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At least 203 Cases of Arbitrary Arrests Documented in Syria in November 2019

Including 138 Cases of Enforced Disappearance



SYRIAN NETWORK FOR HUMAN RIGHTS

الشبكة السورية لحقوق الإنسان

Monday, December 2, 2019

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

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I. Introduction and Methodology

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

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

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



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

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

The Syrian regime is responsible for no fewer than 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 November. 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 November, 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. November Outline

In November, Syrian Regime forces continued to pursue and arrest individuals who 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 Daraa.

In November, we also monitored arrests, which included elderly people and women, for expressing opinions and 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 November, we recorded that Syrian Regime forces released 83 detainees, including 14 women, from their detention centers, most of whom from the governorates of Idlib and Daraa.

At the end of November, we recorded that the Syrian regime's Military Police transferred five detainees held in favor of the military field courts 'al Midan courts' in Suwayda Central Prison to Sydnaya Military Prison in Damascus Suburbs in conjunction with similar transfers of other detainees in the Adra Central Prison, and they were likely sentenced to death.

Meanwhile, Kurdish-led Syrian Democratic Forces continued enforcing the group's policies of arbitrary arrest and enforced disappearance throughout the month of November, targeting activists and members of civil society groups who oppose their ideological views. These arrests were concentrated in the governorates of Raqqqa and Hasaka. Also in November, SNHR documented Syrian Democratic Forces carrying out arrests of several families, targeting several members of the same family, including elderly people, without providing clear charges, taking those detained to an undisclosed location. We recorded that Syrian Democratic Forces released nearly 46 detainees from their detention centers.



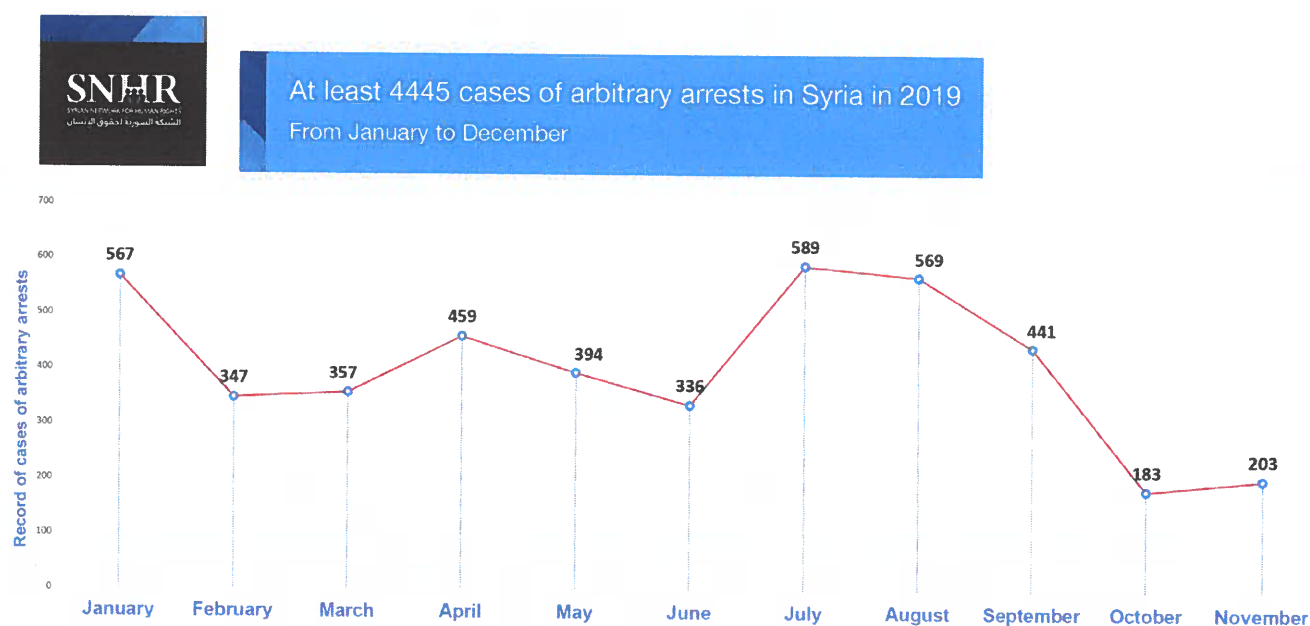
In addition to these incidents, November also saw Hay'at Tahrir al Sham arresting activists with civil society groups, media activists, civilians, with those detained including women and elderly people, with most of these arrests occurring due to the publication of reports on social media accounts criticizing the HTS's management of areas under its control, or because of violating the teachings imposed by the HTS such as gender mixing (males and females being at the same place) in universities. 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, most of which occurred on a mass scale, in many cases targeting several members of the same family and included women and children, in the territories under their control during November, 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

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

SNHR documented 4,445 cases of arbitrary arrests at the hands of the main perpetrator parties in Syria since the start of 2019 up to December 2019, distributed as follows:

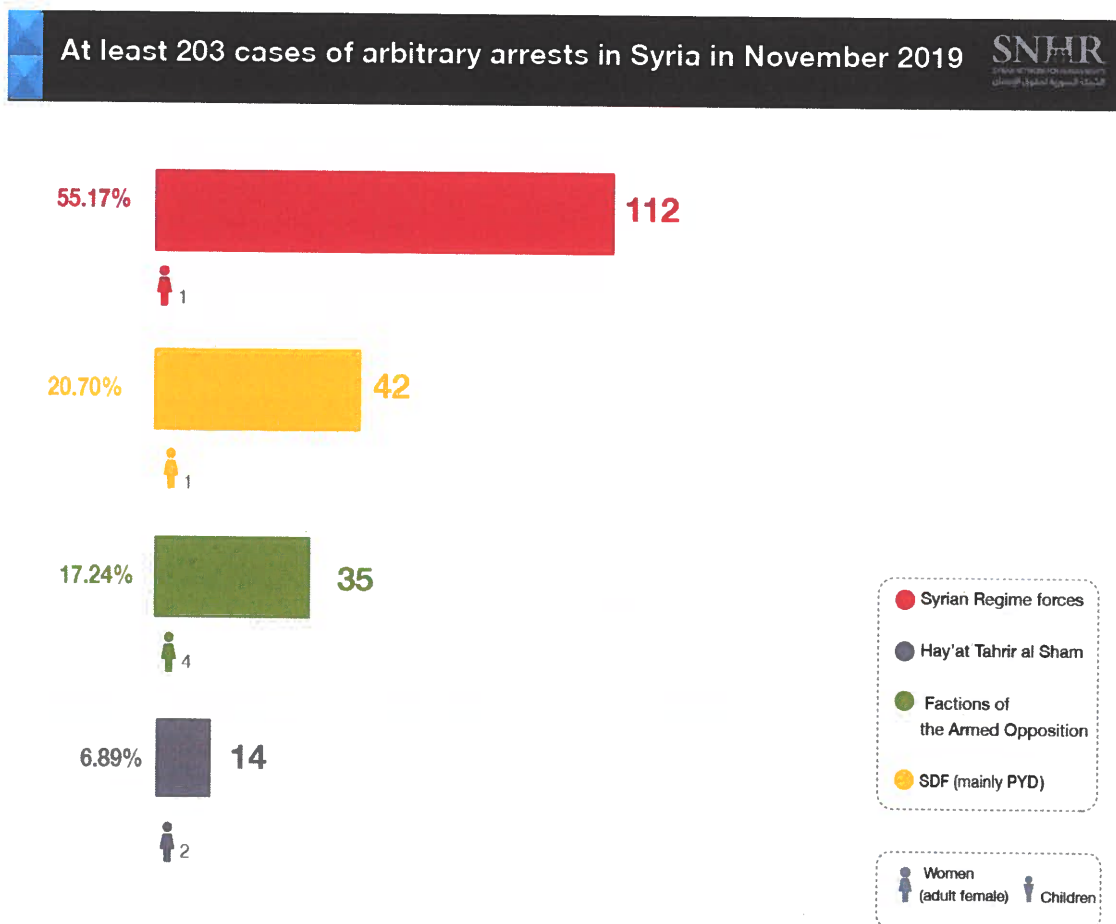


The chart above shows the increasing rates of cases of arbitrary arrests in the months of July and August 2019. This was due to the widespread nature of the arrests and kidnappings carried out by Syrian Democratic Forces targeting Arab civilians in areas under SDF control, specifically in Manbej city in the northwestern suburbs of Aleppo governorate.

B. Record of cases of arbitrary arrests in November:

SNHR documented at least 203 cases of arbitrary arrests in November 2019, including eight women (adult female), at the hands of the main perpetrator parties to the conflict in Syria, including 138 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):

112 individuals, including one woman. 82 of these have subsequently been categorized as cases of enforced disappearance.



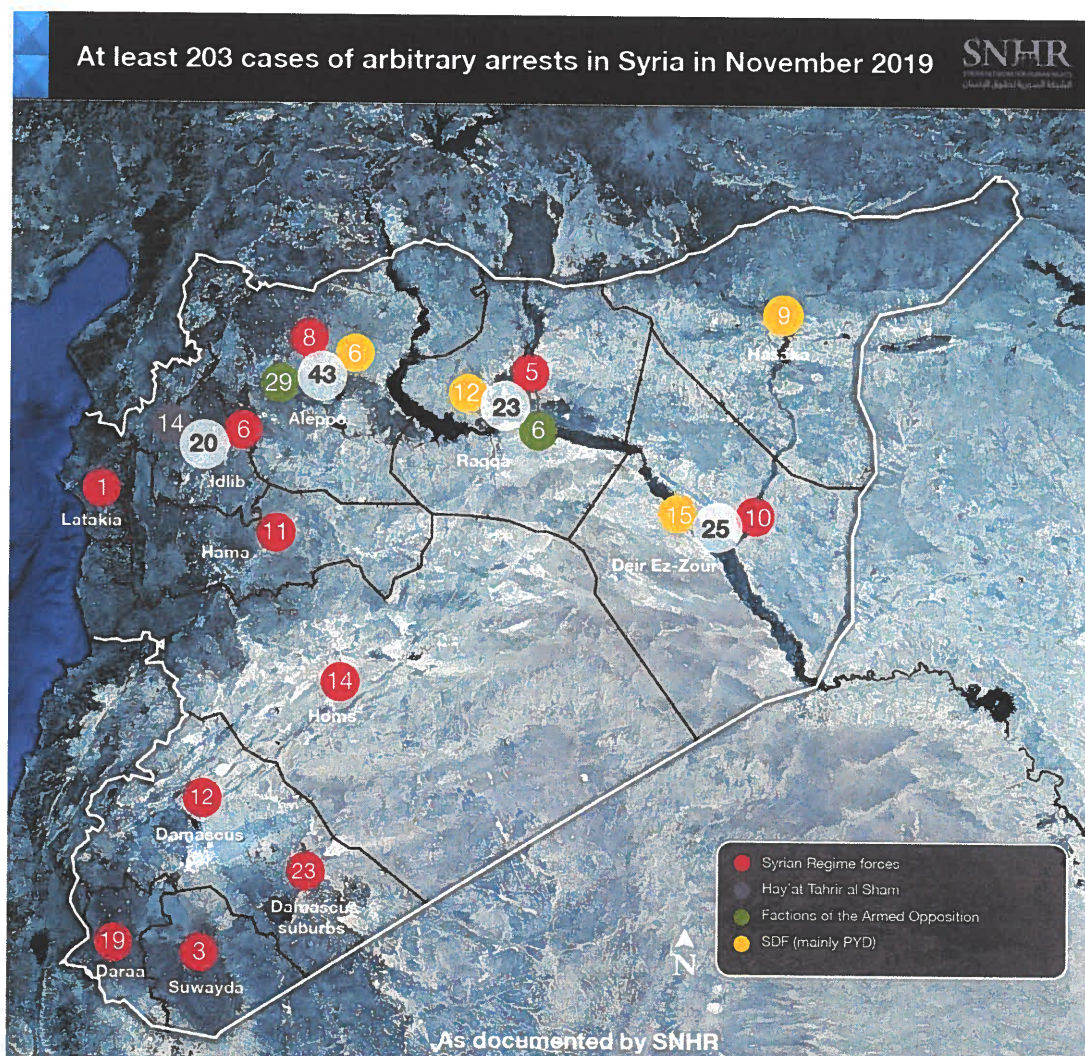
B. Kurdish-led Syrian Democratic Forces (the Democratic Union Party): 42 individuals, including one woman. 25 of these have subsequently been categorized as cases of enforced disappearance.

C. Factions of the Armed Opposition: 35 individuals, including four women. 22 of these have subsequently been categorized as cases of enforced disappearance.

D. Extremist Islamist groups:

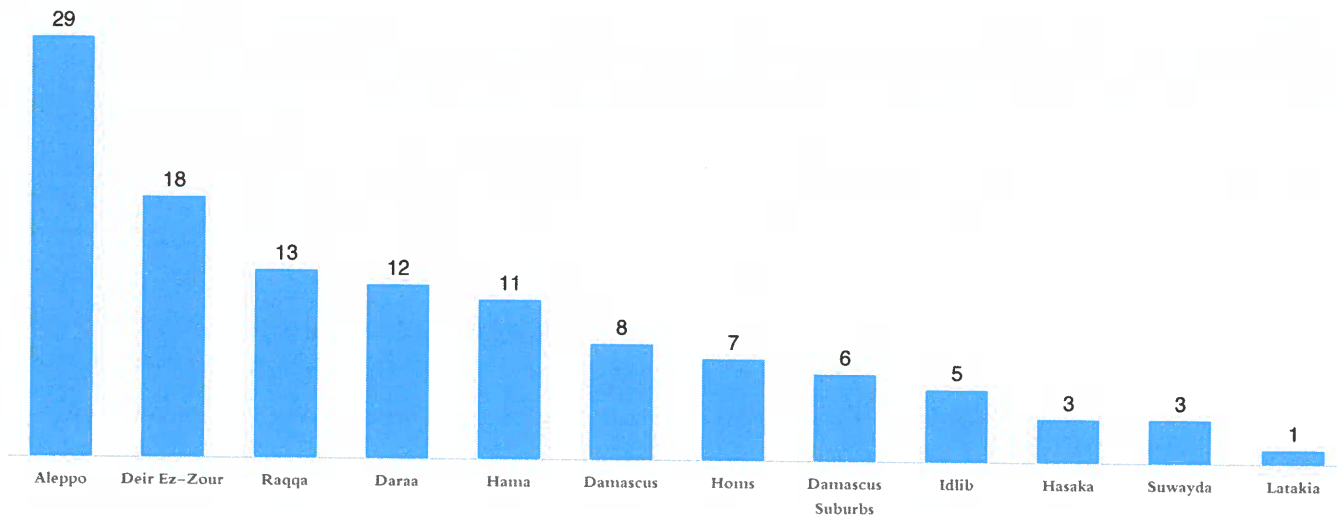
Hay'at Tahrir al Sham (an alliance composed of Fateh al Sham Front and a number of factions of the Armed Opposition): 14 individuals, including two women. Nine of these have subsequently been categorized as cases of enforced disappearance.

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

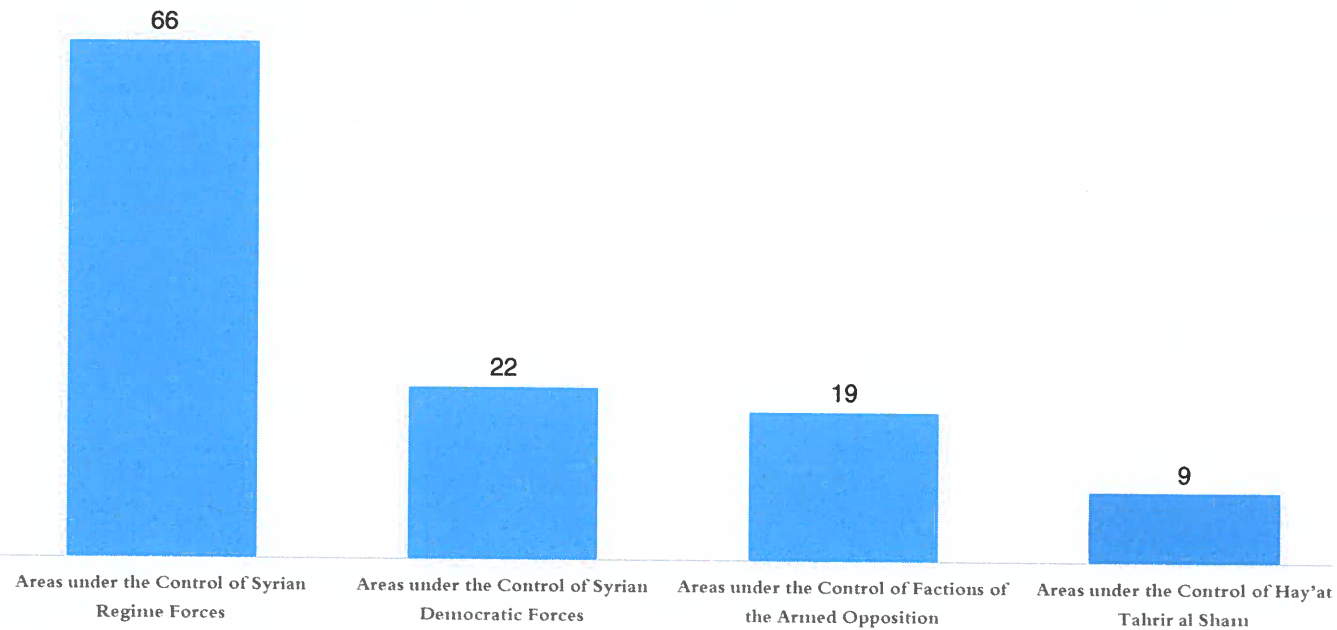


The map above shows that the highest rate of cases of arbitrary arrests during this period was seen in Aleppo, followed by the governorates of Deir Ez-Zour, Raqqa then Damascus Suburbs.

We also documented at least 116 raids and checkpoints in November, which resulted in deprivation of freedom. These were distributed across all governorates as follows:



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



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

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

- Most notable incidents:

On Saturday, November 2, 2019, Syrian Regime forces carried out a campaign of raids and arrests in the cities of Douma and Harasta in the Eastern Ghouta in Damascus Suburbs governorate. SNHR documented the arrest of 15 civilians, who were taken to an undisclosed location.

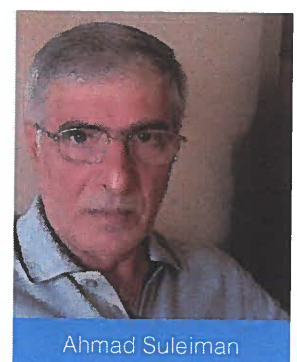
On Saturday, November 9, 2019, a patrol of the Syrian regime's Air Security Force arrested four civilians in al Sabboura town, west of Damascus Suburbs governorate, in a raid on their homes on charges of making phone calls with their relatives in Idlib governorate.

On Wednesday, November 20, 2019, Syrian Regime forces carried out a campaign of raids and arrests in al Damir city, east of Damascus Suburbs governorate. SNHR documented the arrest of three military dissidents from Syrian Regime forces who had previously settled their security situation, and were taken to an undisclosed location.

- Most notable cases:

Khaldoun al Msalma, from Daraa city, was arrested on Monday, November 18, 2019, by Syrian Regime forces in Daraa al Mahatta area in Daraa city and was taken to the State Security Branch in Daraa al Mahatta area. Khaldoun was among those who previously settled their security situation.

Ahmad Suleiman, a Math teacher from Latakia city, age 65, was arrested on Thursday, November 21, 2019, by Syrian Regime forces in a raid on his home in Latakia city and taken to an undisclosed location.



Munir Ali al Hasan al Hammadi and Ahmad Hamid al Jasem, from Hatla town in the eastern suburbs of Deir Ez-Zour governorate, were arrested on Thursday, November 21, 2019, by Syrian Regime forces in a raid on their homes in Hatla town and were taken to an undisclosed location.



B. Extremist Islamist groups

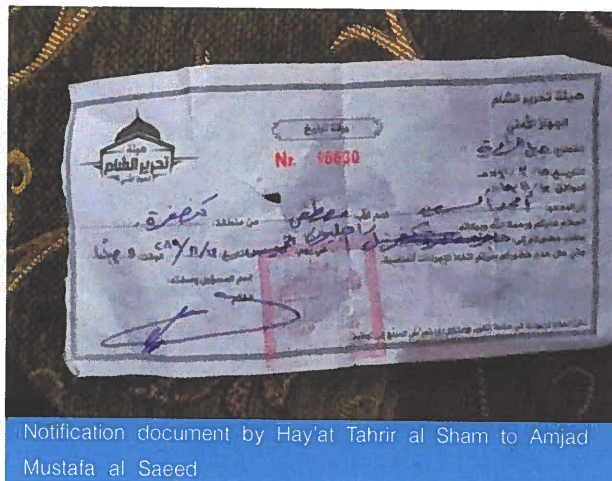
- Hay'at Tahrir al Sham (an alliance composed of Fateh al Sham Front and a number of factions of the Armed Opposition):

- Most notable incidents:

On Saturday, November 2, 2019, members of Hay'at Tahrir al Sham arrested four civilians, including two women, in a place in front of al Jalaa Park in Idlib city under the pretext of gender mixing, and took them to an undisclosed location.

- Most notable cases:

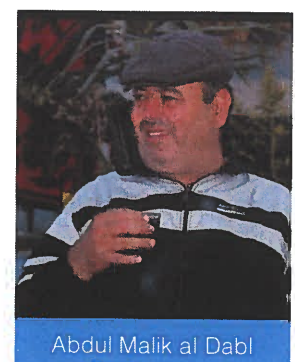
Amjad Mustafa al Saeed, a paramedic with the Free Idlib Army, one of the Armed Opposition factions, from Kansafra village in the southern suburbs of Idlib governorate, was arrested by Hay'at Tahrir al Sham members on Thursday, November 14, 2019, in Ariha city, south of Idlib governorate, and taken to an undisclosed location.



Notification document by Hay'at Tahrir al Sham to Amjad Mustafa al Saeed

Mahmoud al Sbeih, from Ma'aret al Numan city in the southern suburbs of Idlib governorate, age 60, was arrested on Friday, November 22, 2019, by gunmen affiliated with Hay'at Tahrir al Sham while he was in Ma'aret al Numan Central Hospital and was taken to an undisclosed location.

Abdul Malik al Dabl, an activist of civil uprising from Darkoush town in the western suburbs of Idlib governorate, age 55, was arrested on Sunday, November 24, 2019, by gunmen affiliated with Hay'at Tahrir al Sham as he was passing an HTS checkpoint in al Zanbaqi village in the western suburbs of Idlib governorate, before releasing him on Wednesday, November 27, 2019.



Abdul Malik al Dabl



C. Factions of the Armed Opposition

- Most notable incidents:

On Wednesday, November 6, 2019, gunmen affiliated with factions of the Armed Opposition carried out a campaign of raids and arrests in Jendeires 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 Saturday, November 9, 2019, gunmen affiliated with factions of the Armed Opposition carried out a campaign of raids and arrests in Sheeh area, which is administratively a part of Afrin city in the northern suburbs of Aleppo governorate. SNHR documented the arrest of six civilians, including two women, and were taken to an undisclosed location.

- Most notable cases:

Bozan Nazif Bozan, member of the political bureau of the Kurdistan Democratic Party, from Ras al Ein city in the northwestern suburbs of Hasaka governorate, was arrested by gunmen affiliated with Operation Peace Spring alliance forces (Turkish and Syrian National Army forces) on Thursday, November 14, 2019, in Ras al Ein city and taken to an undisclosed location.



Ismail al Badrani and Ahmad al Jamili, from Ein al Arous village, which is administratively a part of Tal Abyad city in the northern suburbs of Raqqa governorate, were arrested on Thursday, November 14, 2019, by members affiliated with Operation Peace Spring alliance forces (Turkish and Syrian National Army forces), in a raid on their homes in Ein al Arous village and were taken to an undisclosed location.



D. Kurdish-led Syrian Democratic forces

- Most notable incidents:

On Wednesday, November 20, 2019, Syrian Democratic Forces carried out a campaign of raids and arrests in al Debs village, which is administratively a part of Tal Abyad city in the northern suburbs of Raqqa governorate. SNHR documented the arrest of 10 civilians from one family, who were taken to an undisclosed location.

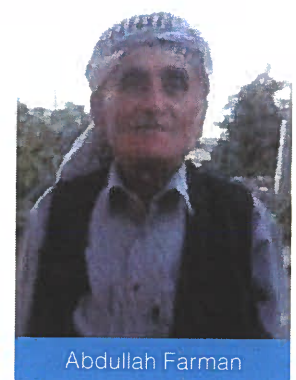
- Most notable cases:

Abd Khalaf al Dahas, Mesleh Mohammad al Dahas, Saleh Turki al Dahas, Naser Turki al Dahas, Abd Turki al Dahas, and Yaser Daham al Dahas, all from Um Kehaif village, which is administratively a part of Qameshli area in the northeastern suburbs of Hasaka governorate, were arrested by Syrian Democratic Forces on Sunday, November 3, 2019, in Um Kehaif village and taken them to an SDF detention center in Qameshli city.

Mazen al Harami, monitoring and evaluation officer of We'am Program in Raqqa city, from Raqqa city, was arrested on Wednesday, November 6, 2019, by Syrian Democratic Forces in a raid on his home in Raqqa city and taken to an undisclosed location.



Abdullah Farman, from Ein Dewar village, which is administratively a part of al Malekiya area in the northeastern suburbs of Hasaka governorate, was arrested by Syrian Democratic Forces on Saturday, November 16, 2019, in a raid on his home in Ein Dewar village and taken to an undisclosed location.



V. Conclusions and Recommendations

- The SNHR believes that the Syrian regime has not fulfilled any of its obligations under any of the international treaties and conventions which it has ratified. We refer specifically to the International Covenant on Civil and Political Rights. It also violated several articles of the Syrian Constitution itself, with thousands of detainees detained without any arrest warrant and held for many years, without charges, and prevented from appointing a lawyer and from receiving family visits. 65.08 percent of all detentions documented have subsequently been categorized as enforced disappearance cases, with detainees' families being denied any information on their loved ones' whereabouts, while anyone making enquiries about the detainees faces the risk of being arrested themselves for doing so. 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.

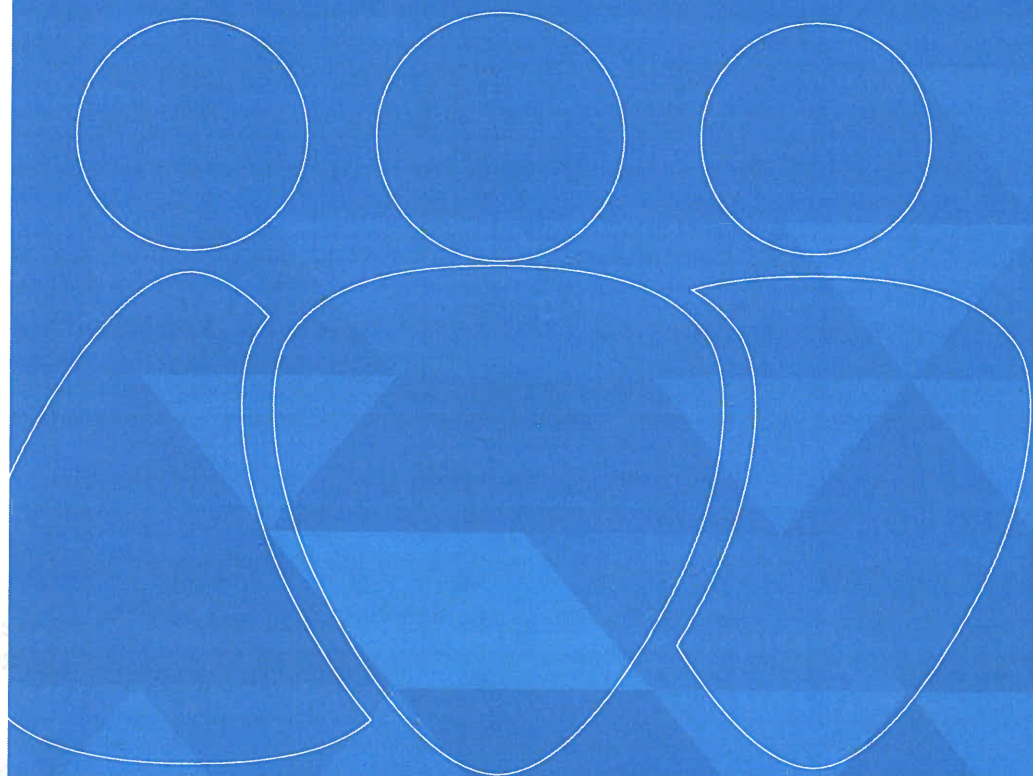
United Nations and the guarantors of the Astana talks

- 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

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





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