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At least 567 Cases of Arbitrary Arrests Documented in Syria in January 2019

Including 219 Cases of Enforced Disappearance



SYRIAN NETWORK FOR HUMAN RIGHTS

الشبكة السورية لحقوق الإنسان

Saturday, February 2, 2019

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



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I. Introduction and Methodology

Arbitrary arrests and enforced disappearances have been amongst the most widespread violations since the early days of the popular uprising for democracy in Syria in March 2011. These are considered to be the most common and pervasive regime violations against Syrian citizens, affecting hundreds of thousands of Syrians. These violations are carried out by the Syrian security services, as well as their affiliated militias, as part of a deliberate and planned strategy, often in a sweeping indiscriminate manner, in order to instill terror and fear into the largest possible number of Syrian people. Approximately eight months after the start of the popular uprising, other parties began to emerge in Syria, 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; enabling 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 the arrest. These programs also enable us to cross-index cases and make comparisons between these parties, as well as identifying the governorates which the largest proportion of their residents got 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> accessed date: 31 January 2019



Given the importance and sensitivity surrounding the violation of arrest of Syrian citizens, the Syrian Network for Human Rights has never stopped issuing daily news on arrest incidents for years, or publishing monthly reports documenting the records of arrests, enforced disappearances and releases that took place in the preceding month, in addition to issuing an annual report, as well as dozens of other reports on different detention centers run by various parties to the conflict, and additional special reports concerning detainees. Also, 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 checkpoints or during raids, with the security forces of the regime's four main intelligence services often responsible for extra-judicial detentions. The 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 forcibly disappeared. The Syrian regime is responsible for no fewer than 87 percent of all the arbitrary arrests that we have documented, and is the first and most prominent of all the parties to the conflict in systematically perpetrating this violation. In most cases, victims' families are unable to accurately identify the body responsible for making the arrest, given the vast array of forces affiliated with the Syrian regime (Iranian militias, the Lebanese group Hezbollah, and others), in addition to the four main regime security agencies and their many branches, all of which are authorized to arrest and torture detainees, and to commit the crimes of enforced disappearance.

The issue of detainees and disappeared persons is one of the most crucial human rights issues in Syria which there has been no progress in resolving, despite its inclusion in several resolutions of the UN Security Council, as well as in UN General Assembly resolutions, 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 all must 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 periodically monitor the release of the detainees according to a timetable that must be presented by all the detaining parties, primarily the Syrian regime forces that are responsible for 87 percent of all detentions.
- 5- All rulings issued by the regime's field military courts and terrorism courts should be suspended or repealed, since they are non-compliant with domestic and international legislation, as well as failing to provide guarantees of a fair trial.

Methodology

This report documents the record of arbitrary arrests by the parties to the conflict 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, in addition to categorizing cases and incidents of arrest according to the location of the incident.

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 abides by strict standards in evaluating and assessing any incident of arbitrary arrest in order to avoid any faults in recording any incidents of detention, imprisonment, or deprivation of freedom in accordance with the international laws and the aforementioned set of principles on arbitrary arrest. The Detainee and Forcibly-Disappeared Department at SNHR records cases of arrest which departmental personnel collect from various sources, such as: victims' families, SNHR members in Syrian governorates, cooper-



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

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

II. January Outline

Syrian Regime forces in January continued with their campaigns of persecution and arrest, focusing primarily on civilians and former armed opposition fighters in the areas that had signed settlement agreements with Syrian Regime forces. Our monitoring also confirmed that Syrian Regime forces arrested some of the previously forcibly displaced civilians who



returned from north Syria to their hometowns as part of these settlement agreements. In addition, Syrian regime forces launched a sweeping arrest campaign in January against individuals who had returned from neighboring countries who should supposedly have been protected by the amnesty laws and reconciliation offers established by the regime.

In January, we recorded an increase in the rates of kidnappings for ransom by Syrian Regime forces' security apparatuses and militias, particularly by personnel of the Military Security forces. These abductions were concentrated in the cities of Hama, Latakia, and Homs, and particularly targeted women and children.

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

Syrian Regime forces also carried out raids and mass arrests targeting all segments of society aged between 18 and 42 years, with the aim of conscription and reserve in their forces. Meanwhile, Self-Management forces continued enforcing their policies of arbitrary arrest and enforced disappearance throughout the month of January, targeting political activists and members of civil society groups who oppose their ideological views. These arrests were concentrated in Raqqa governorate. Additionally, Self-Management forces continued their policy of arbitrary arrest for the purpose of conscription. In January, the rate of arrests of children for the purpose of conscription into the Self-Management forces increased, particularly in areas under their control in Raqqa governorate. The Self-Management forces also carried out mass arrests of Arab civilians in areas under their control. These arrests included entire families, and were concentrated in Raqqa governorate, which recorded the highest rate of arrests by Self-Management forces last month.

The arrests carried out by Self-Management forces targeted IDPs residing in areas under their control, mainly the inhabitants of refugee camps, citing various charges such as alleged kinship relationships between them and members of ISIS, or members of Armed Opposition factions. We recorded several incidents in which the Self-Management forces arrested many individuals from the same family, and targeted participants in the protests against their policies in areas under their control, and against dignitaries and tribal sheikhs for refusing to support their decisions, such as the imposition of conscription or condemnation of protests against them. The arrests also targeted teachers who deviated from the educational curriculum and teaching methods imposed by them, as well as targeting others for forced conscription.

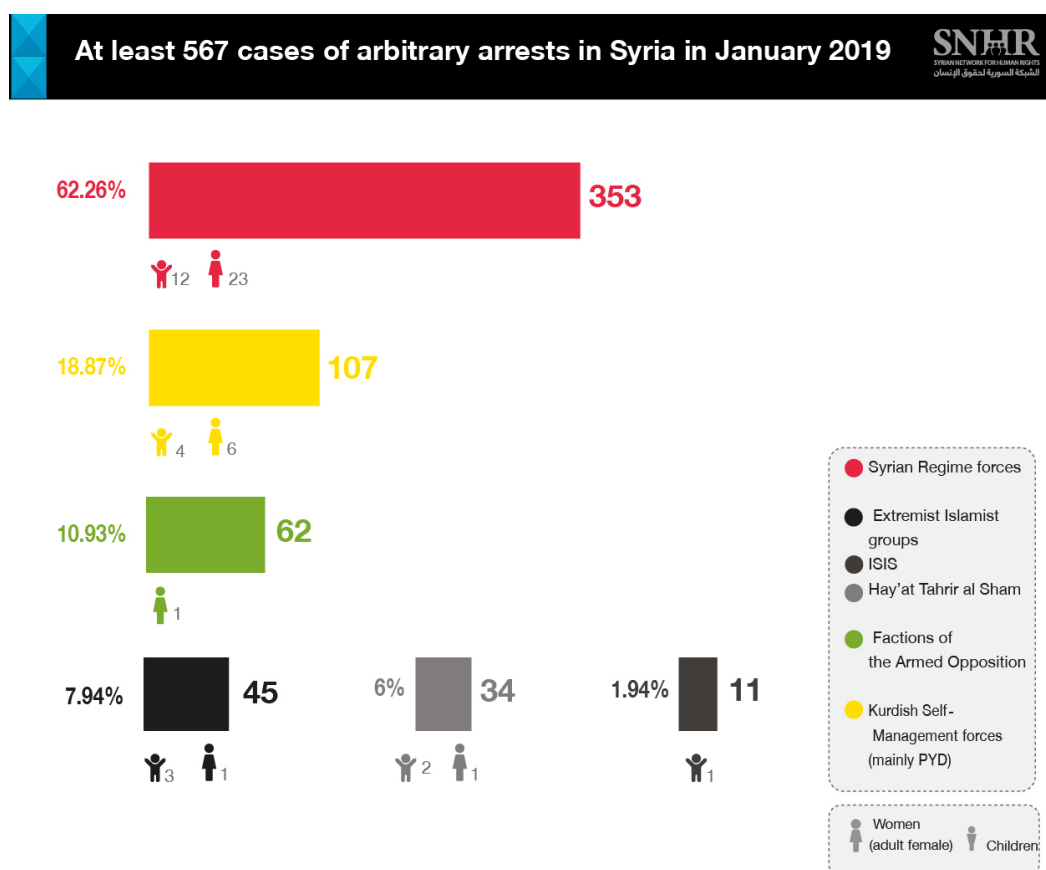


In addition to these incidents, January also saw the arrests of members of civil society groups by Hay'at Tahrir al-Sham, whose members also continue to pursue and arrest armed opposition fighters belonging to factions affiliated with the Euphrates Shield and Olive Branch operation rooms, with these arrests being concentrated in the southern suburbs of Idlib governorate and the northern suburbs of Hama governorate.

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

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

SNHR documented at least 567 cases of arbitrary arrest, including 19 children, 31 women (adult female), at the hands of the main perpetrator parties to the conflict in Syria in January 2019. These arrests are distributed according to the main perpetrator parties responsible, as follows:



As documented by SNHR



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

353 individuals, including 12 children, and 23 women.

B. Extremist Islamist groups: 45 individuals, including three children and one woman, divided between:

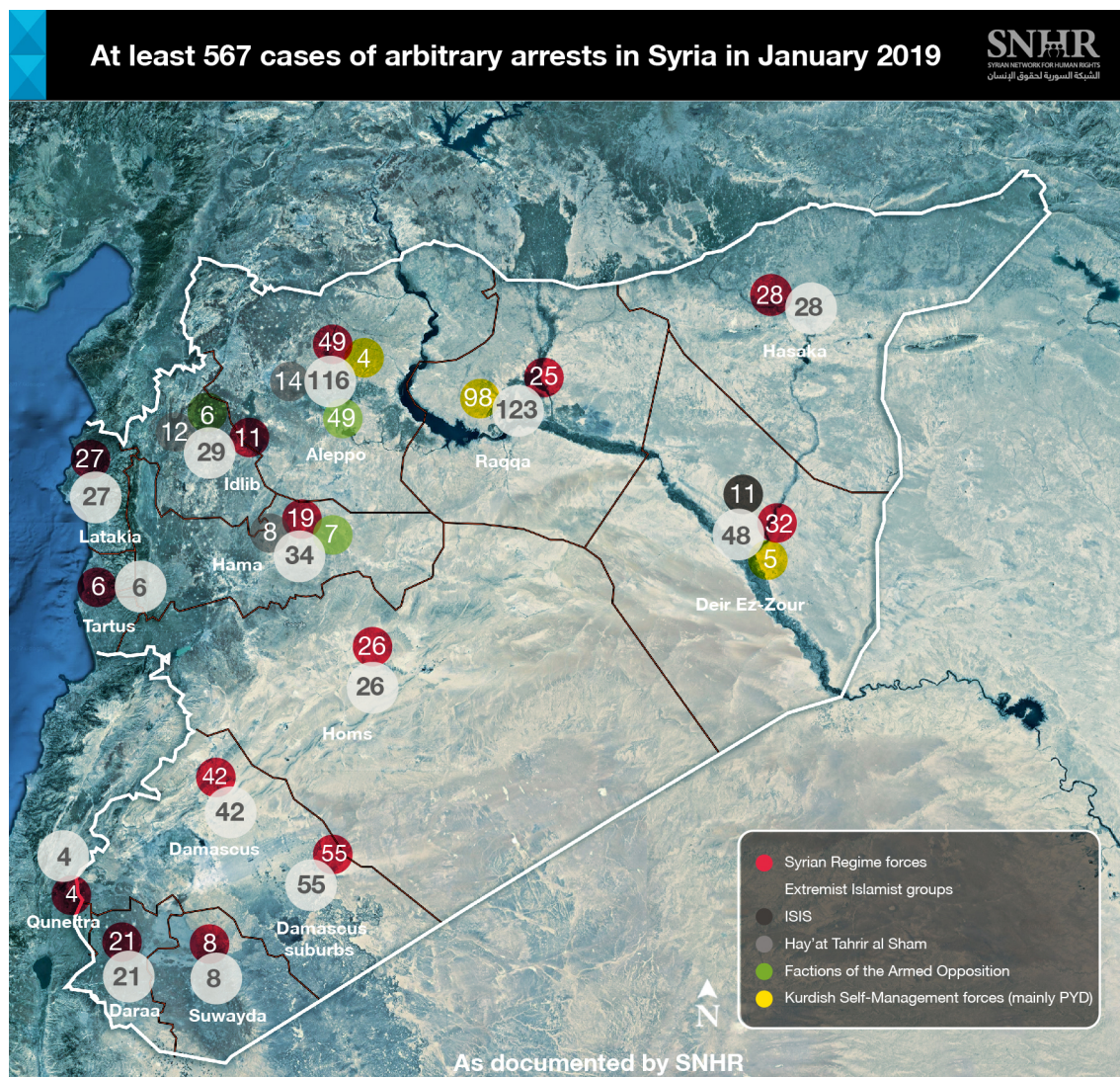
- ISIS (the self-proclaimed 'Islamic State'): 11 individuals, including one child.
- Hay'at Tahrir al Sham (an alliance composed of Fateh al Sham Front and a number of factions of the Armed Opposition): 34 individuals, including two children and one woman.

C. Factions of the Armed Opposition: 62 individuals, including one woman.

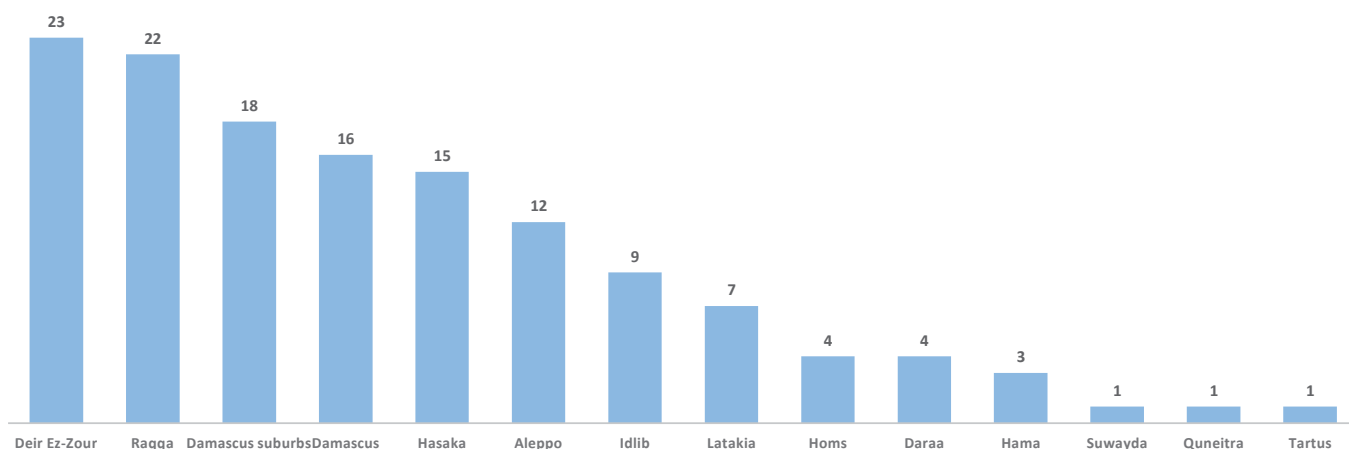
D. Self-Management forces (consisting primarily of the Democratic Union Party

– a branch of the Kurdistan Workers' Party): 107 individuals, including four children and six women.

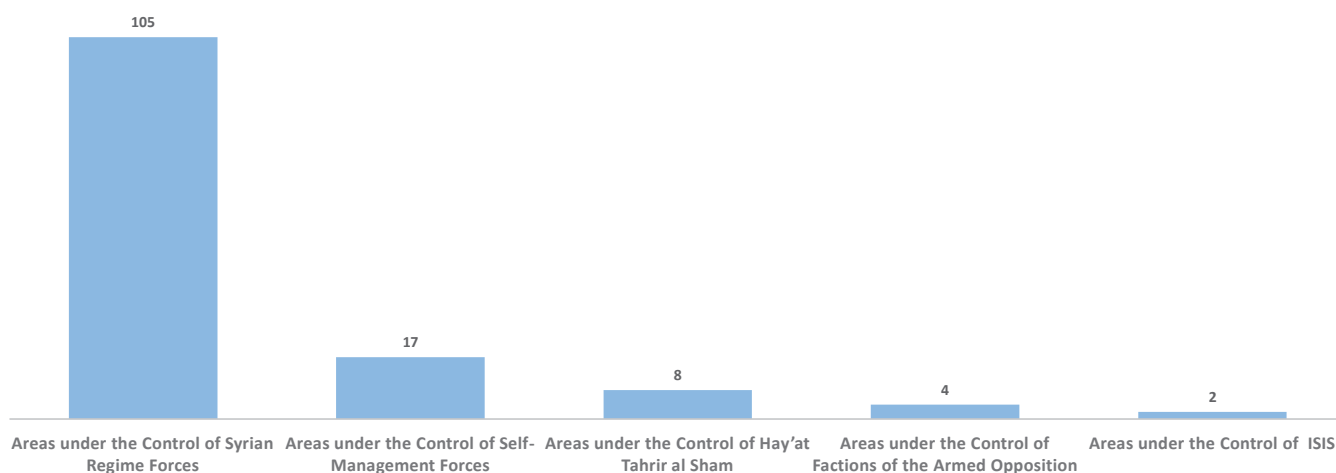
The following map shows the distribution of cases of arbitrary arrests in January across all the Syrian governorates by the main perpetrator parties:



We also documented at least 136 raids and checkpoints during this period that resulted in deprivation of freedom. These were distributed across all governorates as follows:



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



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

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

Most notable incidents:

On Monday, January 21, 2019, Syrian Regime forces carried out a campaign of raids and arrests in the towns of al Tebni and al Kharitta in the western suburbs of Deir Ez-Zour governorate. We documented the arrest of 10 civilians in these incidents, who were taken to the Military Security branch in Dei Ez-Zour.



On Thursday, January 24, 2019, Syrian Regime forces carried out a campaign of arrests in many neighborhoods in Aleppo city. We documented the arrest of 25 civilians with the aim of military conscription, all of whom were taken to an undisclosed location.

On Sunday, January 27, 2019, Syrian Regime forces carried out a campaign of raids and arrests in al Tal city in the west of Damascus Suburbs governorate. We documented the arrest of seven civilians with the aim of forced conscription, all of whom were taken to an undisclosed location.

Most notable cases:

Mrs. (F.M), whose name is withheld for security reasons, a housewife originally from Idlib city, was arrested by Syrian Regime forces on Sunday, January 12, 2019, following a raid on her place of residence in the Janoub al Thakana neighborhood in northwest Hama city, and was taken to an undisclosed location. Her fate remains unknown to the SNHR, as well as to her family.

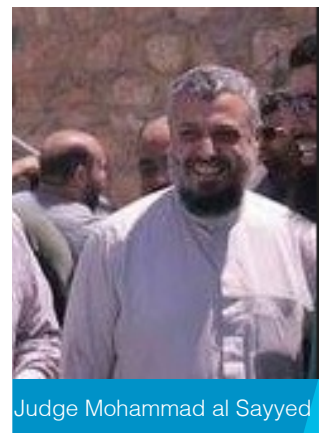
K.A, a 15-year-old child from al Daheriya neighborhood in the north of Hama city, was arrested on Wednesday, January 16, 2019, by the Military Security forces of the Syrian regime at a checkpoint in the al Asi Square neighborhood in the center of Hama city, and was taken to the Military Security branch south of Hama city. His fate remains unknown to the SNHR, as well as to their family

B. Extremist Islamist groups

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

Most notable cases

Judge Mohammad al Sayyed, who holds a license in Islamic law, is from al Atareb city in the western suburbs of Aleppo. He was arrested by gunmen affiliated with Hay'at Tahrir al Sham on Monday, January 7, 2019, and was released on the same day. We note that Judge Mohammad al Sayyed previously worked in the Political Bureau of the Nour al Din al Zenki Movement in the judiciary.



Haitham Mustafa al Hussein, a laboratory technician from Jozef village in the southern suburbs of Idlib governorate, works for al Eyadat Hospital in Idlib city. He was arrested on January 9, 2019, by gunmen affiliated with Hay'at Tahrir al Sham as he was passing through a checkpoint in south of al Rami village in Jabal al Zaweya area in Idlib governorate southern suburbs. He was released on Friday, January 11, 2019.



Haitham Mustafa al Hussein

Mohannad al Akel, a nurse from Kafranbel city in the southern suburbs of Idlib governorate, who works at the central hospital in Ma'aret al Muman city, also in the southern suburbs of Idlib governorate, was arrested on January 26, 2019, by gunmen affiliated with Hay'at Tahrir al Sham near al Aqra' Hospital in Kafranbel city while he was heading for his workplace in Ma'aret al Numan city. His fate remains unknown to the SNHR, as well as to his family



Mohannad al Akel

C. Factions of the Armed Opposition

Most notable incidents:

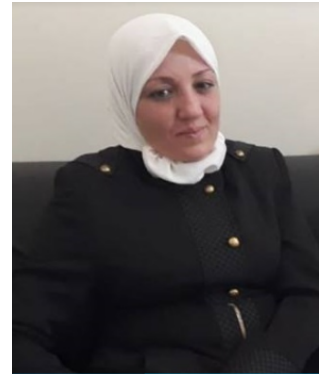
On Sunday, January 13, 2019, gunmen affiliated with Ahrar al Sharqiah group of factions of the Armed Opposition carried out a campaign of raids and arrests in al Tarhin village in the north of al Bab city in the eastern suburbs of Aleppo governorate. We documented the arrest of eight civilians, who were taken to an undisclosed location. Four of them were released after several days with marks of severe torture on their bodies.

On Monday, January 21, 2019, gunmen affiliated with Ahrar al Sharqiya group of factions of the Armed Opposition carried out a campaign of arrests in al Mousako village of Afrin city in the northern suburbs of Aleppo governorate. We documented the arrest of six civilians, who were taken to an undisclosed location.



Most notable cases

Rania al Halabi, an activist of the popular uprising and the director of the Independent Kurdish Syrians Association, originally from Damascus city, was born in 1974. She was arrested on January 9, 2019, by gunmen of the military police force affiliated with factions of the Armed Opposition in a raid on her workplace in the office of the Independent Kurdish Syrians Association in Afrin city in Aleppo governorate northern suburbs. She was released on Sunday, January 13, 2019.



Rania al Halabi

Dr. Adnan Bostan Kurdi, a physiotherapist born in 1955, came from Blaliko town of Afrin city in the northern suburbs of Aleppo governorate. On Wednesday, January 16, 2019, he was kidnapped in an ambush by unidentified unarmed elements, who lured him under false pretenses, supposedly to treat an urgently injured person outside the clinic's headquarters in Villas Street in Afrin city, before kidnapping him. They then contacted his family and demanded a ransom of 10,000 US dollars for his release.



Dr. Adnan Bostan Kurdi

Dr. Adnan's family presented the footage from the clinic's surveillance cameras to the military police in Afrin city, and we learned from members of his family that some of the kidnappers are affiliated with al Majd faction, and others with Failaq al Sham, both of which are factions of the Armed Opposition. The kidnappers were followed and arrested by the military police, before Adnan was freed on Tuesday, January 22, 2019, with marks of severe torture on his body.

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

Most notable incidents:

On Wednesday, January 23, 2019, Self-Management forces carried out a campaign of raids and arrests in al Mansoura town in the western suburbs of Raqqa governorate. We documented the arrest of 37 civilians in these operations, who were taken to an undisclosed location.



On Thursday, January 24, 2019, Self-Management forces arrested six civilians, including one child and three women from one family following a raid on their home in al Rmaila neighborhood in Raqqa city, before taking them to an undisclosed location.

On Sunday, January 27, 2019, Self-Management forces carried out a campaign of raids and arrests in Hneida town in the western suburbs of Raqqa governorate. We documented the arrest of seven civilians in this operation, who were taken to an undisclosed location.

On Friday, January 18, 2019, Self-Management forces carried out a campaign of arrests in Tal Abyad area in the northern suburbs of Raqqa governorate. We documented the arrest of 10 civilians in these operations, who were taken to an undisclosed location.

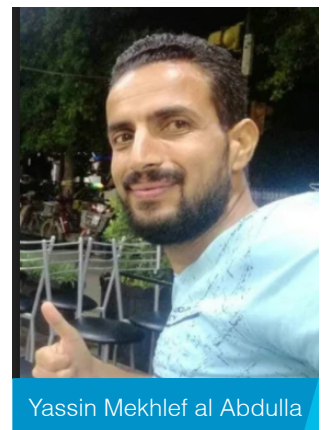
On Thursday, January 24, 2019, Self-Management forces carried out a campaign of raids and arrests in Tawi Rumman village in Raqqa governorate eastern suburbs. We documented the arrest of five civilians in these operations including a 15- year- old child, and were taken to an undisclosed location.

Most notable cases

Ibrahim Khalil al Jaradi, a 14-year-old boy from Tal Abyad city in Raqqa governorate northern suburbs, was arrested for enforced conscription on January 2, 2019, by Self- Management forces in his hometown of Tal Abyad city, and taken to an undisclosed location. His fate remains unknown to the SNHR, as well as to his family.

Hanan Mohammad Khalaf, a 16-year-old girl from Ein al Arab city in Aleppo governorate eastern suburbs, was arrested for enforced conscription on January 13, 2019, by Self- Management forces in a raid on her family's home in al Karaj area in Ein al Arab city, and was taken to an undisclosed location. Her fate remains unknown to the SNHR, as well as to her family.

Yassin Mekhlef al Abdulla, a chemistry teacher from al Salhiya neighborhood in Hasaka city, was arrested on Thursday, January 17, 2019, by Self-Management forces at one of their checkpoints in al Qamishli street in the center of Hasaka, and taken to an undisclosed location. His fate remains unknown to the SNHR, as well as to his family.



Roujin Ahmad Abdul Qader, a 16-year-old girl from Ashouna village, which is administratively a part of Afrin city in the northern suburbs of Aleppo governorate, was kidnapped in Fafin IDPs Camp also in Aleppo governorate's northern suburbs, on January 18, 2019, by gunmen affiliated with Self- Management forces, and taken to an undisclosed location. Her fate remains unknown to the SNHR, as well as to her family.



V. Conclusions and Recommendations

- The SNHR believes that the Syrian regime has not fulfilled any of its obligations in any of the international treaties and conventions it has ratified. We refer specifically to the International Covenant on Civil and Political Rights. It also violated several articles in the Syrian Constitution itself, with thousands of detainees detained without any arrest warrant for many years, without charges, and prevented from appointing a lawyer and from receiving family visits. Eighty-five percent of all detentions documented have turned into enforced disappearance cases, with detainees' families being denied any information of their loved ones' whereabouts, while anyone making enquiries about the detainees faces the risk of being arrested themselves for doing so.
- ISIS has carried out widespread and systematic violations including torture and enforced disappearances in areas under its control, both of which crimes constitute a violation of Article 3 common to the Geneva Conventions, and are classified as war crimes.
- 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 Self-Management forces have violated many basic rights and practiced numerous violations such as torture, enforced disappearance. They have also 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.

Commission of Inquiry (COI)

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

International, Impartial, and Independent Mechanism (IIIM)

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

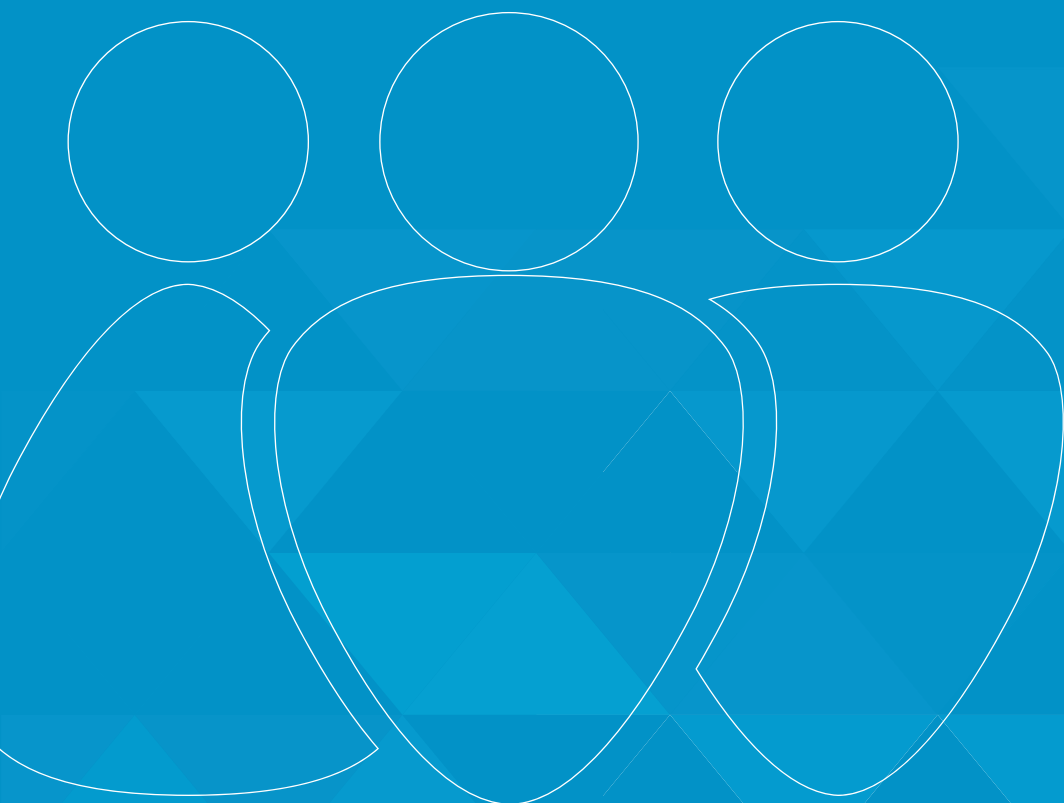
United Nations and the guarantors of the Astana talks

- An impartial special committee should be formed to monitor cases of enforced disappearance, and to make progress in revealing the fate of the nearly 95,000 documented missing persons in Syria, approximately 86 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.
- Release children and women, and stop holding families and friends as war hostages.
- We call on the official newly 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

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





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