

# Enforced-Disappearance is a Weapon of War in Syria, no less than 85,000 are Forcibly Disappeared

Where are They?

# SNHR

SYRIAN NETWORK FOR HUMAN RIGHTS

الشبكة السورية لحقوق الإنسان

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The Syrian Network for Human Rights, founded in June 2011, is a non-governmental, non-profit independent organization that is a primary source for the United Nations on all death toll-related statistics in Syria



## Contents

- I. Introduction and Methodology
- II. A Disease in the Syrian Society
- III. Enforced-Disappearance by Parties to the Conflict
- IV. Conclusions and Recommendations

### I. Introduction and Methodology

It has been nearly seven years, and we are still continuously monitoring and accumulating a horrifying amount of arbitrary arrests, which seems like the kind an abduction ring would conform to, as they are made at checkpoints and in raids with no arrest warrants, and the abductees are forbidden from contacting their families or lawyers, not to mention that the authorities deny that they have them. SNHR has stressed that- most of the arrest cases have turned into enforced-disappearances. Rome Statute's Article (7-2-i) reads: ““Enforced disappearance of persons” means the arrest, detention or abduction of persons **by, or with the authorization, support or acquiescence of, a State or a political organization,** followed by a refusal to acknowledge that deprivation of freedom or to give information on the fate or whereabouts of those persons, with the intention of removing them from the protection of the law for a prolonged period of time.” This is exactly what tens of thousands of cases in Syria come to in a systematic manner and primarily at the hands of the Syrian regime's authorities. Almost every citizen of Syria is disheartened by the loss of a relative or friend or an acquaintance to enforced-disappearance. In most of the cases, victims' families are unable to accurately determine the agency that made the arrest, considering that aside from the four main security branches and their many subsidiaries, all the forces that allied themselves with the Syrian regime (Iranian militias, the Lebanese group Hezbollah, and others) have permission to arrest, torture, and abduct.



Even though the Syrian constitution don't explicitly prohibit enforced-disappearance, the constitution legalized articles and paragraphs that prohibit enforced-disappearance practices, as Article 33 of the 2014's Syrian constitution states: "Every detained individual shall be informed within 24 hours of the cause(s) of his detention, and can't be interrogated without the presence of an attorney in case he asked for one. A detainee can't be kept for more than 48 hours before the administrative authority unless an order from the judicial authority states so." Also, Article 72 of the Criminal Procedures law states that an investigation judge has the right to ban contact with a detained defendant for an only-once renewable period of time of no more than 10 days. However, the same Article says that this doesn't include the defendant's line of communication with his attorney whom he can access at any time with no restrictions.

According to Article (7-1-i) of Rome Statute, enforced-disappearance is a crime against humanity when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack.

**Fadel Abdul Ghany, chairman of SNHR, says:**

"Tens of thousands of enforced-disappearance cases that we have recorded and the mental, physical, and emotional toll they have on the victims and their families make this crime a form of collective punishment against the community. If the international community is unable to save the victims after seven years, the very least is to ask about them and help their families."

**Methodology**

Our methodology defines a forcibly disappeared person as a detainee that an entire month has passed since a piece of information was revealed on his fate by the party that made the arrest. Even if we were to acquire information on his whereabouts or fate, the detainee would still be deemed forcibly disappeared as long as the party responsible for his disappearance won't acknowledge that they have him. The detainees division at SNHR avidly try to contact detainees' and forcibly disappeared persons' families, as well as people close to them and survivors, in the hopes of collecting as much information and data as possible in part of our work that encounters extraordinary and overly-complicated challenges. We also record eyewitness's accounts and track arrest cases and continuously update them in order to find out the fate, whereabouts, and detention conditions of the detainee. We release a comprehensive annual report on the International Day of the Victims of Enforced Disappearances in which we monitor the ever-increasing toll of forcibly disappeared persons over time. The report also highlights new cases that were never made public before,



and sheds light on cases for all the parties to the conflict, without disregarding the distribution of the crime's commission, as daily documentation and the toll of the forcibly-disappearance, which is based on SNHR's archives, suggest that the Syrian regime is responsible for 90% of the enforced-disappearance crimes, where the Syrian regime detain the largest portion of the detainees in its official and non-official detention centers.

In addition to our annual report, we [send regular, periodic messages](#) to the United Nations Special; Rapporteur on Enforced-Disappearance to inform him about the enforced-disappearance cases we received information about via a [form](#) our detainees division fills by contacting the victims' families, and then sends, with the victim's family permission, to the Special Rapporteur. We received a number of responds from the Office of the Special Rapporteur regarding a number of cases we told him about. Some of these messages included a respond from the Syrian regime with regard to some of the cases.

This report draws upon the interviews we conducted with enforced-disappearance victims' families or friends who witnessed the arrest. These interviews were conducted either via Skype, the phone, or in visits in Syria and abroad. We selected 12 accounts that were included in this report. We have told everyone we met about the purpose of the report and that they have the right to abstain from the interview or revealing information that might put their lives at risk. We got permission to use the information they provided in this report. Secondly, the report draws upon the detainees and enforced-disappearance archive which we update daily with new arrest and enforced-disappearance incidents. For more information, please see our [methodology](#) on our website.

## II. A Disease in the Syrian Society

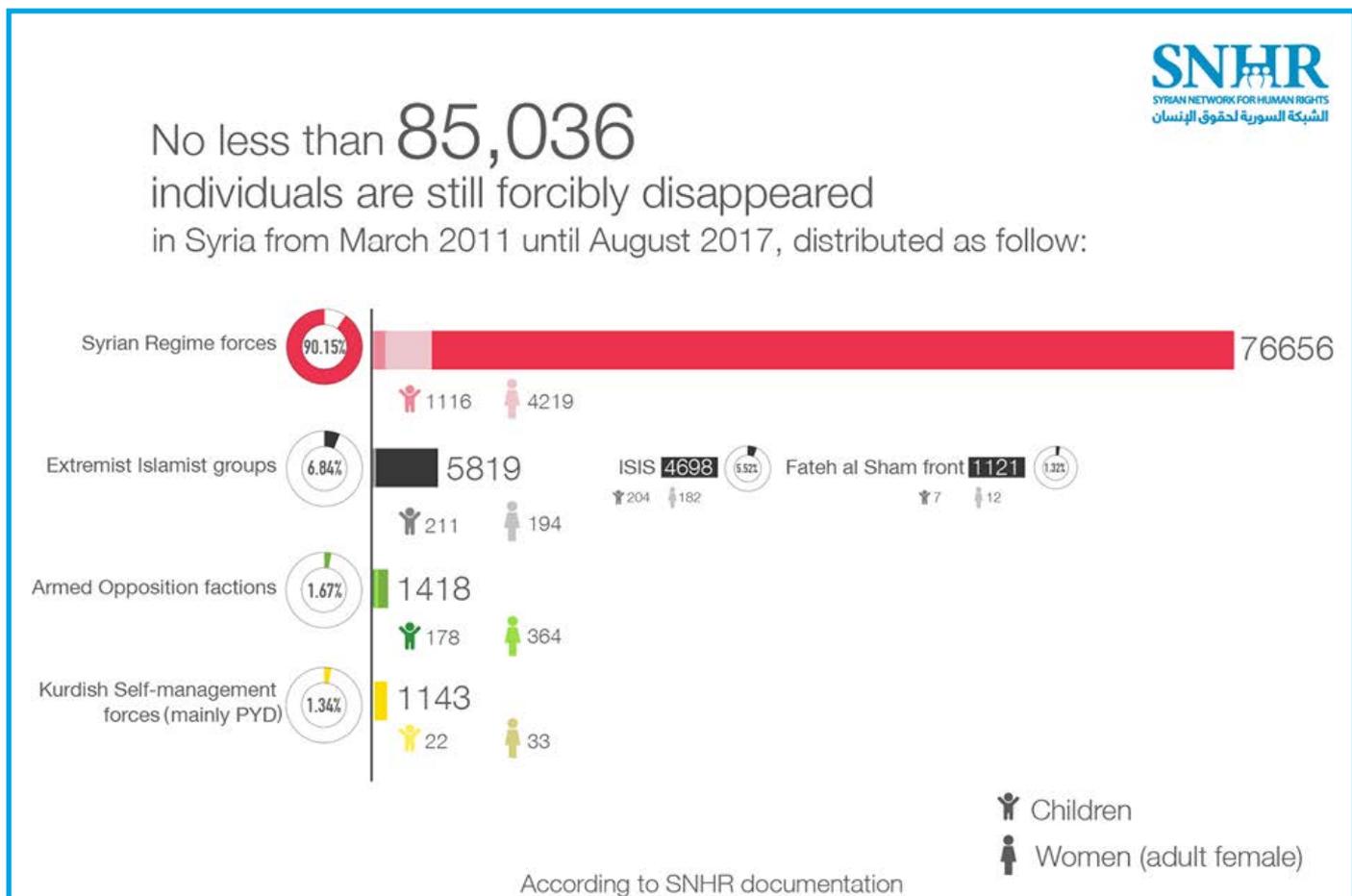
The Syrian regime has widely relied on enforced-disappearance practices throughout its history against its foes. There are thousands of families from Hama city who still don't know the fates of their beloved ones. This policy carried on, but in even a more widespread and horrendous manner in order to crush the uprising and terrorize its popular base. It became clear that even if a detainee died due to torture at the hands of Syrian regime authorities, they won't tell his family as part of a methodology that aims to keep those families in a state of draining fear. Even more, Syrian regime authorities, in some cases, use its security agencies to give misleading information to these families in the hopes of exploiting large sums of money out of them, which promotes a culture of mafia trafficking at the expense of the victims and their families. The tragedy is even more shattering when the forcibly disappeared is the husband, where the woman is forced to assume the role of the family's provider,



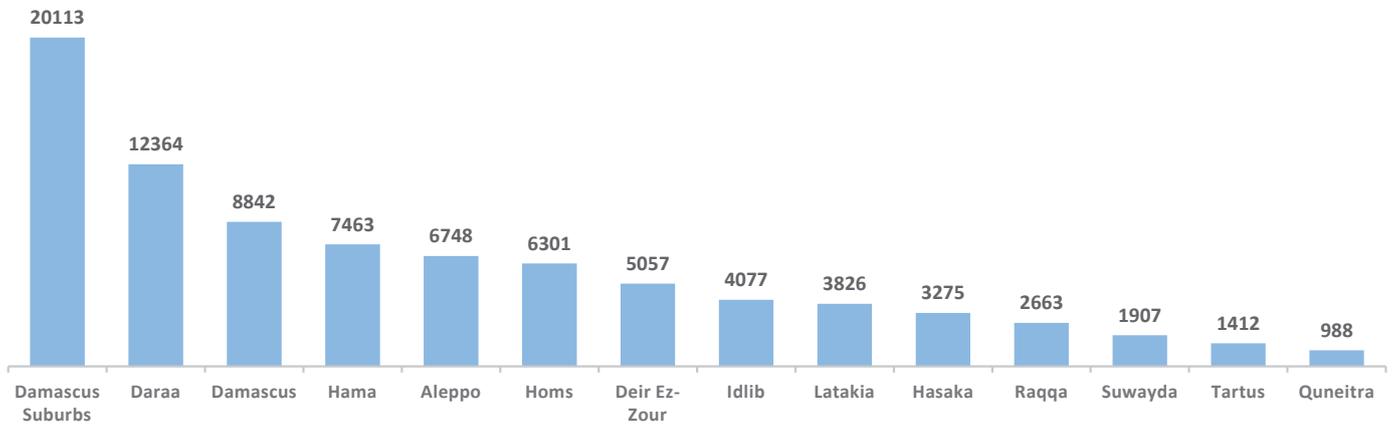
without knowing anything about her husband's death which requires an official document that she must show to a judge in order to benefit from financial aid. However, lacking such document prevents her from getting financial aids or even being able to marry, so she lives in a constant state of frustration and mental instability. In general, families of forcibly disappeared persons lose their desire for life and the ability to enjoy it. What deepened the disintegration and decay even more is the lack of local or international organizations that are concerned and specialized in working with forcibly disappeared persons' families. Tens of the families we interviewed, as they told us, are living without someone to support them, and are unable, on account of this, to overcome the tragedy of losing their beloved ones to enforced-disappearance.

### III. Enforced-disappearance by Parties to the Conflict

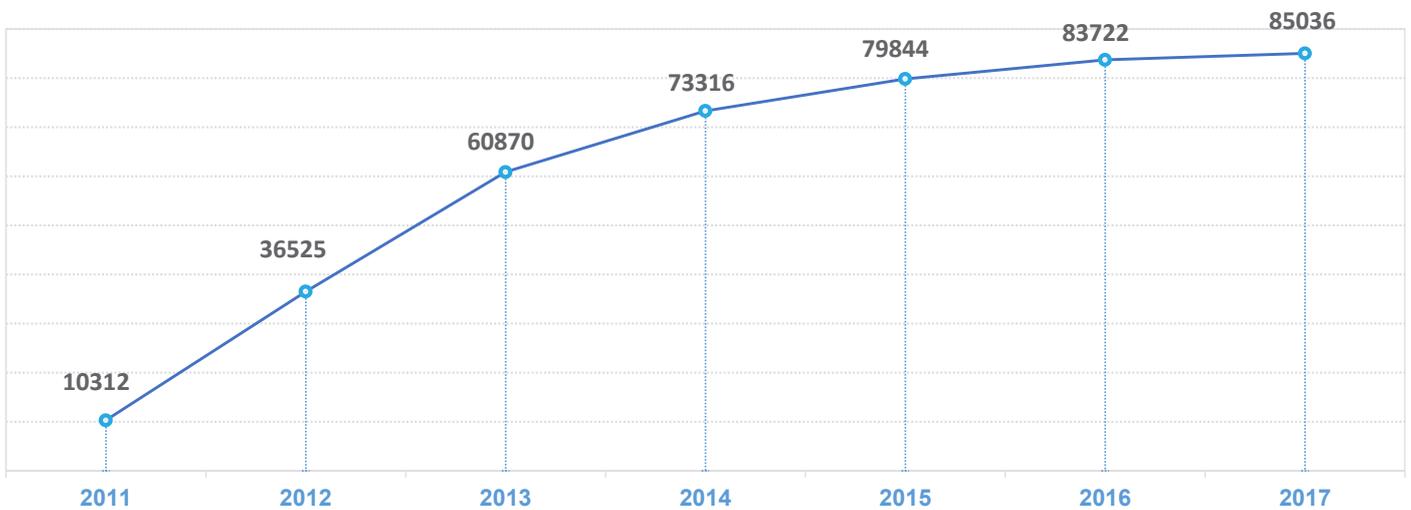
Between March 2011 and August 2017, we have recorded that 85,036 individuals are still forcibly disappeared at the hands of the parties to the conflict, as follows:



A chart showing the distribution of the toll of forcibly disappeared persons across Syrian governorates. Damascus suburbs governorate trumps all other governorates, followed by Daraa governorate



A chart showing the accumulation of enforced-disappearance cases from March 2011 until August 2017 at the hands of parties to the conflict



## **A. Syrian regime forces**

The Syrian regime is responsible for the enforced-disappearance of no less than 76,656 individuals, including 1,116 children and 4,219 women (adult female) – nearly 90.15% of all victims of enforced-disappearance. The Syrian regime is the first and primary party that started using enforced-disappearance practices against its foes in March 2011. The Syrian regime used enforced-disappearance in a systematic manner as a weapon of war in parallel with killings, sexual violence, and blackmailing. Enforced-disappearance grew more rampant with the spread of the non-official armed groups that fought alongside the Syrian army and security forces. These groups established their own detention centers and carried out arrests and abductions that exhibited a sectarian nature in most cases. Many of those were in the form of mass abductions where the abductee ends up killed in most cases, without informing his family of his fate.

In some cases, Syrian authorities acknowledge the arrest of a person and might let his family visit him several times. However, Syrian authorities abruptly transfer detainees from their places of detention at the central prisons in Syrian governorates to undisclosed locations, and in the process throwing those detainees in the abyss that is enforced-disappearance. Even more, the Syrian regime use a number of the state institutions to assist him in its war on society, including the apparatuses of police, security, and judiciary in a perfect harmony and all for the sake of disappearing tens of thousands of Syrian citizens. After succeeding in forcibly-disappearing them, those people, without the slightest doubt and according to our seven-year experience of interviewing and listening to victims and witnesses, are subjected to the most horrendous and horrifying forms of torture our age has even known. We are seriously concerned that the Syrian regime has carried out death sentences that are issued secretly in military courts, especially after we documented a [number of similar cases](#) following the detainee's enforced-disappearance.

### **Examples of Syrian citizens that have been forcibly disappeared at the hands of the Syrian regime**

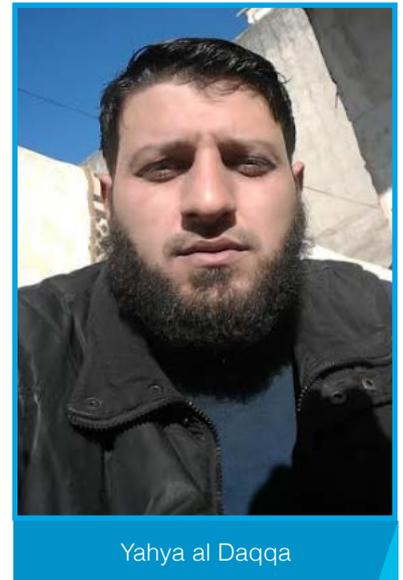
Mohammad Fayez al Laymouni, an employee, from Damascus city, lives in Qatana city, Damascus suburbs governorate, was 49-year-old at the time of his arrest. He was arbitrarily arrested on Friday, April 15, 2011, at al Salam checkpoint in Khan al Sheih city, Damascus suburbs governorate by the Syrian regime's Military Security forces. He was last seen on June 3, 2011, at the Military Intelligence Agency branch, known as branch 227, at al Mazza area, Damascus city. Since then, we haven't received any piece of information on his fate or whereabouts. His fate is still unknown to SNHR as well as his family.



SNHR spoke to Mr. Ahmad al Laymouni, Mohammad's son, via Skype. He told us the following:

“As my father and I were leaving the house heading for Damascus city, we passed through al Salam checkpoint in Khan al Sheih town, where the checkpoint officers stopped the car, and told my father to get out. As soon as he was out of the car, they assaulted him with the bottoms of their shotguns, and beat him severely. They took him to the guard room, where they handcuffed him and asked me to leave in the car. I couldn't ask them why they arrested my father after I saw how violent they were and considering that I was afraid of getting arrested myself. I tried to ask about his whereabouts later, but to no avail. A former detainee told us that he saw my father at branch 227 in Damascus city in June 2011. Since then, we haven't heard a word about him.”

Yahya al Daqqa, a worker, from Talbisa city, Homs governorate, was 24 years of age at the time of his arrest. He was arbitrarily arrested on Wednesday, September 7, 2011 at a checkpoint for the Syrian regime's Air Force Intelligence in the Garage area, Homs city. He hasn't been seen since at any prison or security branch. His fate is still unknown to SNHR as well as his family.



Yahya al Daqqa

SNHR spoke to Mohammad al Daqqa, Yahya's brother, via Skype. Mohammad was a witness to the arrest and told us the following:

“As my brother was passing through a checkpoint at the entrance of the Garage in Homs city, he was stopped by the checkpoint officers who arrested him immediately. They took him to a small detention room in the Garage and beat him severely on the way. Fearing, I would be arrested and pursued, I had to leave the Garage quickly. We haven't learned anything about my brother's fate or whereabouts since he was arrested.”



Mustafa Eissa Shoumal, child, from al Baath neighborhood, Hama city, was 16 years of age at the time of his arrest. He was arrested by Syrian regime forces who raided his place of residence in al Baath neighborhood in Hama city on Tuesday, March 13, 2012, by Air Force Intelligence officers who took him to the State Security Intelligence branch in Hama city. He was then transferred to the Air Force Intelligence branch at Hama Military Airbase in Hama city in early-September 2012, before he was transferred again to the Military Security branch in Damascus city, and then to Sydnaya Military Prison in early-2014. We haven't received any information about his fate or whereabouts since then. His fate is still unknown to SNHR as well as his family.



Child Mustafa Eissa Shoumal

SNHR met the teacher (M.S.) from Hama city who is a friend of Mustafa Eissa Shoumal's family's. M.S. witnessed the arrest and told us the following:

“I was at the house of the Shoumal family when Air Force Intelligence forces raided the neighborhood and blocked all the entrances and exits to and from the neighborhood completely. The operation took about five hours before they were knocking the house door. The officers asked everyone in the house to show his I.D., and then they ask specifically for the child Mustafa and arrested him immediately. They took him in military vehicles they had to the State Security branch in Hama city, where he stayed there for only a few hours, before he was taken to Hama Military Airbase in preparation of his transfer to the security branches in Damascus. Naturally, his family started asking about him and tried to find people who have connections with the regime in order to release him. We heard from some of those that he was accused of taking part in the demonstrations and filming the protests. Mustafa was a very active young man. In 2014, we knew from a former detainee that Mustafa is in Sydnaya prison. We haven't heard anything ever since.”



Ahmad Aktalati, a construction worker, from Ariha city, suburbs of Idlib governorate, he was 25 years of age at the time of his arrest. He was arbitrarily arrested in al A'thamiya neighborhood, Aleppo city at an inspection point for the Syrian regime's Military Security forces on Tuesday, November 27, 2012. We haven't received any information about his face or whereabouts since then. His fate is still unknown to SNHR as well as his family.



SNHR spoke to Ms. Huda Aktalati, Ahmad's sister, via Skype. Huda witnessed the arrest and told us the following:

“My brother and I passed through a flash checkpoint (temporary checkpoint) at the entrance of al A'thamiya neighborhood in Aleppo city. The checkpoint officers arrested my brother immediately without asking for his identification papers. They took him to a four-by-four vehicle they had. The car took off and inside it were six young men who were detained at the same checkpoint. We haven't been able to know anything about my brother's fate or whereabouts.”

Alaa Mohammad Nasser al Daqqaq, from Homs city, born in 1983. He was arrested by Syrian regime forces on Wednesday, December 19, 2012 in “Tadmur Circle” Garage, Homs city. He was taken to the Political Security branch. Five months after he was arrested, he was transferred to Damascus where he was kept for a period of time in the Political branch (al Fayhaa) before he was entrusted to Adra Prison for four months, and from there he was transferred to an undisclosed location on Thursday, December 5, 2013. His fate is still unknown to SNHR as well as his family.



Khaldoun Arida, merchant, from Douma city, Damascus suburbs governorate, he was 38 years of age at the time of his arrest. He was arbitrarily arrested in Jaramana city, Damascus suburbs governorate at an inspection point for the Syrian regime's Military Security forces on Wednesday, June 26, 2013. We haven't received any information about his fate or whereabouts since then. His fate is still unknown to SNHR as well as his family.



Khaldoun Arida

SNHR spoke to Mr. Yasser al Mleih, a friend of the victim Khaldoun Arida's, via Skype. He told us the following:

“As we were passing a checkpoint for the Military Security forces in Jaramana city as usual. The checkpoint officers took us to get out of the pedestrian bus we were taking. They asked to see our IDs. Immediately, three officers went for Khaldoun and took him in another cab that was parked in the same place. They took him to an undisclosed location. We haven't learned anything about him since then despite our unfortunate attempts to find out anything.”

Umair al Barrak, a construction worker, from al Midan neighborhood, Damascus city, he was 19 years of age at the time of his arrest. He was arbitrarily arrested by Syrian regime forces on Wednesday, September 11, 2013 as his place of residence was raided in al Midan neighborhood, Damascus city. We haven't received any information about his fate or whereabouts since then. His fate is still unknown to SNHR as well as his family.



Umair al Barrak

SNHR spoke to Badawi Ghazwan, a friend of the victim Umair al Barrak's, via Skype. Badawi witnessed the arrest and told us the following:

“While we were at my friend Umair's house in al Midan neighborhood, Damascus city, Military Security forces suddenly raided the house and started breaking and knocking the rooms doors inside the house. They took Umar to unknown location. Since then, we haven't been able to obtain any information about him.”



Belal al Othman, an employee at a private company, from al Hajar al Aswad area, Damascus suburbs governorate, he was 28 years of age at the time of his arrest. He was arbitrarily arrested on Wednesday, January 1, 2014, at a checkpoint for the Syrian regime's Military Security forces in Housh Blas area, Damascus city. He hasn't, since then, been seen at any prison or security branch. His fate is still unknown to SNHR as well as his family.



Belal al Othman

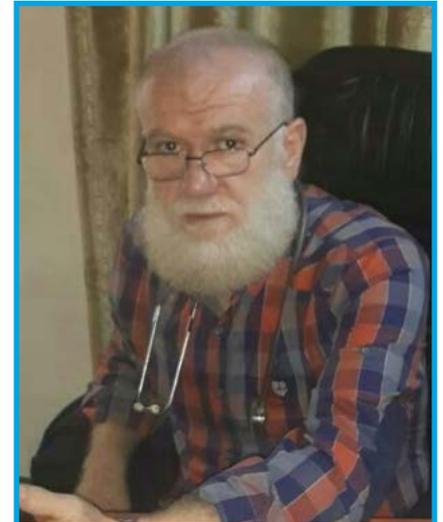
SNHR spoke to Zainab al Othman, a sister of Belal al Othman's, via Skype. She told us the following:

“My brother and I were passing through a checkpoint for the Military Security forces in Housh Blas area in Damascus city. We were stopped by the checkpoint officers who asked for our IDs. They verified them using their laptops. They came back quickly and dragged Belal by force and beat and kicked him. They handcuffed him and took him to a detention room inside the checkpoint. I was listening to his screams from the severe beating. 30 minutes later, a Peugeot security vehicle came and took my brother to an undisclosed location. They told me to leave and threatened to arrest me if I don't. My family talked to some people who have connections in the regime and paid large sums of money in order to know his whereabouts or what the charges are, or to get him out, but all our attempts failed. To this day, we don't know anything about my brother and where he is alive or dead.”

Ms. Eman Naser al Amouri, from Hama city, 34-year-old. On Sunday, September 11, 2016, she was arrested by Syrian regime forces at a checkpoint in Hama city. Her fate is still unknown to SNHR as well as her family.



Dr. Mahmoud Satou, from al Sukkari neighborhood, Aleppo city, a human doctor who works at the neighborhoods that are under the control of armed opposition factions. He was arrested by Syrian regime forces along with his wife at a checkpoint. They were taken to the Military Security branch in Aleppo city on Wednesday, December 2016. His fate is still unknown to SNHR as well as his family.



Mahmoud Satou

University student Saad al Mohammad, from al Dahriya neighborhood, Hama city, he was born in 1995. A second-year student at the faculty of civil engineering in al Baath University in Homs city. On Monday, February 13, 2017, he was arrested by the Syrian regime's Military Security forces from his university residence in Homs city. He was taken to an undisclosed location. His fate is still unknown to SNHR as well as his family.

Ms. Fadiya al Ma'ari, from Jabal al Zawiya, southern suburbs of Idlib governorate, a teacher. She was arrested by Syrian regime forces in 2014. She was transferred to Adra Central Prison in November 2015. On Sunday, April 2, 2017, a Syrian regime forces patrol transferred her from Adra Central Prison to an undisclosed location.

## **B. Extremist Islamic groups**

### **- ISIS (self-proclaimed the Islamic State)**

ISIS arrested hundreds of people in the area they took. ISIS denied that they have them and didn't allow any visits. Consequently, ISIS created an atmosphere of fear in order to terrorize the community and deter it from breaking their regulations, as the group resorted to abductions from the roads, markets, houses, and workplaces in part of the group's attack on new areas. ISIS targeted mainly activists and individuals who are affiliated to armed opposition factions as well as their families and workers at humanitarian organizations, in addition to the people who move between their areas of control and areas that are under the control of other parties. Most of the forcibly disappeared persons at the hands of ISIS have been missing for years without any acknowledgment of their imprisonment by the group command. The families also are unable to obtain any information about their beloved ones' fates. Additionally, many families fear for themselves in case they asked ISIS about



their beloved ones, as they might meet the same fate, which severed the sorrows of the forcibly disappeared persons' families in the areas that taken away from ISIS. The lack of any information, from our standpoint, about the fates of those families' beloved ones increases the odds that they were killed, as it is known that this is a policy adopted by ISIS against their opponents. We have recorded that 4,698 individuals, including 204 children and 182 women (adult females), have been forcibly disappeared at the hands of ISIS.

### **Examples of Syrian citizens that have been forcibly disappeared at the hands of ISIS**

Azad Othman Wali, doctor, from Manbej city, eastern suburbs of Aleppo governorate. He was arrested by ISIS fighters in Manbej city in 2014. He was last seen in "Raqqa City" Prison on Sunday, February 28, 2016. His fate is still unknown to SNHR as well as his family.

Fawwaz al Kurdi, pharmacist, from Manbej city, eastern suburbs of Aleppo governorate. He was arrested by ISIS fighters in Manbej city in 2014. He was last seen in "Raqqa City" Prison on Sunday, February 28, 2016. His fate is still unknown to SNHR as well as his family.

Majd Shahoud al Khatib, a government employee, from Tadmur city, suburbs of Homs governorate. He was arrested by ISIS fighters during an attack on Tadmur city on Monday, December 12, 2016. He was taken to an undisclosed location. His fate is still unknown to SNHR as well as his family.

Ammar Ghaith, from Tadmur city, suburbs of Homs governorate, a veterinarian and a government employee at al Badiya department in Tadmur city. He was arrested by ISIS during an attack on Tadmur city on Monday, December 12, 2016. He was taken to an undisclosed location. His fate is still unknown to SNHR as well as his family.



Abdul Mu'in al Zayyan, a livestock merchant, from Raqqa city, lives in al Mayadin city, suburbs of Deir Ez-Zour governorate, 44-year-old. He was arrested by masked men from ISIS in "al Mayadin City" market on Monday, December 6, 2017 along with three of his family members. He was taken to an undisclosed location outside of al Mayadin city. His fate is still unknown to SNHR as well as his family.



SNHR spoke to Mr. Abdul Jabbar al Zayyan, the victim Abdul Mu'in's son in Lebanon after he displaced. Abdul Jabbar told us the following:

“My family received the news of my father’s arrest by ISIS from merchants in al Mayadin market. My uncle went to al Hesba police station in the city to ask about him. The officer in charge there told us that they can’t disclose the causes for his arrest, and they will interrogate him at a camp outside of al Mayadin city, and then he will be set free. He told us to wait and not to come back and ask about him. A week later, my uncle came back to al Hesba station and asked about my father, but the officer in charge kicked him out and warned him from coming back. And he told him that he is not responsible for his arrest. My uncle didn’t come back, as he was afraid to get arrested himself, considering that the officer in charge was a Moroccan who never showed mercy for the residents of al Mayadin city. A while later, an acquaintance of my father’s told us that an ISIS leader who works as a livestock merchant as well was the one responsible for his arrest, because he wanted to kill the competition. Ever since he was arrested, we haven’t learned anything about him or about my cousins who were arrested with him.”

### **Fateh al Sham Front (formerly al Nussra Front)**

Fateh al Sham Front formed a special security force that was charged with carrying out arrest, abductions, and enforced-disappearance. “Lewa al Uqab” was centered in Idlib governorate, and its methods are similar to those of the Syrian regime to a great extent, where masked come and abduct people from houses, roads, or after luring them in operations that target activists and workers at humanitarian organizations, especially foreign organizations. Also, Fateh al Sham target fighters from armed opposition factions that oppose Fateh al Sham Front’s existence or are at odds with its ideology, as they take them to undisclosed locations. The group deny making any arrests or conducting any abductions when approached by the victims’ families at their Sharia courts or military centers.

Fateh al Sham Front disappears detainees for a period of time that vary from two months and one year before setting them free. Usually, death sentences are carried out for forcibly disappeared persons who disappear for more than two years. We have recorded that no less than 1,121 individuals, including seven children and 12 women (adult female), have been forcibly disappeared at the hands of Fateh al Sham Front.



## **Examples of Syrian citizens that have been forcibly disappeared at the hands of Fateh al Sham Front**

Ahmad al Toubal, from Ma'aret al Nu'man city, southern suburbs of Idlib governorate, a fighter for al Lewa' 51, an armed opposition faction. He was arrested by Fateh al Sham Front fighters in Ma'aret al Nu'man city on Wednesday, December 12, 2012. His fate is still unknown to SNHR as well as his family.



Mohannad al Aryan, from Senjar city, eastern suburbs of Idlib governorate, the former director of the Senjar Town's local council. He was arrested by the Fateh al Sham Front's Islamic Police on Tuesday, January 3, 2017. He was taken to an undisclosed location. His fate is still unknown to SNHR as well as his family.

(Name is concealed for security concerns), merchant, from Kazo neighborhood, Hama city, born in 1989. He was arbitrarily arrested from his house in Khan al Sobol town, southern suburbs of Idlib governorate on February 2, 2017, which was raided by fighters from Fateh al Sham Front. He was taken to an undisclosed location. His fate is still unknown to SNHR as well as his family.

SNHR spoke to Mr. Khaled, the victims' brother, via WhatsApp. He told us the following:

"I was with friends near my house in Khan al Sobol town. We were startled by a large group of armed masked men who were carrying Ak-47s. They came in two four-wheel vehicles. They surrounded the house and blocked all exits. They got out of the car quickly and went to the upper floor of the building, where my brother lives. They violently kicked the door and told him to come out at once, or they will knock the doors down. My brother came out, and they put a black bag over his head so he can't see and tied his hands with a plastic belt, before taking him back to the four-wheel vehicle. They tossed him in the back between the other fighters who started stepping him. I tried to get to them to calm them down and find out why they are doing this, but they pushed me and tossed me on the ground. The



car left quickly afterwards. I immediately went for a guy I know with the group and told him about what happened. He told me that they took him over a tip from an informant about him dealing with merchants from the Syrian regime's area of control, and those merchants have ties with security branches. He told me to wait and not ask about him, or I will be arrested as well. Since then, we haven't learned anything about my brother or his whereabouts."

Haitham Marwan Fadil, from Ihsim village, southern suburbs of Idlib governorate, 31-year-old, a former fighter with Jabhat Thowwar Syria, an armed opposition faction, and he joined the Euphrates Shield operation room in northern Aleppo governorate. On Tuesday, March 7, 2017, he was arrested by fighters from Fateh al Sham Front from his house in Ihsim village, as he was coming home to visit his family. He was taken to an undisclosed location. His fate is still unknown to SNHR as well as his family.

SNHR met his wife Mrs. Wafaa Fadil in Idlib city. She told us the following:

"After one year my husband was gone from the house and the village over disputes between the faction he was with and al Nusra Front that led to him leaving and going to northern Aleppo to fight ISIS, he decided to come home to visit the village after a number of his relatives told him that he can safely come. Mere hours after his arrival, masked men raided and surrounded the house and started shooting in the air and on the walls. They told us that they are with al Nusra's security. They took my husband and left. When I asked about him at the Sharia Court in al Bara and Kafr Nobbol and other villages in Jabal al Zawiya, all of them denied having him. I went to see a number of al Nusra leaders and they promised me that they are going to try to get him out, but nothing has happened, and we haven't known anything about him since he was arrested."

Arafat Joumaa, a veterinarian, from Douma city, Damascus suburbs governorate, a member of the executive office at the Free Veterinarians Union in Damascus suburbs governorate. He was arrested by fighters from Fateh al Sham Front who raided his place of residence in Irbeen city, Damascus suburbs governorate on Tuesday, May 23, 2017. His fate is still unknown to SNHR as well as his family.



### **C. Self-Management Forces (consisting primarily of the Democratic Union Party – a branch for the Kurdistan Workers’ Party)**

Since it was founded in January 2014, enforced-disappearance and arrests have been a policy for Self-Management forces, mainly through abductions from roads, schools, and workplaces. Self-Management forces focused on media activists, politicians of opposing views, and minors for the purpose of conscriptions. Also, some of their operations exhibited an ethnic nature and was very notable after they took over wide areas that was previously under ISIS’s control. Furthermore, Self-Management forces used enforced-disappearance against captives they have from armed opposition factions who were captured during clashes between the two parties. We have recorded that no less than 1,143 individuals, including 22 children and 33 women (adult female), have been forcibly disappeared at the hands of Self-Management forces.

#### **Examples of Syrian citizens that have been forcibly disappeared at the hands of the Kurdish Self-Management**

Saleh Nour al Mash-had, from Manbej city, northern suburbs of Aleppo governorate, born in 1984, a surgeon assistant at the National Hospital in Manbej city. He was arrested by fighters from the Self-Management who raided his place of residence in Manbej city on February 3, 2017. He was taken to an undisclosed location. His fate is still unknown to SNHR as well as his family.



Mohammad al Dar’ouzi, from Darat Ezza city, western suburbs of Aleppo governorate, an IT engineer, he was 29 years of age at the time of his arrest. He was arbitrarily arrested at an inspection point for the Self-Management forces at the entrance of Ifreen city on Monday, May 22, 2017. We haven’t received any information about his fate or whereabouts. His fate is still unknown to SNHR as well as his family.

SNHR spoke to Mr. Urwa al Ahmad, a friend of the victim Mohammad al Dar’ouzi’s, via Skype. He told us the following:



“As we were traveling from Darat Ezza to Izaz city in the northern suburbs of Aleppo governorate, we had to pass through the Kurdish Units’ areas of control in Ifreen area. When we arrived at the first checkpoint for the Kurdish Unit, the officers asked us to get out of the car and show them our IDs. When they read our names, they immediately arrested Mohammad al Dar’ouzi because he is a blood relative to rebels in Darat Ezza. They started beating him using a belt and a thick stick. They took him to a small guard room near the inspection point, where they handcuffed him, and asked us to wait until the inspection is over and our IDs are verified. The whole thing took about 90 minutes during which I saw them kick Mohammad multiple times. Then, they got a pick-up car and took him to an undisclosed location. His family tried later to inquire about his fate or whereabouts but to no avail. A person with connections to the Kurdish Units told us that they kept him for a planned prisoner exchange deal with the rebels.”

Hassan Shehab al Qasem a pharmacist, from Um Hjeira village, eastern suburbs of Hasaka governorate. He was arrested by Self-Management forces from his workplace at his pharmacy in Um Hjeira village on Friday, June 2, 2017. He was taken to an undisclosed location. His fate is still unknown to SNHR as well as his family.

Jankin Salah al Din Alikou, from al Derbasiya city, suburbs of Hasaka governorate, born in 1988, graduated from the faculty of philosophy at Damascus University. He was arrested by Self-Management forces in al Derbasiya city on Friday, June 16, 2017. He was taken to an undisclosed location. His fate is still unknown to SNHR as well as his family.

Ali Tammi, a member of the public relations office at Tayyar al Mustqabal al Kurdi (The Kurdish Future Movement) and a member of the National Kurdish Council, from Tal Ghazal village, northeastern suburbs of Aleppo governorate. He was arrested by Self-Management forces on Sunday, July 9, 2017, from his place of residence in Tal Ghazal village. He was taken to an undisclosed location. His fate is still unknown to SNHR as well as his family.



Ali Tammi



## **D. Armed opposition factions**

Armed opposition factions have used enforced-disappearance operations against some of their captives who were among the residents they abducted in attacks on Syrian regime's areas of control. Armed opposition factions choose to keep those forcibly disappeared, as they claim this is done in order to use those in prisoner exchange deals with Syrian regime forces. Certainly, this is no fair justification for the crime of enforced-disappearance. Also, we recorded a number of enforced-disappearance cases that involved media and human rights activists in the armed opposition factions' areas of control. We recorded that no less than 1418 individuals, including 178 children and 364 women (adult female), have been forcibly disappeared at the hands of armed opposition factions.

### **Examples of Syrian citizens that have been forcibly disappeared at the hands of the armed opposition factions**

Mohammad al As, from Damascus city, deputy director of the civil defense center in Tishreen neighborhood, Damascus city. On Wednesday, February 17, 2016, he was abducted by fighters from Lewa' Fajr al Umma, an armed opposition faction, near the Syrian civil defense center in Tishreen neighborhood, Damascus city. His fate is still unknown to SNHR as well as his family.

Sakhr Qrea', from Damascus city, director of the civil defense center in Tishreen neighborhood, Damascus city. On Wednesday, February 17, 2016, he was abducted by fighters from Lewa' Fajr al Umma, an armed opposition faction, near the Syrian civil defense center in Tishreen neighborhood, Damascus city. His fate is still unknown to SNHR as well as his family.

Lieutenant Colonel Mohammad Hasan Khalil, from Latakia governorate, 42-year-old, the military commander of Lewa' al Mu'tasem, an armed opposition faction. On Thursday, June 3, 2016, he was arrested by fighters from the Sharia Commission (affiliated with a number of armed opposition factions) in Darat Ezza city, suburbs of Aleppo governorate at a checkpoint for the Commission in the city. His fate is still unknown to SNHR as well as his family.



Ahmad Mahmoud Fattouh, from al Kallasa neighborhood, Aleppo city, born in 1992, commander of Alweyat al Nasser, an armed opposition faction that operates in Aleppo governorate. On Monday, June 6, 2017, he was arrested by fighters from al Jabha al Shamiya, an armed opposition faction, in northern suburbs of Aleppo governorate. His fate is still unknown to SNHR as well as his family.

Maher al Shami, from Douma city, eastern Damascus suburbs governorate, born in 1980, farmer. On Saturday, May 13, 2017, he was arbitrarily arrested by fighters from Jaish al Islam, an armed opposition faction, from his place of residence in the city. He was taken to an undisclosed location. His fate is still unknown to SNHR as well as his family.

SNHR spoke to Mr. Ahmad Sa'our, a friend of the victim Maher al Shami's, via Skype. Mr. Ahmad witnessed the arrest and told us the following:

“As we were visiting our friend Maher, a group from Jaish al Islam came to the neighborhood, and headed immediately for the house where we were. They knocked down the backyard door after violently kicking it. They came for all of us, we were five including Maher. We opened the door, and they immediately arrested Maher in a very ugly manner, where four of them came to him and tossed him on the ground and tied his hands. They took him, as they were keeping their shotguns pointed at him. They put him in a Peugeot vehicle that was one of the cars they came in. The cars took off to an unknown destination. We learned later from members of Jaish al Islam that they arrested him because he is a blood relative to fighters with ISIS who are not present in Ghouta. Since then, we haven't found out anything about Maher, and we are afraid to ask, because he is involved in a security case, and they treat those in a similar way to the Syrian regime's.”

#### IV. Conclusions and Recommendations

Enforced-disappearance practices constitute a breach of the Syrian constitution and the [International Convention for the Protection of All Persons from Enforced Disappearance](#) which stated in the first Article that:

- “1. No one shall be subjected to enforced disappearance.
2. No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification for enforced disappearance.”

Even though Syria is not a party to this agreement and hasn't signed it, the criminalization of enforced-disappearance is considered a part of the customary international law.



The Syrian government has failed to protect its people from the crime of enforced-disappearance. Even more, the government was the party who practiced this crime in a fathomless manner in the modern age. The international instruments on human rights establish that the burden to assert the state of the individuals detained by the government falls on the government which arrested or abducted them. There must be an investigation into all the deaths that take place inside detention centers. Additionally, the four other parties have done the same to some degree with taking into consideration the scale and quantity of individuals who suffered enforced-disappearance. Government forces and the forces that are in control of detention centers are responsible for torture practices as well, including sexual violence. Also, all confessions that were extracted by force or under threats of violence against family members constitute a horrifying violation of the most basic human rights.

## **Recommendations**

### **The United Nations and the Security Council**

An end must be put to the disease of enforced-disappearance that run rampant in Syria, as it poses a threat to the society's safety and stability.

Issue a special statement on forcibly disappeared persons in Syria that condemns the practices of the Syrian regime and its allies as well as the other four parties.

Treat the case of forcibly disappeared persons in Syria with more seriousness, given its grave toll, and the fact that it is a crime against humanity. Speedy steps should be taken to fight this crime.

Apply more pressure towards giving the Commission of Inquiry and the International Committee of the Red Cross unrestricted access to detention centers.

The Security Council has to monitor the implementation of its Resolutions and bind the parties to these Resolutions – most notably Resolution 204 and 2139- and take action on the grounds of these Resolutions.

All detainees should be immediately allowed to contact their relatives and their lawyers and doctors. Binding guarantees should be established in order to stop the reoccurrence of violations inside detention centers. Also, the fates of no less than 85,000 who have fallen victim to enforced-disappearance have to be revealed.

The state allies to the other parties have to apply pressure in order to reveal the fate of the forcibly disappeared persons in their prisons.

Support the active local human rights organizations in Syria.



## **Human Rights Council**

Follow on the issue of detainees and forcibly disappeared persons in Syria and shed more light on it in all the periodic annual meetings.

Cooperate and coordinate with active local human rights organizations

## **Working Group on Enforced or Involuntary Disappearances**

Increase the number of people working on the issue of forcibly disappeared persons at office of the Special Rapporteur on enforced-disappearance in Syria in light of the magnitude and size of the cases of forcibly disappeared persons in Syria.

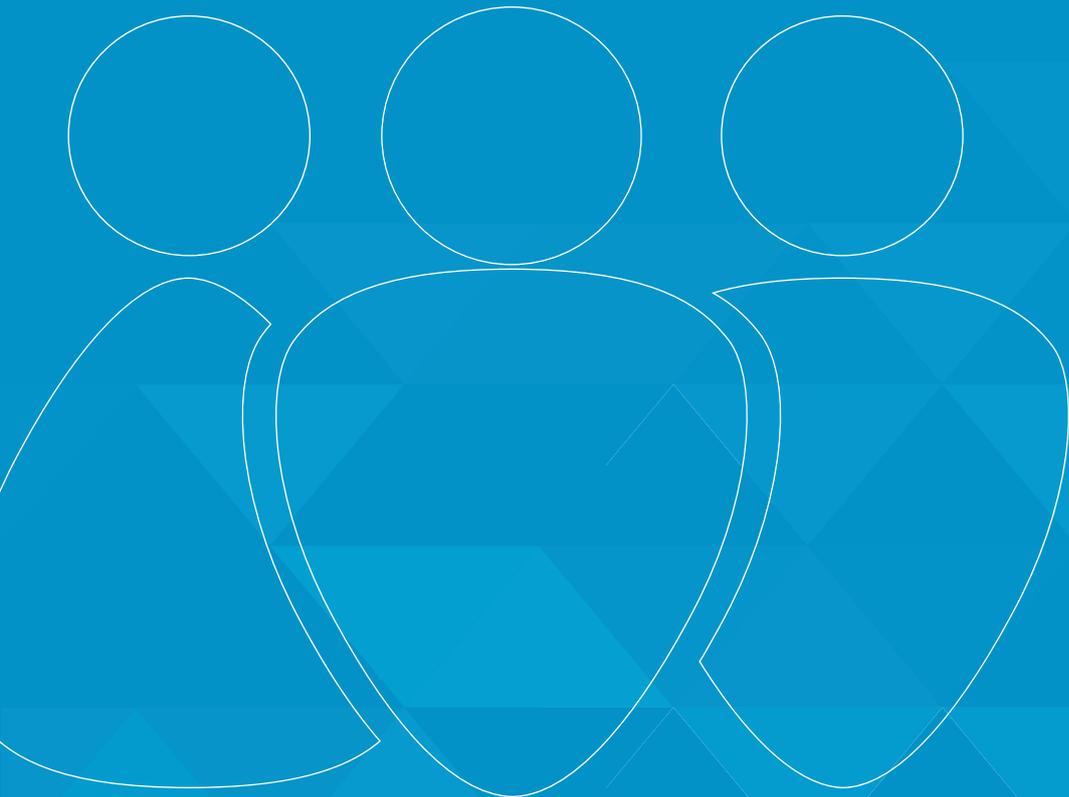
## **The Joint Investigative Mechanism**

Start investigating the new cases that were included in this report. We are fully prepared to provide all additional details and data.

## **Acknowledgment and Solidarity**

We would like to thank everyone who contributed to this report. Also, we extend our most sincere gratitude to the residents and witnesses. Finally, we stand in solidarity with the victims and their families.





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