had died on December 11, 2013 (Yahya), June 18, 2014 (Badr), and June 13, 2014 (Mohammad) respectively, and notified their family. SNHR can confirm that all three men were in good health at the time of their arrests, which makes it highly likely that they died due to torture and medical negligence in a regime detention center. Syrian regime forces have not returned their bodies to their family as of this writing.

SNHR spoke with Mr. Mohammad Nour Hejazi¹³, Yahya's brother, who told us:

"My brother and his son Badr, who was married and had a daughter and lived with his parents, were arrested in a raid by security and regime forces on al-Basateen neighborhood in Hama city. We received no updates on them ever since their arrest. We also were unable to find out their whereabouts or hire a lawyer. The same happened with Mohammad, Yahya's younger brother, who was arrested during his military service in the Infantry School in 2012. We do not know the cause of his arrest, his whereabouts, or any information about him. In November 2022, SNHR informed us that they were registered as dead in 2013 and 2014."

Via phone on March 18, 2022

¹³ Via phone in November 2022

III. The Mechanism Employed by the Syrian Regime for Registering Deaths of Forcibly Disappeared Persons at Civil Register Offices Implicates the Highest Echelons of the Regime in Manipulating the Records of Forcibly Disappeared Persons

In many of the death certificates we have obtained, the dates of deaths predated the year 2018. This provided conclusive proof that the Syrian regime was engaged in these practices years before that. In fact, the oldest date of death specified in the documents goes back to 2013, but it was not made public until early 2018. This barbaric process, practiced systematically by the Syrian regime, involves many stages, starting with the victim's arrest, then their enforced disappearance, followed by their killing under torture, then by registering them in the civil registry without notifying the concerned family, or even making the death public.

Death certificate for a person forcibly disappeared in regime detention centers, with the date of death provided indicating it was registered in 2015

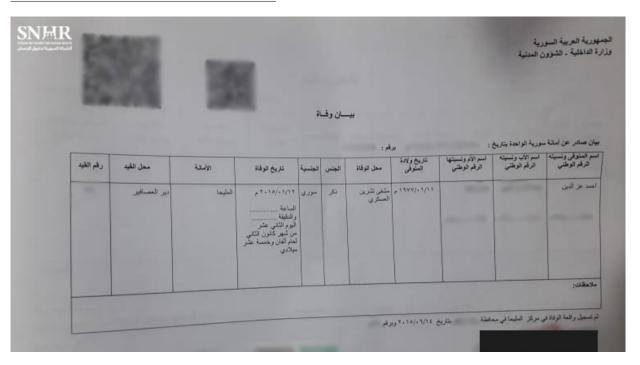
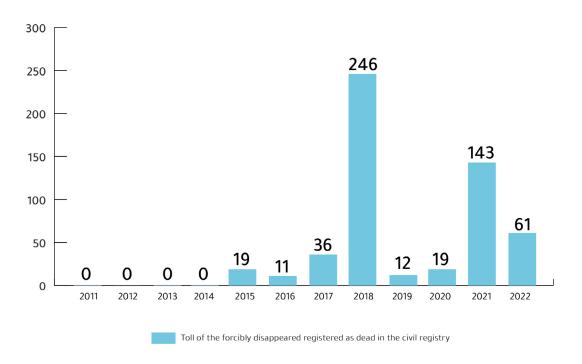


Chart showing the distribution of forcibly disappeared person registered as dead in the civil registry according to the year in which the incident of death was registered in the civil registry



As shown in the chart, the new 547 death certificates we have obtained indicate that the Syrian regime started registering deaths of persons forcibly disappeared in 2015. The highest number of deaths registered in one year was in 2018, followed by 2021.

Through our sources, as well as through talking with former Syrian government employees and lawyers, we have attempted to break down and scrutinize each stage of the system implemented by the Syrian regime to register those deaths. Our investigation found that we are talking here about a complex bureaucratic process that implicates multiple government institutions, the most important of which are the state security apparatuses. We have constructed a perceived flow for this process which can be outlined as follows:

1- The National Security Office, Syria's highest military and security authority, which is headed by the President of the Republic, at the request of the heads of the security agencies and military prisons, submits special reports on those who died in detention centers, together with their personal information and cause of death, to the Military Police.

In this context, it is important to note that the reports issued by the security agencies do not ever name the real cause of death. The report only cites a medical cause, even in internal correspondence within the state security apparatus itself. This is because the Syrian regime treats this issue with the utmost caution, so as to erase any evidence and deny any culpability. This process is managed by the Military Police, which is the central entity authorized to register this data in the Syrian regime's records.

2- These reports and data are submitted to the Military Police, as well as to the National Security Office, in a phased fashion over time. From there the office organizes the data and sends it to the Ministry of Interior, again in batches, with the interior ministry in turn resending it to the secretaries of the civil register offices according to which civil registry stores the information on each of the dead detainees in question. Thereafter, civil register office employees enter the incidents of death into their records in line with the instructions received.

On analyzing the hundreds of documents, we have obtained, we, at SNHR, detected two types of death data in the civil register offices. This categorization is based on whether or not the Syrian regime allows/enables access to this data:

1- Death certificates issued to the families of the deceased by the civil register offices: Those documents are given by the civil register office to the families of the forcibly disappeared person who died upon the families filing the paperwork for a death certificate. In most of these death certificates, the place of death is given as Damascus. In any case, the capital, Damascus, houses the largest number of detention centers that saw deaths of forcibly disappeared persons. However, the death certificate does not specify in which detention center the incident of death took place.

On the other hand, we found many death certificates with places of death other than Damascus. We believe these are for forcibly disappeared persons who were killed during raids in the cities reflected by those death documents, where the Syrian regime seized the bodies and buried them in undisclosed location. We are still investigating this hypothesis, however.

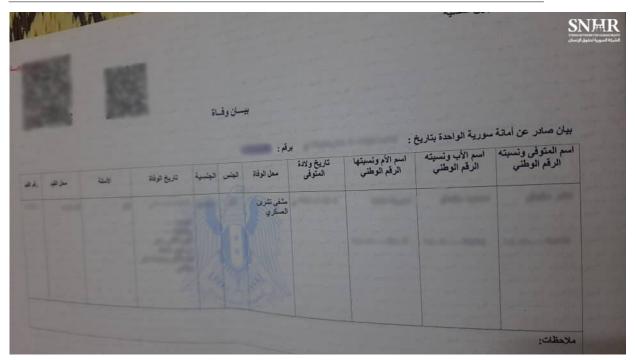
Death certificate for a forcibly disappeared person in regime detention centers, those death certificates are generally accessible to most of the families of the forcibly disappeared persons who died at the civil register offices



Death certificate for Abdullah Mazen al-S'oud, born in 1989, from Ma'aret al-Nu'man city in southern Idlib governorate, who was a university student at the faculty of literature in Aleppo University's department of sociology when he was arrested on February 21, 2012, by Syrian regime forces at a checkpoint on Aleppo International Highway near al-Ahram Gas Station. On Saturday, April 9, 2016, we learnt that he was registered at the civil registry as having died on April 15, 2014. We suspect that he died due to torture in Seydnaya Military Prison.

2- Death certificates that are not accessible to the families: This data remains stored at the civil register offices, beyond bounds for families. Those certificates include the place of death. We have been able to obtain a number of those death certificates, with most giving Tishreen Military Hospital or the Field Military Court as the place of death. We believe this indicates that the victims in question received a death sentence.

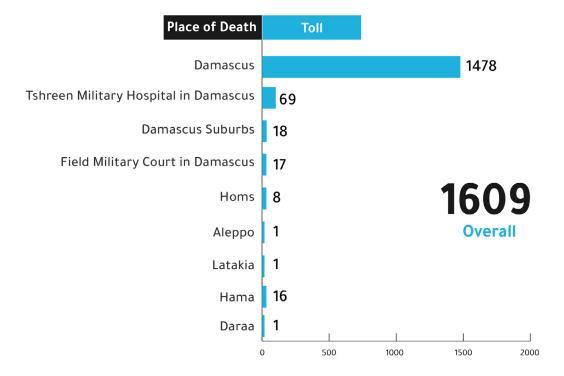
Death certificate for a person forcibly disappeared in a regime detention center who was registered as dead at the civil registry office, with the place of death given as Tishreen Military Hospital



Death certificate for a person forcibly disappeared in a regime detention center who was registered as dead at the civil registry office, with the place of death given as the Field Military Court.



The chart below shows the distribution of the 1,609-death certificates by the place of death according to the death certificates issued by the civil register offices



The system adopted by the Syrian regime to register forcibly disappeared persons dead without notifying their families is a damning demonstration of the regime's fascism and its chilling contempt for the lives of its citizens who are subjected to a level of barbarism that blatantly violates every norm and law. It seems that these strategies are deliberately designed and calculated, so as to cause the greatest psychological trauma to the families of the missing to continue the regime's policy of collective punishment against everyone who was involved in or supportive of the popular uprising for democracy since March 2011. In many cases, families are terrified to reveal the death of their forcibly disappeared loved ones, or to arrange a funeral for them, fearing that doing so may put themselves and other family members at risk of being questioned or persecuted by the security agencies.

We recently released a report that sheds light on how the Syrian regime controls the registering of deaths which occurred within the context of the armed conflict since March 2011 through its security apparatuses and state institutions, and the role of the Circular No. 22 issued on August 10, 2022 by the regime government's Minister of Justice, which specified new procedures for the conduct of proceedings related to registering deaths within Sharia courts. We believe those procedures are coordinated between different state authorities together, as the Syrian regime has abstained for years from issuing death certificates to victims' families, except in limited cases, regardless of the added suffering this causes tothe victims' families, who must not only deal with the agony of knowing their loved ones were killed by the Syrian regime, but with knowing that the same regime left them to suffer and refused to issue their loved ones' death certificates. When the Syrian regime began giving access to this data, it established certain self-serving procedures designed solely to strengthen its impunity and evade responsibility for its actions. The Syrian regime has failed to launch even one judicial investigation into the causes of death of hundreds of thousands of deaths of Syrians, not holding even one security or military official accountable for their involvement in the crimes of murder, torture, and enforced disappearance.

Based on all the points above, we, at SNHR, are seriously concerned for the fate of at least 95,696 individuals, including 2,316 children and 5,734 women (adult female) who are still forcibly disappeared in regime detention centers since being detained between March 2011 and August 2022, especially since all of the 21 amnesty decrees issued by the Syrian regime since March 2011 have only led to the release of an extremely limited number of detainees, no more than 7,351 arbitrarily arrested detainees in all, and even fewer forcibly disappeared persons, which further intensifies our concerns for the fate of those victims as the Syrian regime is gradually registering more and more of them as dead.

IV. Conclusions and Recommendations

Legal conclusions

- The Syrian regime has unequivocally committed a large number of violations in all these incidents, most notably the deliberate disappearance of 85% of detainees in its custody. These detainees have also been subjected to the most horrific and sadistic forms of torture and been left to die in agony. Adding further insult to heinous injury, the regime has humiliated and terrorized Syrian society and its victims' families by denying them the most basic rights and human dignity through deliberately failing to inform them of the death of their loved ones, failing to return their bodies, and lastly registering them as dead without their families' knowledge. The Syrian regime has used the resources of the institutions of the Syrian government as weapons of war against its own citizens, particularly dissidents and anyone even considering opposing the regime and supporting freedom and human rights.
- The Syrian regime registers the deaths of forcibly disappeared persons killed under torture, exacerbated by the atrocious medical and nutritional conditions at the regime detention centers, giving false causes of death without launching any investigations into the genuine causes of death, or who was responsible for the deaths of such a staggering number of Syrian citizens.
- The Syrian regime has failed to uphold the protocols and procedures of registering deaths at its detention centers, which should be done through the public attorney or their deputy who, according to the law, is supposed to deal with incidents of death in custody and submit their findings to the secretary of the civil record within the legally specified time. In this, the Syrian regime has violated Articles 38 and 39 of Law No. 13 of 2012 which includes the new Syrian Civil State Law¹⁴. Additionally, the Syrian regime has violated the legal protocols and regulations related to graves. According to the Syrian Penal Code, burying the dead is a crime if it is done for the purpose of hiding the death¹⁵.
- The Syrian regime has failed to inform victims' families of their loved ones' real cause of death or to record this in the official documents. The regime has also failed to return the bodies to their families, to inform them of the location where their loved ones were buried, and to inform the families of the deaths at the time when they occurred. As these mechanisms, adopted by the regime, do not conclusively clarify the fate of the forcibly disappeared persons, we at SNHR stress that the crime of enforced disappearance is still continuing. According to international law, those victims are still classified as forcibly disappeared and the main culprit behind the crime of their disappearance is the Syrian regime.

¹⁴ Deaths occurring at prisons, detention centers, and hospitals are registered in accordance with testimonies given by the heads of those institutions or those in their behest to the head of the relevant institution. Those institutions are required to maintain special records dedicated for those incidents. Article 38 of Law No. 13 of 2021.

[&]quot;Upon the execution of the death sentence, the Public Attorney or the individual acting in their behalf shall handle the death record and send it within a legal period of time specified in Article 14 to the facility that is required to register the death," Article 9 of Law No. 31 of 2021.

Note: Article 14 specifies that a report of any incident considered a civil state incident, including deaths, must be sent within three months.

^{15 1.} Any individual who buries or incinerate a dead body with no regard for the legal protocols, or violate, in any way or form, the laws and regulations for burial or incineration shall be punished by contrainte judiciaire and a fine of no less than 25 Syrian pounds and no more than 100 Syrian pounds. Article 468 of Law No. 148 (1949), known as the Syrian Penal Code, amended in accordance with Legislative Decree No. 1/2011.

• Through the strategy of enforced disappearance, the Syrian regime is further terrorizing and collectively punishing anyone and everyone related to or supportive of the popular uprising against the Assad family rule. On analysis of this data, one can clearly see that such strategies are common regime practice, particularly in the areas of Syria that famously joined the uprising, in a way that demonstrates a consistent and deliberate policy and system. Enforced disappearance is prohibited according to customary international law; Rule 98¹⁶ prohibits enforced disappearance in international and non-international armed conflicts, while Rule 117 states that, "Each party to the conflict must take all feasible measures to account for persons reported missing as a result of armed conflict and must provide their family members with any information it has on their fate¹⁷."

Furthermore, enforced disappearance can amount to a crime against humanity according to the Rome Statute of the International Criminal Court¹⁸, which is applicable to the implemented practices of Syrian regime forces.

• The coordination shown in the operations of various state institutions in a way that serve this criminal act has been laid bare, specifically through their targeting and arresting individuals who supported the popular uprising, forcibly disappearing them, then issuing death certificates that do not reveal the real cause of place of death. In our view, this also suggests that a large proportion of state employees, commanders, and lower-ranking staff are aware of the Syrian regime's practices and of the actual cause of death in these cases and the heinous torture that is taking place on a vast scale. Some of these state employees must know the locations of the individual and mass graves, particularly given the large number of forcibly disappeared persons, including those we have documented as having died due to torture - nearly 14,000 Syrian citizens in all.

Recommendations

Security Council and the United Nations

- Hold an emergency meeting to discuss the Syrian regime's registering tens of thousands of forcibly disappeared persons as dead, while failing to notify the victims' families of those deaths.
- · Issue a Resolution under Chapter VII of the United Nations Charter condemning the Syrian regime's killing of forcibly disappeared persons in regime detention centers, and demand that the regime reveals their fate.
- Urgent and prompt steps must be taken in light of the data included in this report, which clearly proves the Syrian regime's responsibility for killing Syrian citizens and strips it of any shred of remaining legal legitimacy.

^{*}Enforced disappearance is prohibited.* International Committee of the Red Cross, Rule 98 of the customary international humanitarian law

 $^{^{12}}$ International Committee of the Red Cross. Rule 117 if the customary international humanitarian law.

¹⁸ International Criminal Court, Rome Statute, <u>Article 7, Paragraph 1(i)</u>

International community

- · Act urgently and decisively to save the remaining detainees before they meet the fate of death due to torture and abysmal imprisonment conditions.
- Take serious steps towards helping achieve political change to save the Syrian people from dictatorship and despotism.
- Impose more sanctions on and boycott the Syrian regime and the states supporting it, and classify anyone who support the Syrian regime as a partner involved in the perpetration of its heinous crimes.
- · Condemn any steps towards building a relationship with the Syrian regime after it was proven to be involved in the killing of thousands of forcibly disappeared persons.
- This report should provide impetus for supporting organizations that are helping the families of the forcibly disappeared persons, especially women.

UN Human Rights Office

- Act promptly in light of this information and condemn the Syrian regime's killing of forcibly disappeared persons and its registration of its victims as dead without notifying their families.
- · Apply pressure on the Security Council and the General Assembly in order to act to save the remaining detainees, put an end to torture, and reveal the fates of the forcibly disappeared persons.

Independent International Commission of Inquiry on the Syrian Arab Republic

• We will provide the Commission with numerous death certificates that we have recently received in order to launch an investigation into this alarming matter, which the commission must address in its upcoming report.

International, Impartial, and Independent Mechanism (IIIM)

• We will provide the Mechanism with numerous death certificates that should act as evidence in convicting the Syrian regime. We hope those efforts can help the current work of the Mechanism.

Syrian regime

- Make all of the death certificates for forcibly disappeared persons who are registered at the civil register offices publicly available.
- Promptly allow access for the Commission, the International Committee of the Red Cross, and all impartial human rights organizations.
- Cease the terrorization of Syrian society through enforced disappearance, torture, and deaths under torture.
- Cease the manipulation of civil records, state institutions and the Syrian state, which are not the property of the ruling family.
- Bear all the legal and material consequences, and compensate the victims and their families from the resources of the Syrian state.
- The Syrian regime should bring about the immediate and unconditional release of all arbitrarily arrested detainees, especially women and children, and reveal the fate of tens of thousands of forcibly disappeared persons.

Acknowledgment

We would like to thank the families and eyewitnesses who contributed to this report. We extend our most heartfelt condolences to the victims' families and friends.



www.snhr.org - info@snhr.org