



## Detainees Disappeared and Tortured by an Armed Opposition Faction in Daraa The Incident of the Killing of the Defected Colonel Zidan Nsierat

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### **I. Introduction and Executive Summary**

Many armed opposition factions established detention centers. [The monthly arbitrary arrest report](#) that SNHR releases sheds light on many of arbitrary arrest cases where some of these cases turn into enforced-disappearance after the armed opposition actions refuses to acknowledge or reveal the fate of its detainees. Additionally, these detention centers contain some cases of a criminal background and others related to the ongoing internal armed conflict that that was announced in May 2012. We have talked about some of the Syrian opposition factions' detention centers and torture methods in an extensive study named: [“Awaiting Justice”](#).

This report documents an arrest incident that has become an enforced-disappearance case and sever torture which resulted in death. These cases are rare at the armed opposition detention centers so it must be highlighted and condemned in order to expose the perpetrators of these crimes and call on the political opposition to try to deter them and even hold them accountable and drain their funding resources. This is the incident of the killing of the colonel Zidan Al Nsierat inside a detention center for the faction “Shabab Al Sunna Squad” in Bosra Al Sham city in Daraa governorate due to torture and negligent health care.





The methodology of this report is based on the information provided by the victim's family, judges at the Justice House, and armed opposition elements which SNHR contacted where this report includes three accounts. We have informed the witnesses of the purpose of their accounts and they gave us permission to use the information they provided in this report. We have also reviewed the pictures, records, and documents we received and verified its authenticity.

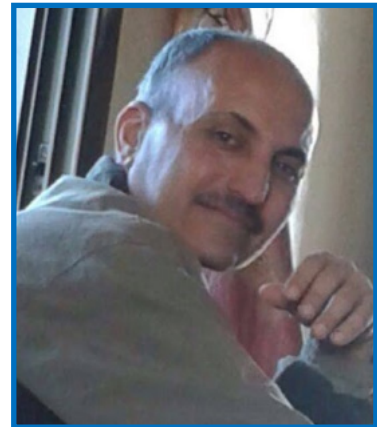
Also, this report draws upon SNHR archive which records arrest and torture incidents and practices where we have documented similar incidents of victims dying due to torture at the hands of the same faction in Daraa governorate. All incidents are recorded with names, dates, pictures and other evidences.

## II. Details

Colonel Zidan Ahmad Nsierat, born in 1965, from Ibta' town in the suburbs of Daraa governorate, he acquired the colonel ranking in the division 15 when he was working with government forces in As Swayda. In December 2011, government forces arrested him over charges of attempting defection where he was detained in Sydnaya prison for three years before he was released by government forces in 2014.

After coming back to his hometown, colonel Zidan Nsierat joined armed opposition that is operation in Daraa and then he headed the security committee in Ibta' town which was tasked with maintaining security in the town and resolving conflicts within the residents.

In early 2016, colonel Zidan Nsierat headed the negotiation with the Syrian regime in Izra' city in the suburbs of Daraa which was intended to be the bases for a truce in Ibta' town. Colonel Zidan Nsierat was chosen by the town's residents and prominent figures. Some of the residents told us that they had to work on a truce with government forces who took over nearby areas from Ibta' town and the threats they made to raid the town in case they turned down the truce. The agreement made with the Syrian regime by colonel Zidan Nsierat stated that the town is not to be bombed, aids to enter the city, and the town detainees to be released by the Syrian regime.



Picture of the defected colonel Zidan Ahmad Al Nsierat





Days after the truce and the reconciliation were done with the Syrian regime, “Sanad Houran” battalion which is related to Shabab Al Sunna squad, an armed opposition faction led by an individual named “Ahmad Al Ouda”, arrested the colonel Zidan Nsierat along with two others on 28 February 2016. The other two were part of the negotiation delegation with the regime where the arrests were made over charges of treason.

All the information we obtained from the victim’s family and the Justice House in Daraa confirmed that the arrest was made without an arrest warrant from the Justice House in Daraa which is the legitimate judicial authority in the opposition factions’ areas of control in Daraa. Also, the arrest was made without informing the Justice House. His family told us that they asked Shabab Al Sunna squad repeatedly to refer him to the Justice House and grant him a fair public trial but those requests were turned down by Ahmad Al Ouda.

The engineer Mohammad Al Nsierat, colonel Zidan Nsierat’s brother, told SNHR about the arrest conditions after SNHR contacted him via WhatsApp:

*“While my brother was in Ibta’ town, an armed group from Sanad Houran battalion led by Mahmoud Abu Halwa abducted him without having a warrant from the Justice House. They took him to Qal’at Bosra Al Sham prison which is known as branch 600. A few days later, two released detainees from Bosra Al Sham prison told me that he is has been subjected to severe torture since the moment he was brought in by the guards. On the third day of the arrest, my brother was brought from the torture room to the dormitory and he was unconscious because of the torture. At morning, detainees tried to wake him up but they found out that he was dead so they told the guards who took him out. Afterwards, the Justice House confirmed that he died in prison and was buried in an undisclosed location.”*

Colonel Zidan Nsierat’s family was afraid of asking about him again and again at Bosra Al Sham Prison or asking Shabab Al Sunna squad after they were threatened by Shabab Al Sunna in case they kept asking about him. A few months later, an internal conflict among the squad resulted in some of the elements leaking records showing the colonel Zidan Nsierat’s confessions under torture by Ahmad Al Ouda and his deputy Musen Al Aqil. SNHR have copies of these records.





SNHR contacted Mr. Ismat Al Absi, head of the Justice House in Houran area who told us about the role the Justice House played in the case:

*“The information we received from the colonel Zidan Nsierat confirm that he was arrested by Shabab Al Sunna faction over charges of dealing with the Syrian regime and agreeing to a reconciliation. He was interrogated and tortured during the time he was arrested or abducted. We learned from the faction that colonel Zidan was detained by them after he died. When we asked about the cause of death, they sent medical reports indicating that he died of myocardial infraction. When we examined the dead body in the presence of judges and doctors, we saw signs of beating on the back and shoulders. However, there was no signs on the chest or genitals. At the time, we asked Shabab Al Sunna to hand the dead body to his family which they refused to do.”*

[A Medical report](#) showing the causes of colonel Zidan Nsierat’s death at a detention center for the faction Shabab Al Sunna in Daraa, an armed opposition faction, Daraa, 17 March 2016

One member of the colonel Zidan Nsierat’s family filed a lawsuit at the Justice House against “Mahmoud Abu Halwa” and his group “Sanad Houran” which was responsible for the arrest of the colonel Zidan Niserat in Ibta’ town. However, “Mahmoud Abu Halawa” was killed by an armed group on 20 March 2016 over the incident of the arrest of the colonel Zidan Nsierat and other torture incidents he was responsible for.

We recorded the release of the two individuals who were arrested along with colonel Zidan by Shaba Al Sunna after months of detention.

Zidan Nsierat’s dead body is still buried in an unknown location and Shabab Al Sunna faction still refuses to hand it to his family who asked them repeatedly. Also, Justice House asked the faction again and again but they also refused.





Mr. (Z.D) is a former fighter for Shabab Al Sunna squad before he defected from the faction about three months ago. He witnessed the torture of the colonel Zidan Al Nsierat and told SNHR:

“While the colonel Zidan was imprisoned, he was subjected to prolonged interrogation and torture that involved sticks, cables, kicking, electrocution for long hours. He was also denied water. I think the electrocution was the cause of his death. More than six people from Shabab Al Sunna took part in his torture which was supervised by Ahmad AL Ouda. Most of the detainees for Shabab Al Sunna are subjected to a similar torture to that of the regime’s. The locals know that quite well.”

### III. Similar Incidents

Ra’fat Taleb Abu Halawa, from Ibta’ city in Daraa governorate, civilian, was 24-year-old at the time of the arrest. On 21 December 2015 he was arrested by armed elements from Shabab Al Sunna faction, an armed opposition faction in Daraa. On 22 December 2015, we received information confirming his death due to torture at Qal’at Bosra Al Sham prison which is affiliated to the same faction.



Ahmad Mohammad Al Meqdad, from Daraa governorate, a nurse, at the beginning of August 2016, he was arrested by armed elements from the Shabab Al Sunna, an armed opposition faction in Daraa, in Bosra Al Sham city in Daraa governorate. He was released on 22 August 2016 after being tortured and severely beaten.





Lawyer [AbdulMun'im Al Khalil](#), from Ma'raba town in the suburbs of Daraa governorate, director of the media office at the Council of Free Daraa Governorate. On Sunday 12 June 2016, he was arrested by armed elements from Shabab Al Sunna, an armed opposition faction in Daraa governorate, who raided his place of residence in Ma'raba town and beat him severely because of a post he published on Facebook in which he criticized Shabab Al Sunna squad. He was taken to the hospital for treatment.

#### **IV. Recommendations**

##### **Armed opposition**

- Condemn the torture and enforced-disappearance and work on holding all those who were involved accountable
- Insure torture victims' and their families' right to a proper redress.
- Conduct legal training workshops for the official in charge of the detention centers and interrogation in order to raise their awareness on detainees' rights.
- Armed opposition factions must stop the enforced-disappearance and torture practices completely. The detainee has the right to hire an attorney who can be present at all interrogation sessions.
- Stop using secret detention centers and allow Syrian human rights organization to examine the conditions of the detainees and let detainees' families and lawyers visit them regularly.

##### **Security Council**

- The Syrian case must be referred to the International Criminal Court and all perpetrators must be held accountable.
- Instill peace and security in Syria and implement the norm of the Responsibility to Protect.
- The Syrian regime's impunity against punishment despite the extensive, widespread, and systematic crimes encourages other parties and dictatorships to commit crimes. This is the Security Council Responsibility.

##### **Acknowledgment and Solidarity**

All thanks and appreciation go out to the victims' families, relatives, and friends whom we stand in solidarity with until they get their rights.

