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At least 394 Cases of Arbitrary Arrests Documented in Syria in May 2019

Including 206 Cases of Enforced Disappearance



SYRIAN NETWORK FOR HUMAN RIGHTS

الشبكة السورية لحقوق الإنسان

Sunday, June 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 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, 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 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 outlines the record of arbitrary arrests by the parties to the conflict documented in May. 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 May, 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 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, 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 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. May Outline

Syrian Regime forces in May continued with their campaigns of persecution and arrest, focusing primarily on civilians, former armed opposition fighters and their families 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 as part of these settlement agreements who returned from north Syria to their hometowns. In addition, Syrian Regime forces in May arrested individuals who had returned from neighboring countries who should supposedly have been protected by the amnesty laws and reconciliation offers established by the Syrian regime.

Syrian Regime forces, throughout the month of May, 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 military service in their forces.

In May, we recorded that Syrian Regime forces released 71 detainees from their detention centers between May 1 and May 31, most of whom had served their sentences.

Meanwhile, Kurdish-led Syrian Democratic Forces continued enforcing their policies of arbitrary arrest and enforced disappearance throughout the month of May, targeting political activists and members of civil society groups who oppose their ideological views. These arrests were concentrated in Hasaka governorate. Additionally, Syrian Democratic Forces



also carried out mass arrests of Arab civilians in areas under their control. These arrests, which included entire families, were concentrated in Raqqa governorate. Syrian Democratic Forces also released 40 detainees from their detention centers in al Kasra village in the western suburbs of Deir Ez-Zour governorate on May 12, 2019. This was part of an agreement between them and the Arab tribal leaders in the region.

The arrests carried out by Syrian Democratic Forces targeted IDPs residing in areas under their control, mainly the residents of refugee camps, with the Syrian Democratic Forces making various allegations against these individuals, such as suspected kinship relationships between them and members of ISIS or members of Armed Opposition factions. We recorded several incidents in which the Syrian Democratic Forces arrested many members of the same family.

In addition to these incidents, May 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.

In May, we also recorded that Hay'at Tahrir al Sham arrested and prosecuted students and cadres from the 'Free' University of Aleppo.

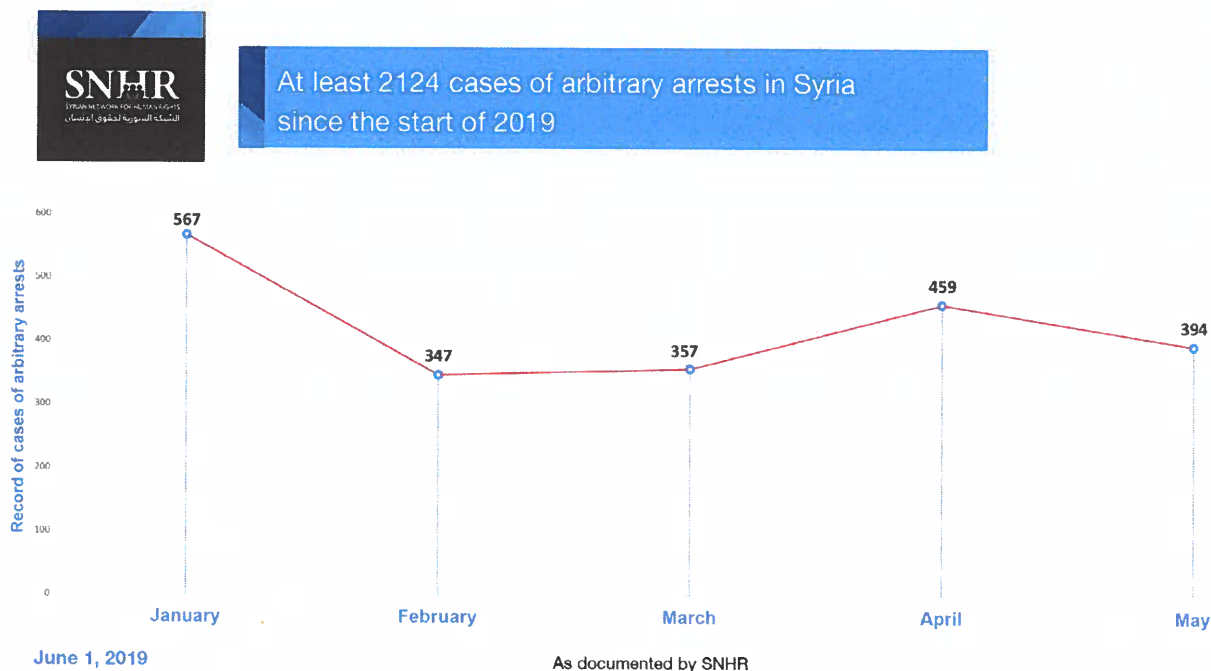
Factions of the Armed Opposition, meanwhile, continued in May making arrests in the territories under their control, which were concentrated in Aleppo governorate, particularly in the Afrin and al Bab areas, throughout the month of May. Most of these arrests occurred without judicial authorization and 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 under the 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 hostages' release.



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 2,124 cases of arbitrary arrests at the hands of the main perpetrator parties in Syria since the start of 2019 up to June 2019, distributed as follows:

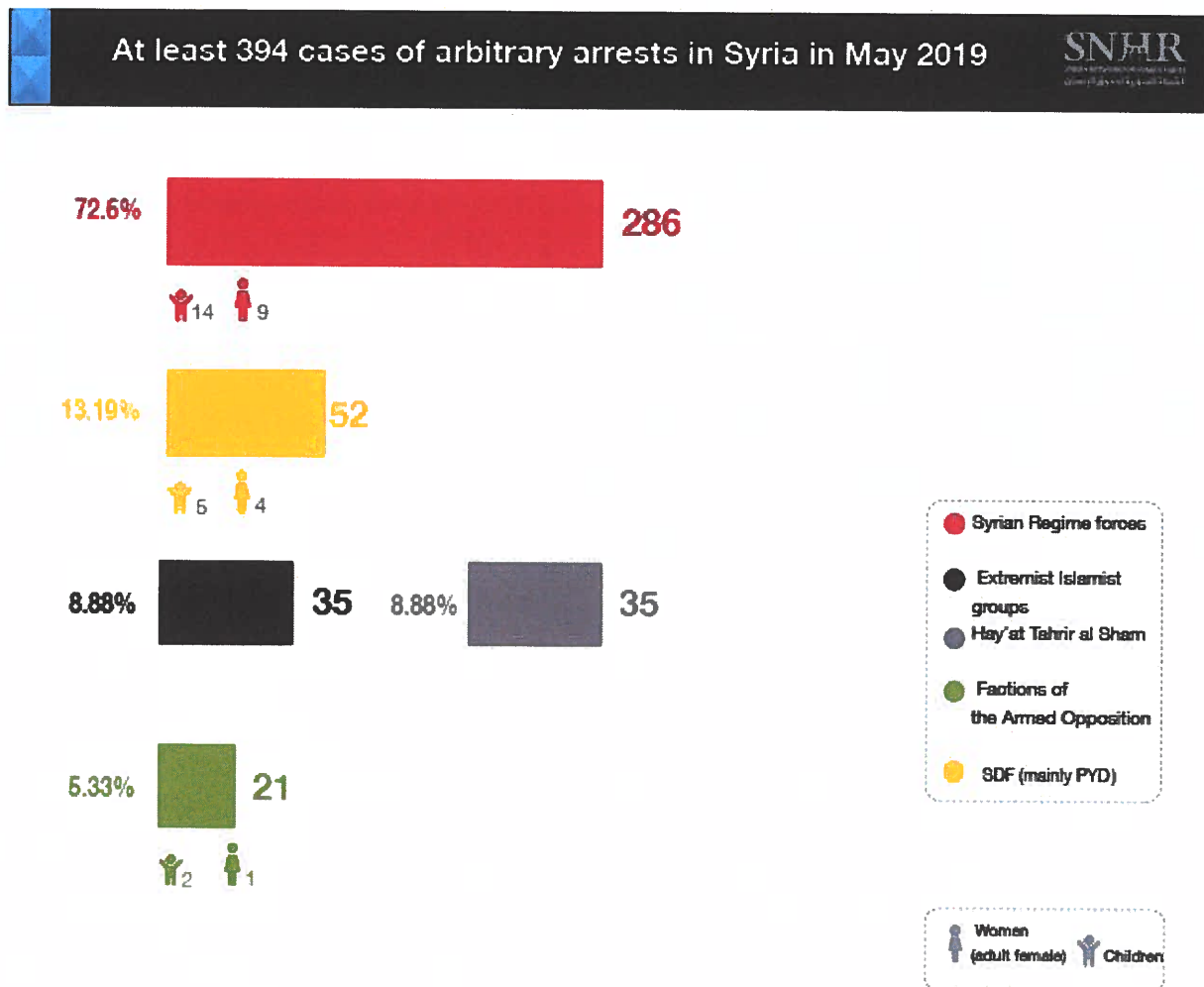


B. Record of cases of arbitrary arrests in May:

SNHR documented at least 394 cases of arbitrary arrests in May 2019, including 21 children and 14 women (adult female), at the hands of the main perpetrator parties to the conflict in Syria, including 206 which have subsequently been categorized as cases of enforced disappearance.



These arrests were 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):

268 individuals, including 14 children, and nine women. 163 of these have subsequently been categorized as cases of enforced disappearance.

B. Extremist Islamist groups:

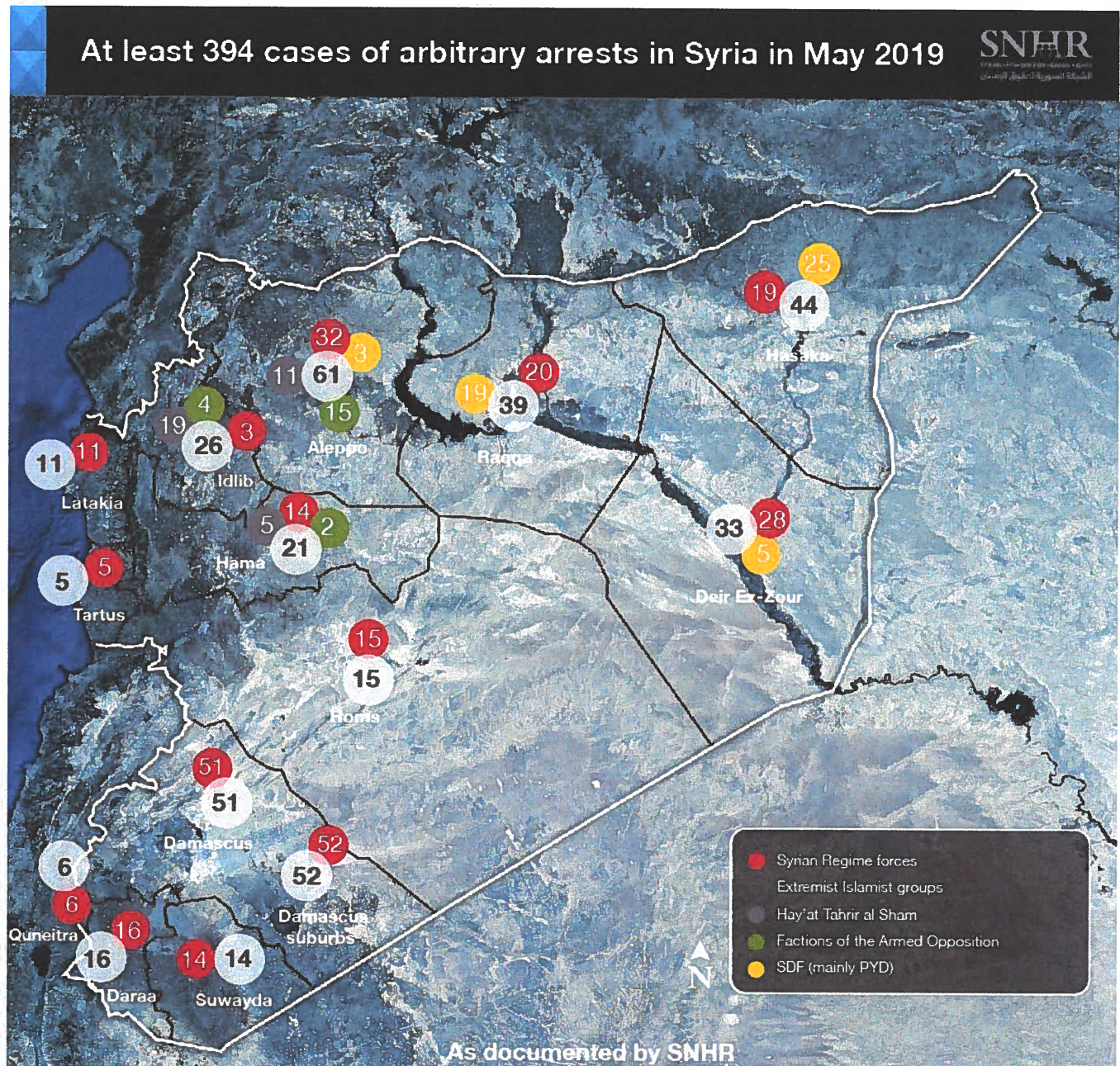
Hay'at Tahrir al Sham (an alliance composed of Fateh al Sham Front and a number of factions of the Armed Opposition): 35 individuals, all males. 12 of these have subsequently been categorized as cases of enforced disappearance.

C. Factions of the Armed Opposition: 21 individuals, including two children and one woman. 11 of these have subsequently been categorized as cases of enforced disappearance.

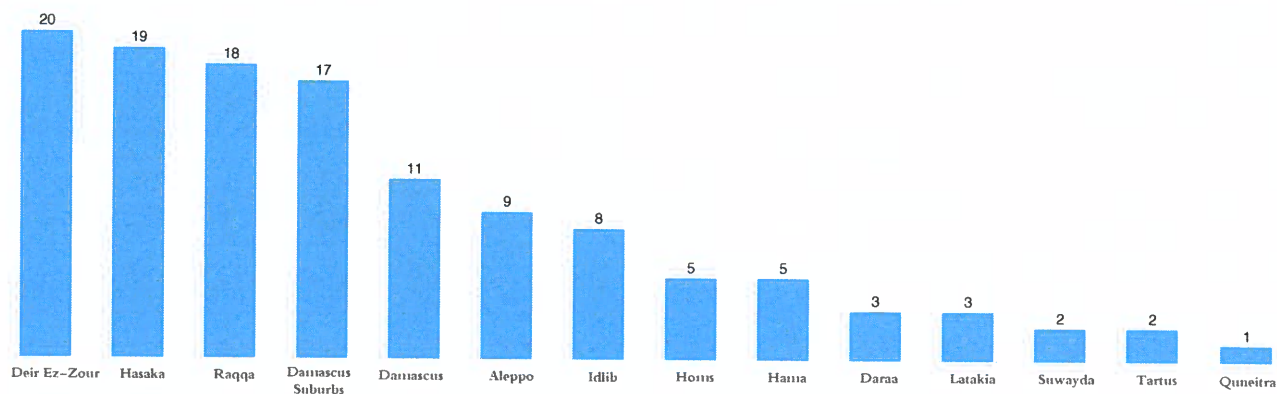


D. Kurdish-led Syrian Democratic Forces (the Democratic Union Party): 52 individuals, including five children and four women. 20 of these have subsequently been categorized as cases of enforced disappearance.

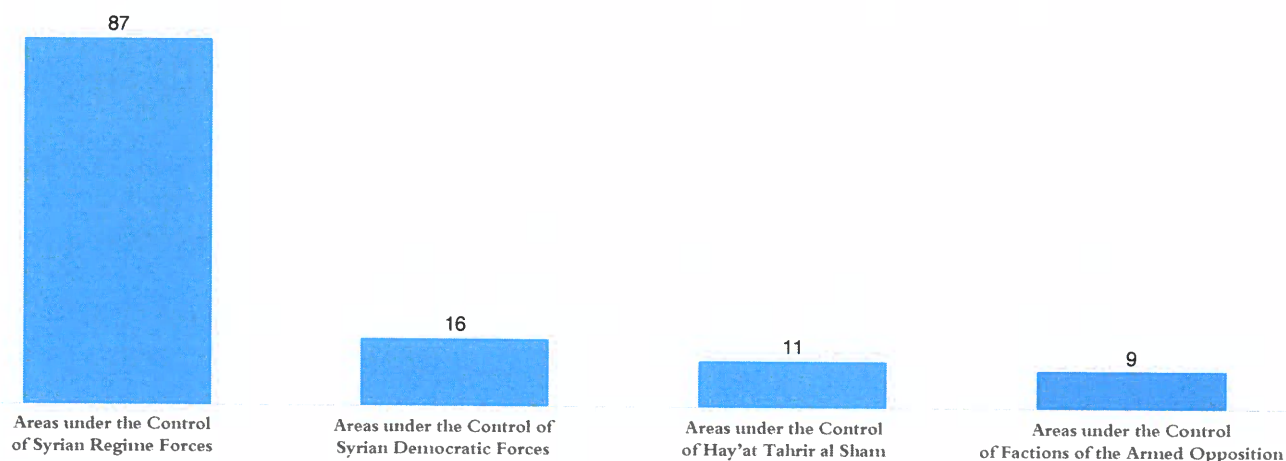
The following map shows the distribution of cases of arbitrary arrests documented in May across all the Syrian governorates by the main perpetrator parties:



We also documented at least 123 raids and checkpoints in May, 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 May:

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

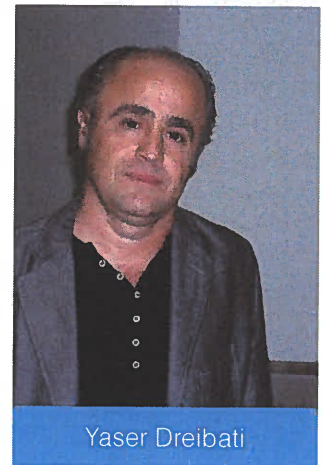
Most notable incidents:

On Saturday, May 4, 2019, Syrian Regime forces arrested four civilians while they were passing through one of their checkpoints in al Dmair city in the Eastern Ghouta in the east of Damascus Suburbs governorate, taking them to an undisclosed location.

On Wednesday, May 15, 2019, Syrian Regime forces launched a campaign of raids and arrests in al Sanamayn city in the northern suburbs of Daraa governorate. Three civilians, who were previously granted settlements, including two members of the same family, were documented as being arrested and taken to an undisclosed location.

Most notable cases:

Yaser Dreibati, who holds a BA degree from the Higher Institute of Theatrical Arts in Damascus city and works as the director of the Arab House for Music in his hometown of Latakia city, was born in 1965. He was arrested on Sunday, May 12, 2019, in a raid on his home in Latakia city by Syrian Regime forces, before being released the next day, May 13, 2019.



Saddam Mohammad Taleb Bani Abdul Ghany, a Jordanian national, was arrested by Syrian Regime forces along with his wife, Walaa Abdul Hamid Ahmad al Mahashi, on Saturday, May 4, 2019, while they were passing through a regime checkpoint in the south of Daraa city, while they were traveling from Jordan to Syria via the Nasib border crossing in south of Daraa city. They were released on Friday, May 17, 2019.



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

Zuhair Turki Abdul Raouf, the vice-chairman of the consultative council of families in Deir Hassan village in Idlib governorate northern suburbs, was arrested on Wednesday, May 15, 2019, by gunmen of Hay'at Tahrir al Sham in a raid on his workplace in al Dana city in Idlib governorate northern suburbs. He was released four days later on Sunday, May 19, 2019.

Ahmad Rashid, a lawyer from Darat Ezza in Aleppo governorate western suburbs, was arrested on Monday, May 27, 2019, by gunmen of Hay'at Tahrir al Sham in a raid on his private office in his workplace in Darat Ezza city. He was released the next day, Tuesday, May 28, 2019.



C. Factions of the Armed Opposition

Most notable incidents:

On Thursday, May 9, 2019, gunmen affiliated with al Jabha al Shamia, a faction of the Armed Opposition, launched a campaign of raids and arrests in Qantara village of Afrin city in Aleppo governorate northern suburbs. Six civilians were documented as being arrested, and taken to an undisclosed location.

Most notable cases:

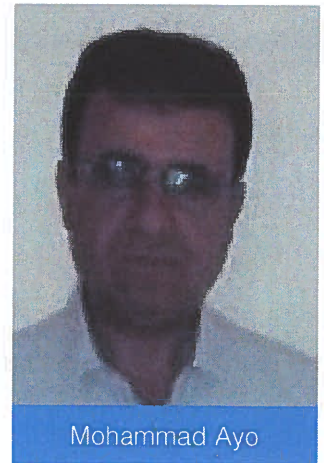
Cigerxwîn Ahmad Ismail, a 33-year-old member of the local council of the Jendeires district of Afrin city, was arrested by members of the military police of one of the Armed Opposition factions in early May 2019 in the Jendeires district. His fate remains unknown to SNHR, as well as to his family.



D. Kurdish-led Syrian Democratic forces

Most notable incidents:

Mohammad Ayo, the head of the local council for the west of Qameshli city, a member of the Kurdish National Council and a member of the advisory body of the Kurdistan Democratic Party of Syria, was arrested by Kurdish-led Syrian Democratic Forces (the Democratic Union Party) on Friday, May 3, 2019, in a raid on his house in Qameshli city in Hasaka governorate northern suburbs. His fate remains unknown to SNHR, as well as to his family.



On Saturday, May 4, 2019, Kurdish-led Syrian Democratic Forces launched a campaign of raids and arrests on Darnaj village of Theyban district in Deir Ez-Zour governorate eastern suburbs. 51 civilians were documented as being arrested, and were taken to an undisclosed location.

On Monday, May 6, 2019, Syrian Democratic Forces arrested six civilians, including one child and two women from the same family from Deir Ez-Zour, in a raid on their place of residence in al Iddikhar neighborhood in west of Raqqa city, and took them to one of their detention centers in the city.

On Thursday, May 16, 2019, Syrian Democratic Forces launched a campaign of raids and arrests on the villages of Tal al Jaber and al Dshaisha in Hasaka governorate southern suburbs. 11 civilians, including two members of the same family, were documented as being arrested, and were taken to one of the group's detention centers in al Shaddadi city in Hasaka governorate southern suburbs.

On Monday, May 20, 2019, Syrian Democratic Forces arrested five teachers in a raid on their workplace in the educational complex in Tal Barrak in Hasaka governorate northern suburbs, and took them to an undisclosed location.

The child Yousef, Ryad and Faadel al Ali – three brothers and students at school and college, were arrested together. The child Yousef is a student in the second secondary school, while Ryad is a student at the Institute of Computer Technology in Hasaka city, al Bashiriya village of al Qahtaniya district in Hasaka governorate northern suburbs. Syrian Democratic Forces arrested them together on Thursday, May, 23, 2019, in al Bashiriya village. Their fate remains unknown to SNHR, as well as to his family.



The child Abd Khalil al Ra'ee, aged 15, from the village of Ein al Arous of Tal Abyad city in Raqqa governorate northern suburbs, was arrested on Tuesday, May 21, 2019, by Syrian Democratic forces as he was passing through one of their checkpoints in Ein al Arous village. His fate remains unknown to SNHR, as well as to his family.

Ibrahim al Jasem, a teacher at Breighi Primary School in the village of Breighi of Tal Abyad city in Raqqa governorate northern suburbs, was arrested on Tuesday, May 21, 2019, by Syrian Democratic Forces in a raid on his house in Breighi village. His fate remains unknown to SNHR, as well as to his family.



Ryad al Ibrahim and his sons, Ammar and Maysara, from the village of Okaz of Tal Hmais in Hasaka governorate eastern suburbs, were arrested on Thursday, May 23, 2019, by Syrian Democratic Forces in a raid on their home in Okaz village, and were taken to one of the group's detention centers in Qameshli city in Hasaka governorate northern suburbs. Their fate remains unknown to SNHR, as well as to their family.

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. Eighty-five 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.
- 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 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.

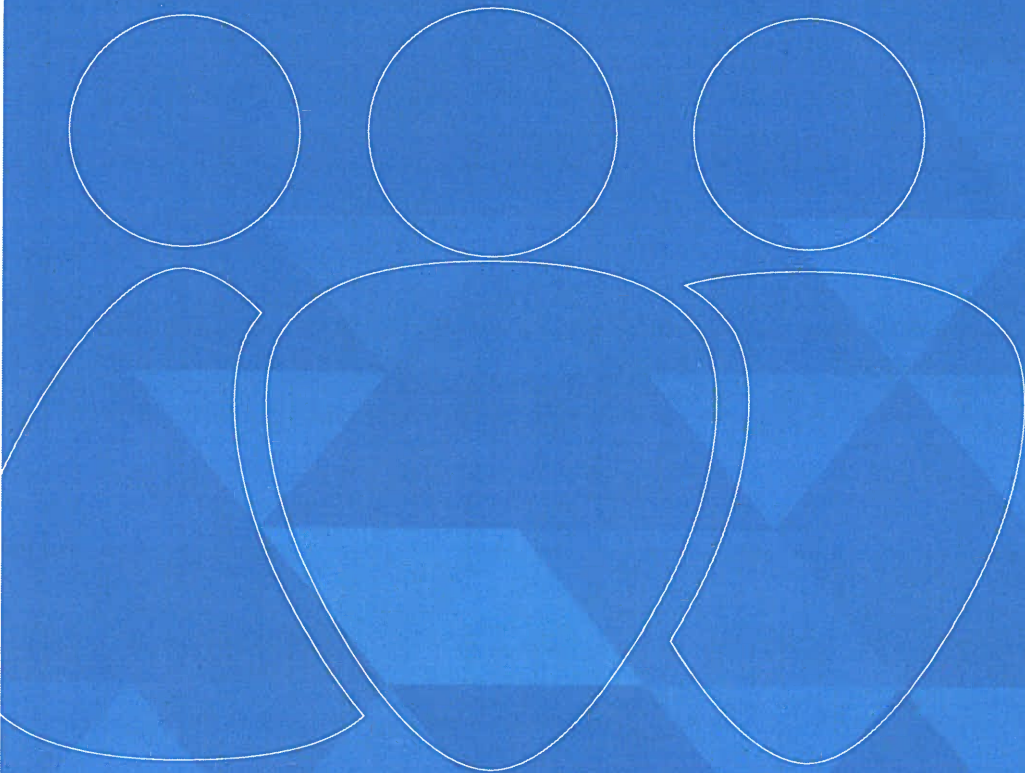


- Release children and women, and stop holding families and friends as war hostages.
- We call on the official recently appointed to take charge of the detainee file at the UN special envoy's office to include the issue of the detainees during the upcoming round of Geneva talks, as this issue is of far greater importance to the Syrian people than other longer-term issues which can be jointly addressed later by the parties after a political settlement is reached, such as the constitution.

Acknowledgments

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