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SNHR's Monthly Report

on Arbitrary Arrests/Detentions in Syria

No fewer than

194

Cases of Arbitrary Arrest
Documented in February 2024,
Including of Seven Children
and Five Women



Saturday 02 March 2024

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 analyzes in Syria.

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I. Overview of Arbitrary Arrest and Enforced Disappearance in Syria

Since the very start of the popular uprising for democracy in March 2011, arbitrary detention has been one of the primary violations committed by the Syrian regime against civilians. Accordingly, as the demonstrations calling for political change expanded and spread across Syria, so too did arbitrary detention practices. In fact, arbitrary detention rates have increased steadily as the Syrian conflict has continued. In most cases, these arrests have been carried out in a manner that more closely resembles an abduction than an arrest, with no judicial warrant being shown, while the targets of these arrests are selected based on security memorandums issued by the regime's various security authorities.

As the database of the Syrian Network for Human Rights (SNHR) shows, about 73 percent of all arbitrary detention incidents in Syria subsequently turn into enforced disappearances. The Syrian regime is responsible for about 88 percent of all arbitrary arrest documented on our database, which we update regularly. Naturally with these staggering rates of arbitrary arrest, [the number of Syrian citizens classified as missing has skyrocketed](#), so much so that it can be called a phenomenon in itself. Indeed, Syria is one of the worst countries worldwide in terms of the numbers of 'disappeared' citizens.

Along with arbitrary arrests come a myriad of other violations - the most notable of which are enforced disappearance; torture in many shapes, forms, and methods, and exceptional trials which involve summary and secret procedures.

The Syrian regime surpasses many of the world's other authoritarian regimes by virtue of having absolute hegemony over the legislative and judicial branches of government. The regime has wielded this hegemony to promulgate a multitude of laws and decrees that violate international human rights law, as well as the principles of law and the parameters of arrests and interrogation established in domestic legislation and the current Constitution of 2012. The most notable of those violations are Law No. 19 of 2012 or the Counterterrorism Law,¹ which is used as grounds to try most detainees (in addition to the Syrian Penal Code² which is used as grounds to try detainees accused of crimes against state security and national security as specified in said code), and its subsequent amendment, Law No. 15 of 2022,³ Military Penal Code,⁴ and the Counter-Cybercrime Law.⁵ The Syrian regime has weaponized its arsenal of laws through exceptional courts, such as the [Counterterrorism Court](#), which was the subject matter of a report, in which we detailed its practices, methods, and rulings, in order to give an idea of the senseless brutality of this court, whose main purpose is to eliminate political opponents and detain civilians. Furthermore, [the Military Field Court](#) is one of the worst exceptional criminal courts established in Syrian history, having been used by the regime as an instrument to kill and disappear activists and dissidents. Even though the court was disbanded in accordance with Legislative Decree No. 32 of 2023,⁶ its rulings remain in effect as of this writing. With the disbandment of the Military Field Court, all the cases previously handled by it were referred to the Military Judiciary, which is by no means less horrible. The Military Judiciary is set to prosecute and handle those cases in accordance with the Procedural Law and Military Procedural Law established through Legislative Decree No. 61 of 1950 and its subsequent amendments.

1. People's Assembly of Syria, Law No. 19 of 2012. See: <http://www.parliament.gov.sy/arabic/index.php?node=201&nid=4306&RID=1&Last=112&First=0&CurrentPage=0&Vid=1&Mode=1&Service=1&Loc1=0&Key1=&SDate=&EDate=&Year=1&Country=&Num=19&Dep=1&>
2. People's Assembly of Syria, Law No. 148 of 1949. See: <http://www.parliament.gov.sy/arabic/index.php?node=201&nid=12278&RID=1&Last=20&First=0&CurrentPage=0&Vid=1&Mode=1&Service=1&Loc1=0&Key1=&SDate=&EDate=&Year=1&Country=&Num=148&Dep=1&>
3. People's Assembly of Syria, Law No. 15 of 2022. See: <http://www.parliament.gov.sy/arabic/index.php?node=201&nid=22937&RID=1&Last=120&First=0&CurrentPage=0&Vid=1&Mode=1&Service=1&Loc1=0&Key1=&SDate=&EDate=&Year=1&Country=&Num=15&Dep=1&>
4. People's Assembly of Syria, Law No. 61 of 1950. See: <http://www.parliament.gov.sy/arabic/index.php?node=201&nid=11811&RID=1&Last=56&First=0&CurrentPage=0&Vid=1&Mode=1&Service=1&Loc1=0&Key1=&SDate=&EDate=&Year=1&Country=&Num=61&Dep=1&>
5. People's Assembly of Syria, Law No. 20 of 2022. See: <http://www.parliament.gov.sy/arabic/index.php?node=201&nid=22958&RID=1&Last=10449&First=0&CurrentPage=1&Vid=1&Mode=&Service=1&Loc1=&Key1=&SDate=&EDate=&Year=&Country=&Num=&Dep=1&>
6. People's Assembly of Syria, Legislative Decree No. 32 of 2023. See: <http://www.parliament.gov.sy/arabic/index.php?node=201&nid=23616>

Moreover, the Syrian regime has legitimized the crime of torture. There are several texts in Syrian law that outlaw torture, including Article 53 of the current Syrian constitution which bans arbitrary arrest and torture and Article 391 of the Public Penal Code, which provides that anyone who uses coercion during interrogation shall receive a timed prison sentence ranging from three months to three years, while torture is wholly prohibited. However, other legal texts, including Law No. 16 of 2022 on Criminalizing Torture, explicitly contradict the aforementioned legal articles, and legitimize impunity. SNHR previously released [a report](#) exposing the dysfunctional nature of torture and the related legislative articles adopted by the Syrian regime.

In effect, the personnel, members, and affiliates of the regime's security authorities enjoy impunity from any prosecution by the judiciary, which can only be triggered after approval. For instances of these, one can cite Article 16 of Legislative Decree No. 14 of 1969 that established the General Intelligence Directorate, and Article 74 of the Internal Regulations for the State Security Administration and the Rules Regulating the Service of its Workers, as established in Legislative Decree No. 549 of 1969.⁷ It is worth noting that both those laws are secretive and have not been publicized by the official state gazette for the public to see, contravening the constitutional principle of the rule of law. Similarly, officers affiliated with the Military Security Intelligence Directorate also have a certain impunity due to their official military status. As such, they can only be prosecuted by the Military Judiciary, which may only happen under orders of the General Commander of the Army and Armed Forces or the Chief of the General Staff depending on the rank of the officer to be prosecuted, according to article 53 of the Military Penal Code and Military Procedural Law (Law No. 61 of 1950). On the other hand, the Political Security Directorate is affiliated with the Ministry of Interior. In September 2008, [Legislative Decree No. 64 of 2008](#) was promulgated establishing that the officers and personnel of the internal security services, as well as customs officers, fall under the jurisdiction of the Military Judiciary. The decree explicitly states that they cannot be prosecuted unless under orders of the General Command of the Army and Armed Forces.

Since March 2011, the Syrian regime has promulgated about 23 amnesty decrees that were largely similar, with many texts transferred verbatim from one decree to another. Those decrees focused on the release of perpetrators of offenses, felonies, and misdemeanors, including only an extremely limited number of detainees referred to exceptional courts. As such, the vast majority of detainees who have been detained without trial for years or have faced secret trials and effectively became forcibly disappeared persons have been excluded. On November 16, 2022, we released a report entitled, '[Breaking Down the Amnesty Decrees Issued by the Syrian Regime Between March 2011 and October 2022](#)', in which SNHR stressed that amnesty decrees only result in a very limited number of releases, while arbitrary arrests continue in a widespread manner. Indeed, the Syrian regime is still carrying out arbitrary arrests and enforced disappearances irrespective of the amnesty decrees.

7. This was a secret law that was not publicized in the official state gazette.

As the cases and data on arbitrary detention and enforced disappearance in Syria show, all parties to the conflict have been involved in arbitrary detention and enforced disappearance practices as a way to terrorize Syrian society and create a state of fear, in order to consolidate control. Syrian Democratic Forces (SDF), extremist Islamic groups such as Hay'at Tahrir al-Sham and ISIS, and all armed opposition factions/Syrian National Army (SNA), have carried out practices similar to those of the Syrian regime, albeit in a far less frequent and systematic manner than the regime. These practices all constitute violations of international human rights law, and, in the context of the armed conflict, violations of international humanitarian law.

In light of all this, SNHR ensures that we regularly update and catalogue any new developments on our database, using the data stored there in compiling our periodic and annual reports on enforced disappearance and torture. In this, we aim to highlight the widespread and negative impact of arbitrary arrest, enforced disappearance, and torture, violations that result in further profound suffering for the victims. Another goal in compiling data on these issues is to close the gap between the victims and the violations they suffered, on one hand, and the continued failure to hold the perpetrators accountable on the other, as well as to attempt to make serious progress towards realizing accountability.

II. Report Methodology

For many years, SNHR has released monthly reports, analyzing and providing figures on the state of arbitrary arrest/detention in Syria in the previous month. These monthly reports cover the arbitrary detentions, enforced disappearances, and releases from detention centers documented for this period. This report summarizes the arbitrary arrests and enforced disappearances documented by SNHR in the month of February 2024, drawing upon the data and information collected and documented by SNHR's team on the ground. This data is obtained from various sources, including eyewitnesses, local activists, victims, and their families, in line with the criteria and procedures detailed in [SNHR's methodology for documentation](#). We strive to update data whenever required to ensure its accuracy and reliability. The last stage of the documentation process is cataloguing the data on violations on our database and archive in various forms, including written accounts, audio interviews, video interviews, and reports.

In declaring an incident as arbitrary arrest/detentions and enforced disappearance, we adhere to precise standards based on the rules of international law and the body of principles on arbitrary arrest and enforced disappearance. More particularly, [we rely on the five categories adopted by the UN Working Group on Arbitrary Detentions](#). Meanwhile, for enforced disappearance, we adopt the definition established by the Declaration on the Protection of all Persons from Enforced Disappearance, which was adopted in accordance the [UN General Assembly resolution 47/133 on December 18, 1992](#), as "a body of principles for all states".

Exceptions

- The incidents and cases of arrests that have been documented by SNHR and included in this report do not include abductions carried out by parties we have not yet been able to identify. However, it should be noted that we do document such incidents on our database, continue to follow up on such cases, and make mention of those cases in special reports.
- This report does not include individuals detained for committing criminal offenses, such as murder, theft, narcotics-related crimes, and other crimes that have no political nature or are not related to the armed conflict, dissident activism, or freedom of opinion and expression.

In this report, we categorize the data documented on SNHR's database by the four parties to the conflict that have been responsible for violations related to arbitrary arrest and enforced disappearance, namely Syrian regime forces, the SDF, all armed opposition factions/SNA, and the HTS. We also categorize arrests based on the location where each arrest took place, rather than by the detainee's governorate of origin, and distinguish between adult, child, female and male victims. This report also includes a cumulative chart showing arrest rates, which we update every month, enabling us to make accurate comparisons of how the arrest rates have developed over the year. Moreover, we provide details of the releases from the various detention centers, and catalogue each of these according to their contexts and causes.

While we have always attempted to highlight notable cases that we encounter in our work in order to put a human face to these abstract figures and prevent victims from being turned into faceless statistics, some of the individuals involved in these cases have faced threats, harassment, and persecution for speaking out about what took place, even though they and their families have given us their permission before we provide any information about these cases in our reports. Therefore, we have come to a decision to stop singling out any individual cases, except in rare instances, in order to protect the privacy and security of victims who have experienced arbitrary detentions and to avoid any further potential future risks.

Moreover, this report provides a summary and analysis of the patterns seen in arbitrary arrests/detentions and enforced disappearance carried out by the parties to the conflict. In accurately identifying these patterns, we draw upon both the information available and the expertise gained by SNHR's team in monitoring the nature of these practices for over 13 years. The report also touches upon the laws and decrees promulgated by the parties to the conflict in relation to issues of arrest and enforced disappearance in the period included in the report. In much of our reporting, we have used a descriptive and analytic methodology.

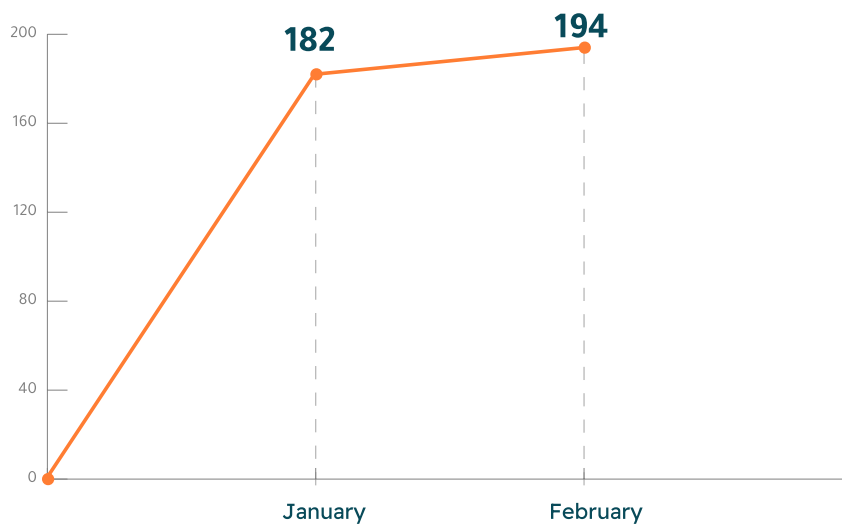
In light of the exceptional difficulties and the extensive scale of violations, this report only reflects the bare minimum of the violations that occurred which we were able to document. We must stress that the actual figures are much higher.

III. Arbitrary Arrests, Enforced Disappearances, and Releases in Syria in February 2024

A. Arbitrary arrests and enforced disappearances since the beginning of 2024

SNHR has documented no fewer than 376 cases of arbitrary arrest, including of 15 children and nine women (adult female), since the beginning of 2024 up until March 2024. Of the 376 cases, 299 have been classified as enforced disappearance.

Arbitrary arrests/detention carried out by the parties to the conflict and controlling forces in Syria in 2024 are distributed as follows:

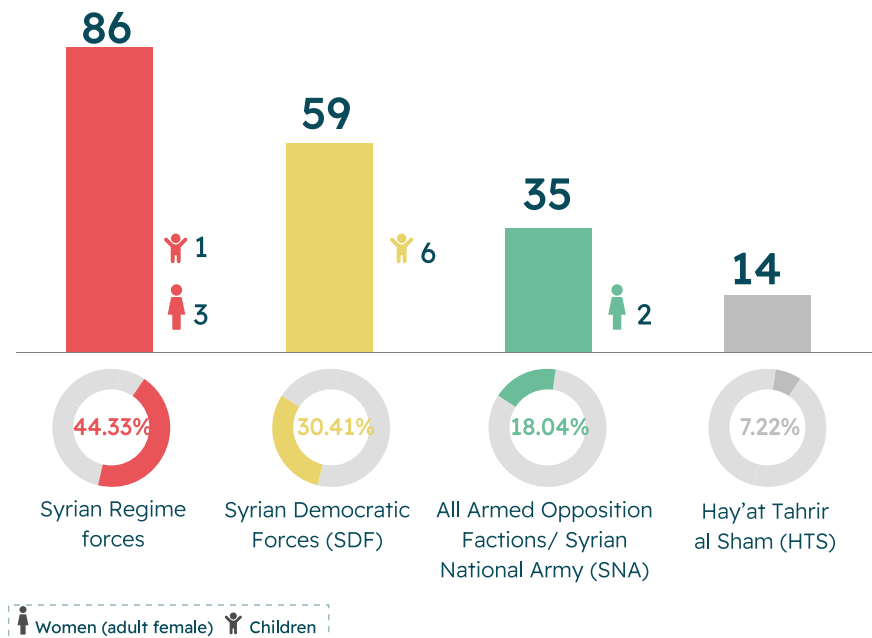


As shown on the graph, the number of arbitrary arrests increased in February, with Syrian regime forces carrying out widespread arrests, mostly on a mass scale, targeting civilians in territories under its control for various motives. This was coupled with the Syrian Democratic Forces (SDF) carrying out arrests in territories under its control for the purpose of conscription.

B. Arbitrary arrests and enforced disappearances in February 2024

In February 2024, SNHR documented no fewer than 194 cases of arbitrary arrest/detention, including of seven children and five women (adult female). Of these, 153 have been subsequently classified as enforced disappearances.

Arbitrary arrests/detentions documented in February 2024 are distributed by the parties to the conflict and controlling forces as follows:



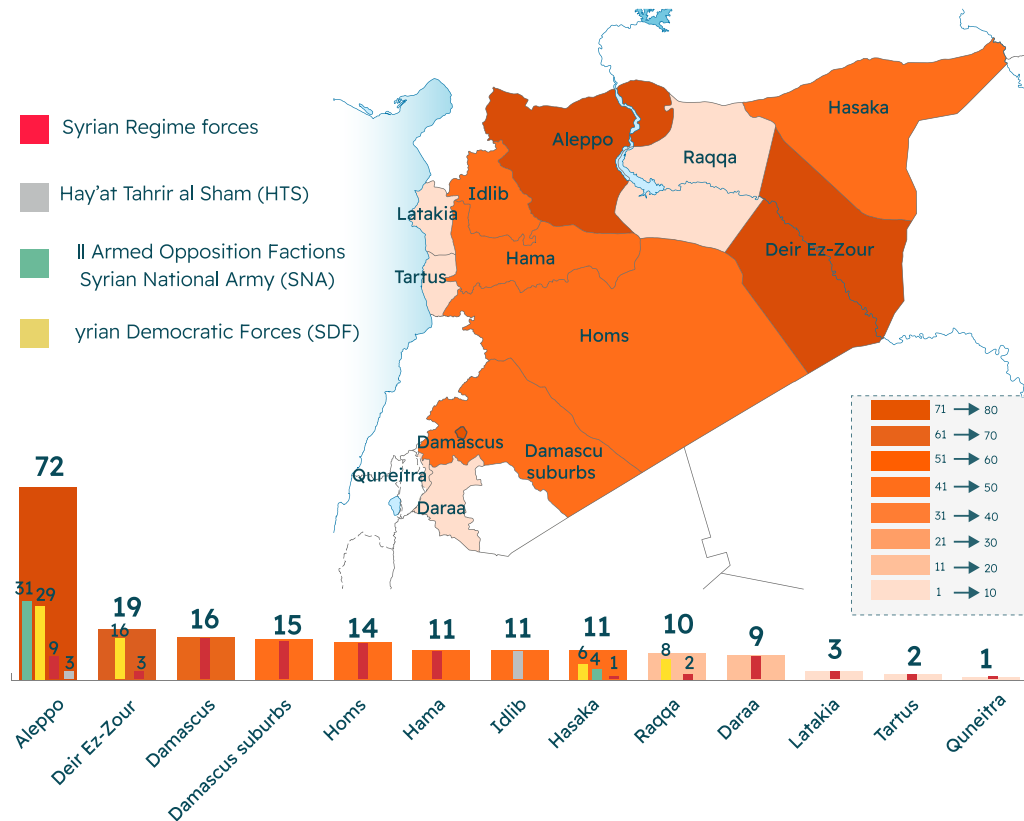
A. Syrian regime forces: 86 individuals, including one child and three women. Of these, 12 have been released, while the remaining 74 have subsequently been categorized as forcibly disappeared persons.

B. Hay'at Tahrir al-Sham (HTS): 14 individuals. Of these, six have been released, while the remaining eight have subsequently been categorized as forcibly disappeared persons.

C. All Armed opposition factions/Syrian National Army (SNA): 35 individuals, including two women. Of these, nine have been released, while the remaining 26 have subsequently been categorized as forcibly disappeared persons.

D. Syrian Democratic Forces (SDF): 59 individuals, including six children. Of these, 14 have been released, while the remaining 45 have subsequently been categorized as forcibly disappeared persons.

Arbitrary arrests/detentions documented in February 2024 at the hands of the parties to the conflict and the controlling forces are distributed across Syrian governorates as follows:



As shown on the map above, Aleppo governorate saw the highest number of cases of arbitrary arrests/detentions documented in February, followed by the governorates of Damascus, then Rural Damascus, then Homs, and then Hama, Idlib, and Hasaka.

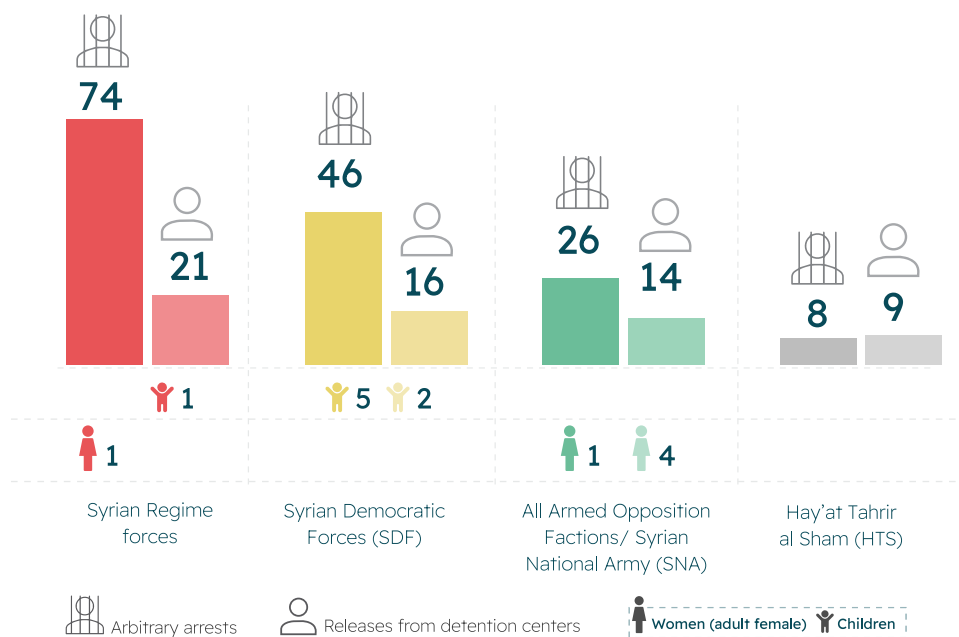
B. Releases from detention centers in February 2024

In February 2024, SNHR documented no fewer than 59 releases from the various detention centers, including of three children and four women (adult female).

The releases by the parties to the conflict and controlling forces in Syria that were documented in February 2024 are distributed as follows:

- **A. Syrian regime forces:** 21 releases, including of one child.
- **B. Hay'at Tahrir al-Sham (HTS):** Nine releases.
- **C. All Armed opposition factions/Syrian National Army (SNA):** 14 releases, including of four women.
- **D. Syrian Democratic Forces (SDF):** 16 releases, including of two children.

Comparison between arbitrary arrests and releases from detention centers documented in February 2024 for each of the parties to the conflict and controlling forces in Syria:



As shown on the chart, the number of arbitrary arrests far surpasses the number of releases from detention centers, with the number of releases equaling approximately 30 percent of all the detentions documented on average; this confirms again that at least two or three times as many people are detained as are released, primarily by the Syrian regime, which indicates that these arrest and detention practices are standard policy in comparison to the extremely limited numbers of people released by all parties to the conflict, but mainly from regime detention centers.

IV. Most Notable Patterns of Arbitrary Arrests and Releases by the Parties to the Conflict and Controlling Forces in Syria in February 2024

In February, the parties to the conflict continued their policies of persecuting civilians in areas under their control, carrying out more arbitrary detentions citing various pretexts and causes. This once again confirms a crucial and inescapable truth which we have reiterated many times in the past: no Syrian citizen can feel safe from arrest since these are carried out without any legal grounds or any oversight by any independent judiciary. Below are some noteworthy observations with regard to the detentions carried out by the parties to the conflict this month:

A. Syrian regime forces⁸

1. Arbitrary arrests

- We recorded widespread arrests/detentions by regime personnel involving civilians in the governorates of Rural Damascus, Hama, Aleppo, and Daraa, on the pretext of failing to join the military or reserve forces as part of the mandatory military services. Those arrests were carried out during raids or mass arrests at checkpoints, and even targeted individuals who had previously agreed to settle their security situation with the regime in the areas that saw settlement agreements.
- We recorded arrests/detentions of civilians who voiced their demands and criticized the worsening living situation in regime-held areas, or expressed support for the popular movement in Suwayda governorate, on social media. Those detainees, who include university students and pro-regime media figures, are facing charges related to the Counter-Cybercrime Law. Those arrests have been concentrated in the governorates of Latakia and Tartus.
- We recorded multiple arrests/detentions of people heading for the Syrian-Lebanese borders with the aim of crossing irregularly into Lebanon. Those arrests have been concentrated in Homs governorate.
- We documented arrests/detentions targeting returning internally displaced persons (IDPs) or refugees as they were trying to return to their original areas which are under the control of regime forces. These arrests, targeting refugees returning from Lebanon via border crossings, were concentrated in Rural Damascus governorate.

8. We generally use the term 'the Syrian regime' rather than 'the Syrian government', because the nature of the ruling power in Syria is that of a totalitarian dictatorship where power is concentrated in the hands of a small circle of individuals, namely the President of the Republic and the heads of the regime's security apparatus. As a result, the ministers, including the Prime Minister and the Minister of Interior, play a restricted, largely ceremonial role, which is limited to implementing precisely what the ruling regime orders, with no real decision-making power or active role of their own. Syria is under autocratic/family rule, with no independent decision-making structure. Rather, the government is an empty façade merely for show. The Minister of Interior receives orders from the security branches over which he supposedly presides. The Minister of Justice cannot even summon a low-ranking security office, let alone a security branch head. Syria is ruled by the president assisted by the heads of the security branches.

While we are aware that the United Nations and its agencies use the term 'the Syrian government', we believe that this is a completely inaccurate and misleading term in the Syrian context.

2. Releases from detention centers

We continued to monitor releases from the various detention centers operated by regime forces. In February 2024, we documented the release of 21 individuals, including one child. Those releases are divided according to their context as follows:

- We documented the release of two detainees in connection with the amnesty decree promulgated by the Syrian regime on April 30, 2022 (Decree No. 7 of 2022). The detainees in question were released from regime detention centers in Damascus. It is worth noting that the application of Amnesty Decree 7/2022 is, to this day, evidently conditional on the end of the prison sentences of those detainees who were partially included in this amnesty.
- In Damascus governorate, we documented the regime's release of five individuals originally from the governorates of Hama, Daraa, and Damascus. These detainees were released after serving the full term of their arbitrary sentences. As such, these releases were not related to any of the amnesty decrees that have been promulgated to date, with these detainees having been imprisoned for periods of between one to four years.
- We also documented the release of 14 individuals, including two women, who had been held without trial for brief periods of time, ranging from a few days to a few months, without appearing before a court. Most of these detainees came from the governorates of Latakia, Daraa, and Hama. Most had spent the duration of their detention in regime security branches.

B. SDF

1. Arbitrary arrests

The SDF also continued enforcing the group's policies of arbitrary detention and enforced disappearance in February 2024. In doing so, SDF personnel continued carrying out campaigns of mass raids and detentions, targeting civilians on the pretext of fighting ISIS, with some of these arrest campaigns backed by US-led coalition helicopters. We also documented arrests/detentions of civilians over accusations of working with the SNA. Moreover, we documented arrests of individuals over their alleged involvement in the ongoing clashes between the SDF and the Arab tribes, with those arrests being concentrated in Deir Ez-Zour governorate. Additionally, we have documented more detentions of civilians for forced conscription, with these detainees taken to SDF military training and recruitment camps, which are concentrated in the SDF-held areas in Aleppo governorate.

Meanwhile, the SDF has also continued abducting children with the objective of conscripting them for military training, and sending them to military training camps; the parents and families of these conscripted children are not allowed to contact them, while the SDF refuses to disclose their fate.

2. Releases from detention centers

In February 2024, we documented the release of 16 individuals, including two children, from SDF detention centers where they had been held for various periods ranging from a few days to four months, with most of these detainees originating from the governorates of Deir Ez-Zour and Aleppo. Most of these releases were the result of mediation by tribal intermediaries or came after the detainees had completed their sentences.

C. HTS⁹

1. Arbitrary arrests

HTS detained more civilians in February 2024. These arrests, which were concentrated in Idlib governorate and some areas of rural Aleppo governorate that are under the group's control, targeted media activists, political activists, and local dignitaries. Most of these arrests have been carried out in relation to the detainees expressing opinions critical of HTS's management of areas under its control. These detentions are routinely carried out arbitrarily in the form of raids in which HTS members storm their victims' homes, often breaking down the doors, or abducting their victims in the street or while they're passing through temporary checkpoints. The group also arrested a number of individuals over their alleged affiliation with the extremist Tahrir Party. Most of these arrests took place in the form of raids and mass arrest, as well as at checkpoints in Idlib governorate.

2. Releases from detention centers

In February 2024, we documented HTS' release of nine individuals from its detention centers in Idlib governorate, with the released detainees having been detained for periods ranging from a few days to six months, without any clear charges being brought against them.

D. All armed opposition factions¹⁰

1. Arbitrary arrests

All armed opposition factions/SNA continued carrying out arbitrary detentions and kidnappings in February 2024, including of women. Most of these detentions were conducted on a mass scale, targeting individuals coming from areas controlled by the Syrian regime or the SDF. In addition, we documented detentions that exhibited an ethnic character, with these incidents concentrated in areas under the control of the armed opposition factions/SNA in Aleppo governorate. Most of these arrests occurred without judicial authorization and without the participation of the police force, which is the sole legitimate administrative authority responsible for arrests and detentions through the judiciary, as well as being carried out without any clear charges being presented against those being detained. Furthermore, we documented raids and arrests by SNA personnel targeting civilians who were accused of working with the SDF, with those arrests being concentrated in Afrin city in Aleppo governorate. Additionally, we recorded arrests/detentions by the SNA's Military Police that targeted people returning to their homes after being displaced when the SNA took over Afrin 2018. Those areas were concentrated in a number of villages that are administratively a part of Afrin city.

2. Releases from detention centers

In February 2024, all armed opposition factions/SNA released 14 civilians, including four women, after detaining them for periods ranging from a few days to six months without bringing any clear charges against them or putting them on trial. Most were released only after their families had been extorted into paying sums of money to secure their release.

9. Designated as a terror group by the UN.

10. All armed opposition factions founded since 2011 across Syria. Many of those formations are no longer active, and many was not structured around a central command. Towards the end of 2017, the Syrian National Army (SNA) was founded as an umbrella formation that incorporated all active armed opposition factions established to date.

V. SNHR's Vision and Approach to the Issue of Arbitrarily Arrested Detainees and Forcibly Disappeared Persons on the Domestic and International Levels

Since the beginning of the Syrian popular uprising for democracy in March 2011, SNHR has placed great emphasis on the issue of detainees and forcibly disappeared persons in Syria, considering the humanitarian, human rights-related, and ethical factors surrounding this issue. To ensure that this sensitive issue receives its due precedence, SNHR has assembled a working team composed of highly trained and qualified members with legal and technical expertise. This team has been working tirelessly to address all the different responsibilities related to this issue, starting with establishing a database for detainees and forcibly disappeared persons, which is constantly updated and enhanced, with this diligence reflected in the group's release of hundreds of reports and statements on the state of detentions in Syria; this is in addition to the detailed periodical and annual releases, all of which form part of SNHR's continuous efforts to protect the rights of victims and their families and expose the perpetrators of violations.

The issue of detainees and forcibly disappeared persons requires parallel efforts on the domestic and international fronts. This is because it is one of the most complex and dangerous issues that has plagued Syrian society since 2011. Given our expert insight into these complexities, SNHR has worked tirelessly in addressing this issue, playing an active role through establishing close working relationships with the various international and UN bodies working to combat the issue of arbitrary arrest and enforced disappearance in Syria. These partners include the Independent International Commission of Inquiry on the Syrian Arab Republic (COI), the International, Impartial, and Independent Mechanism, the UN Human Rights Office (OHCHR), and the UN Independent Institution on Missing Persons in Syria, as well as partnerships with a host of international human rights bodies. SNHR's work in this field involves collecting and analyzing evidence and information on enforced disappearance cases and related violations, and providing the international community with accurate reports and information based on these investigations. As such, SNHR's reports have become an instrumental source of information on these issues internationally, thanks to our cooperation with many leading bodies. Through such cooperative ventures, we aim to promote international efforts towards investigating those violations and holding those responsible accountable. In this mission, SNHR is helping to make sense of the vast magnitude and scope of this unprecedented catastrophe, and to raise awareness of the importance of combating enforced disappearance in Syria, exposing those responsible, and protecting human rights.

As mentioned above, thanks to our invaluable expertise and strict compliance with rigorous standards, SNHR's data has become a reputable principal source of information for many UN bodies, used in statements and resolutions. The most recent of these was a draft resolution on the situation of human rights in Syria ([A/C.3/78/L.43](#)), passed by a vote on Wednesday, November 15, 2023, condemning the Syrian regime's continuation of gross, systematic, and widespread violations of international humanitarian law and international human rights law. Additionally, this latest resolution acknowledged that the number of detainees in Syria continues to rise steadily, already exceeding 135,000. Relatedly, the resolution holds the regime responsible for the systematic use of enforced disappearance, which, it noted, constitutes a crime against humanity.

Meanwhile, [the case brought against the Syrian regime at the International Court of Justice \(ICJ\)](#) on the Application of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Canada and the Netherlands v. Syrian Arab Republic) draws upon the data and evidence supplied by SNHR. Through its many partnerships, SNHR has contributed to numerous legal cases brought against individuals responsible for human rights violations at Syrian regime detention centers under the principle of universal jurisdiction in Europe and the Foreign Sovereign Immunities Act in the US, as well as other cases, all of them steps on the path to justice and accountability.

In the years since its foundation, SNHR has established multiple procedures to document and provide details on victims in detention centers, building on our ever-expanding wealth of experience gained through monitoring the context, nature, and background against which these violations have occurred. These violations are then catalogued according to the data available on enforced disappearance cases and whatever new information is discovered. SNHR has maintained a long working relationship with the UN Working Group on Enforced or Involuntary Disappearances [by regularly corresponding with the team](#) in line with certain parameters that require contacting victims and their families to build comprehensive, separate cases for each victim. We constantly call on the families of 'missing' and 'disappeared' prisoners to cooperate and coordinate with us, so that we can submit information on as many cases as possible to the UN special rapporteur who can then contact the Syrian regime to enquire about some of the cases submitted. Also, these cases are included in the UN reports on enforced disappearance in Syria. Furthermore, SNHR regularly briefs the UN Working Group on Enforced or Involuntary Disappearances, the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the UN Special Rapporteur on Promotion and Protection of Human Rights while Countering Terrorism- Specific work on victims of terrorism, and the UN Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health on such cases. [We have created a special form on our website](#) for detainees' families to report their cases; once they fill this in, it's then sent automatically to our team working on the issue of detainees and forcibly disappeared persons who get in touch with each family to complete the process of documenting the information on their case. We also regularly receive documents from the UN Working Group on Enforced or Involuntary Disappearances regarding various cases that SNHR has submitted to the UN Working Group which the group has then contacted the Syrian regime to enquire about, providing any updates and information concerning the fate of the detainees in question. SNHR also always tries to ensure that we're easily accessible by facilitating means of communication for the families, either through our website, phone numbers, various official channels, or through our team members who are scattered across Syria.

VI. Conclusions and Recommendations

Conclusions

- The issue of detainees and forcibly 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 UN Security Council resolutions, 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 arbitrarily 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. The International Committee of the Red Cross has been unable to conduct any periodic visits to any of these detention centers, which constitutes a violation of international humanitarian Law.
- 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, particularly the International Covenant on Civil and Political Rights (ICCPR). The regime has also violated several articles of the Syrian Constitution itself, with thousands of detainees detained without any arrest warrant, held for many years, without charges, and prevented from appointing a lawyer and from receiving family visits. Meanwhile, 68.25 percent of all detentions documented have subsequently been categorized as cases of enforced disappearance, with detainees' families being denied any information on their loved ones' whereabouts, while anyone making inquiries 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 International Covenant on Civil and Political Rights through the widespread practice of arbitrary and unlawful detentions.
- HTS imposes absolute authority over the large areas it controls and the residents therein. 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.
- All armed opposition factions/SNA have carried out arrests and torture against some residents in areas under their control.
- The Kurdish-led SDF have violated many basic rights and perpetrated 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

UN Security Council

- The UN Security Council should 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, which demand immediate cessation of the crime of enforced disappearance.
- Take action under Chapter VII of the Charter of the United Nations to protect detainees from certain death inside detention centers, and put an end to the epidemic of enforced disappearance that continues to plague Syria, posing a threat to the security and stability of society, act to end torture and deaths due to torture inside Syrian regime detention centers, and to save whoever is left among the detainees as quickly as possible.

UN 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 on the Syrian Arab Republic (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 previous reports. SNHR is willing to cooperate and provide more evidence and data.

United Nations and the international community

- The body established to address the missing persons issue must work on monitoring enforced disappearance cases, and make progress in the process of clarifying the fate of approximately 112,000 forcibly disappeared persons in Syria, 85 percent of whom are forcibly disappeared by the Syrian regime.
- Immediately begin applying pressure on all parties to ensure that they immediately reveal their detention records according to a fixed 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.
- We call on the official 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.

- Stop any forcible return of Syrian refugees, since the situation in Syria continues to be unsafe, and impose pressure to achieve a political transition that would ensure the automatic return of millions of refugees.
- Support organizations working to document cases of arbitrary arrest, enforced disappearance, and torture, support the process of accountability and its mechanisms, and support organizations working in victim rehabilitation programs.

UN Working Group on Enforced or Involuntary Disappearances

- Increase the capacity of the team working on the issue of forcibly disappeared persons in Syria at the special rapporteur's office, especially considering the high density and scope of enforced disappearance cases in the country.

UN Independent Institution on Missing Persons in Syria

- Identify those responsible for enforced disappearance in Syria, and provide all forms of support and protection for the victims and their families.
- Look into all the cases included in SNHR reports. We are more than willing to provide more details and data.

Russian regime

- Must demand that its ally, the Syrian regime, disclose the fate of nearly 95,000 forcibly disappeared persons and immediately release tens of thousands of arbitrarily detained persons and detainees whose sentences ended, before demanding that those states which imposed sanctions on the Syrian regime lift them.
- Must support a genuine political transition away from the dynastic dictatorship of one family and its brutal security services in Syria towards democratic rule, which is the only way to achieve security, stability, and reconstruction.

All parties to the conflict and the controlling forces

- The arbitrary arrests and enforced disappearances, which are still ongoing, as detailed in this SNHR monthly report, must be ended immediately; the fate of all detainees and forcibly disappeared persons must be revealed; the families of those still alive should be allowed to visit them immediately, and the bodies of detainees killed as a result of torture should be handed over to their families.
- Unconditionally release all detainees who have been imprisoned merely for exercising their political and civil rights, release women and children, people with special needs, the sick, and the elderly, and stop using any detainees as prisoners of war.

- Allow the independent international monitors of the Independent International Commission of Inquiry and the International Committee of the Red Cross to access all official and unofficial detention centers without establishing any prior arrangements or imposing any restrictions or conditions, and improve the conditions of places of detention to meet the legal standards of detention centers.
- A UN committee should be formed to monitor and periodically assess the release of detainees according to a timetable that must be presented by all the detaining parties, primarily Syrian regime forces who are responsible for 89 percent of all detentions in Syria.
- Publish a register containing all the detainees' data together with the reasons for their detention, their current locations, and the sentences issued against them.
- All sentences issued by the regime's field military courts and counterterrorism courts should be suspended or repealed, since they fail to comply with domestic and international legislation, as well as failing to provide guarantees of a fair trial.
- End the policy of carrying out arrests without presenting legal warrants, release all detainees imprisoned without judicial charges, emphasize that individuals should also be detained only briefly before being presented in a court of law, and ensure that such trials do not take weeks or months.

Acknowledgment

We wish to extend our most sincere thanks to survivors and to victims' family members and friends, as well as to eyewitnesses and local activists, for their significant and invaluable contribution to this report, in collecting and verifying data. We stand in solidarity with the detainees and the forcibly disappeared persons and their families.



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No justice without accountability

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