

# No less than 496 Cases of Arbitrary Arrest in January 2018

70% Were for the Purpose of Recruitment

**SNHR**

SYRIAN NETWORK FOR HUMAN RIGHTS

الشبكة السورية لحقوق الإنسان

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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 have been made in Syria on a daily basis since the start of the popular uprising for democracy in March 2011, as people have been arrested simply for exercising one of their basic rights stated in the Universal Declaration of Human Rights such as the freedom of opinion and expression, or because they were denied a fair trial for they were detained without a ruling by an independent judicial entity to detain them, or without being charged with anything, tried, or afforded an attorney, or because they were detained after their punishment had ended. In most cases, arbitrarily detained individuals are subjected to solitary confinement for several months or sometimes years if not indefinitely at official and non-official detention centers. In itself, detention is not considered a violation of human rights until it becomes arbitrary as international instruments state, such as the Universal Declaration of Human Rights – Article 9: **“No one shall be subjected to arbitrary arrest, detention or exile.”** while Article 9 (1) of the International Covenant on Civil and Political Rights states: **“Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.”**

New incidents of arbitrary arrest are recorded almost every day. The Syrian regime was the first party to practice this violation in a systematic manner against the various segments of the Syrian people, as the Syrian regime used mafia-like methods, where most arrests are made without a legal warrant as the victim passes at a checkpoint or during raids. Torture starts the moment the detainee is arrested, and he is deprived of any mean to contact his family or attorney. Also, authorities deny making arbitrary arrests, and most detainees become forcibly-disappeared persons.



The Syrian regime is responsible for no less than 87% of all arbitrary arrests that we have recorded. In most cases, victims' families can't accurately identify the entity that made the arrest, considering that all of the forces that sided with the Syrian regime (Iranian militias, the Lebanese group Hezbollah, and others), aside from the four main security agencies and their many branches, have the authority to arrest, torture, and commit the crimes of enforced-disappearance.

Despite all the negotiations, agreements, and Cessation of Hostilities statements over the course of the Syrian conflict, it is clear that the detainees issue is almost the only issue that has yet to see any progress. In this regard, we recommend the following:

1- Arbitrary arrests must be ceased immediately as it is still an ongoing concern according to SNHR's monthly report. All detainees' fates must be revealed and their families' right to visit them must be insured immediately as well.

2- All detainees who were detained for merely exercising their political and civil rights must be released unconditionally. The use of women and children as war hostages must be stopped and they all must be released.

3- Grant 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 access to all official and non-official detention centers without setting up any prior arrangements or any restrictions or conditions.

4- A UN committee should be formed to see to the release of the detainees periodically and per a timetable that must be presented by all the detaining parties and mainly Syrian regime forces that are responsible for 87% of all the detainees.

5- Suspend and repeal all rulings issued by the field-military courts and terrorism courts, as they are non-compliant with the local and international legislations as well as guarantees of a fair trial.

## **Methodology**

This report documents the toll of arbitrary arrests by the parties to the conflict in January. Additionally, this report monitors the most notable raid and inspection points that resulted in detentions, in addition to shedding light on the most notable individual cases and incident of arbitrary arrest that took place in January.



SNHR team abides by accurate standards in order to determine an incident of arbitrary arrest and avoid 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 that they collect from various sources, such as: victims' families, SNHR members in Syrian governorates, cooperating local activists, and former detainees, before diligently working on contacting 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 extraordinarily and extremely complex challenges. We also record eyewitnesses' accounts and track cases of arrest to update it regularly in order to find out the fate of a detainee, their place of detention, and the circumstances of their arrest.

The ongoing and daily process of documenting detainees comes with additional challenges for SNHR that have been documenting detainees since 2011. One of these most notable challenges is the families' reluctance to cooperate and reveal and document any information on their family members' arrest even secretly and especially if the arrested individual was a female due to a prevalent notion among the Syrian society that doing so would result in more torture and danger. Instead, families try to negotiate with security forces that usually blackmail these families and demand a cash payment that can amount to thousands of dollars in some cases. Despite the fact that SNHR possesses lists of more than 127,000 detainees, including children and women, we can safely say that our estimations for the actual number of detainees have exceeded 215,000.

The international community's and the United Nations', in all of its organs, failure to apply pressure on the Syrian authorities to release even one case (including those whose sentences are over), and even prisoners of conscience, affirmed that convention within the Syrian society which believes that it is useless to cooperate in the documentation process. Most of the releases were part of exchange deals with the armed opposition.

The detainee figures included in this report don't include prisoners of a criminal background and include arrests cases that are based on the internal armed conflict and mainly due to the opposition activity against the ruling authorities. The mounting number of arrests is due to a number of reasons:

- Many arrested individuals weren't arrested because of a crime they committed, but because of their relatives' involvement with armed opposition factions or because they provided humanitarian aids.



- Most of the arrests are being conducted randomly and involve people who weren't involved in the popular protests, relief, or even military activity.
- Thousands of detainees are still being detained by the Syrian regime even though a judicial order for their release was issued despite the bureaucracy, corruption, slowness, and limpness that the Syrian judiciary suffers from.
- Syrian regime forces control densely populated cities such as the main central cities and it continues to practice its systematic policies of arbitrary arrests against the civilians of these areas.
- There are many Syrian regime forces-affiliated entities that are authorized to make arrests, many of these entities make arrests without checking with Syrian regime forces or the judicial authorities to which these entities are affiliated. Also, these entities have their own list of detention centers that are not subject to any judicial supervision. The detainees inside these detention centers are not being treated in accordance with the stated Syrian laws.
- A great number of cases are driven by blackmails or sectarian grudges especially in unstable areas that are not held by a specific faction or it is undergoing a power struggle. As a result, many armed militias that have emerged can't be monitored as they don't answer to any particular group.

## II. Summary of January

Arbitrary arrests made in January saw a rise in rates of arbitrary arrests for the purpose of conscription by Syrian regime forces and Self-Management forces compared to 2017, as Syrian regime forces carried out wide arrests and raids in the centers of main cities, as well as at universities, government departments, and markets. We also recorded that Syrian regime forces' local pro-regime militias have been arresting and terrorizing young men between the ages of 16-18 in order to recruit and send them to the battlefronts.

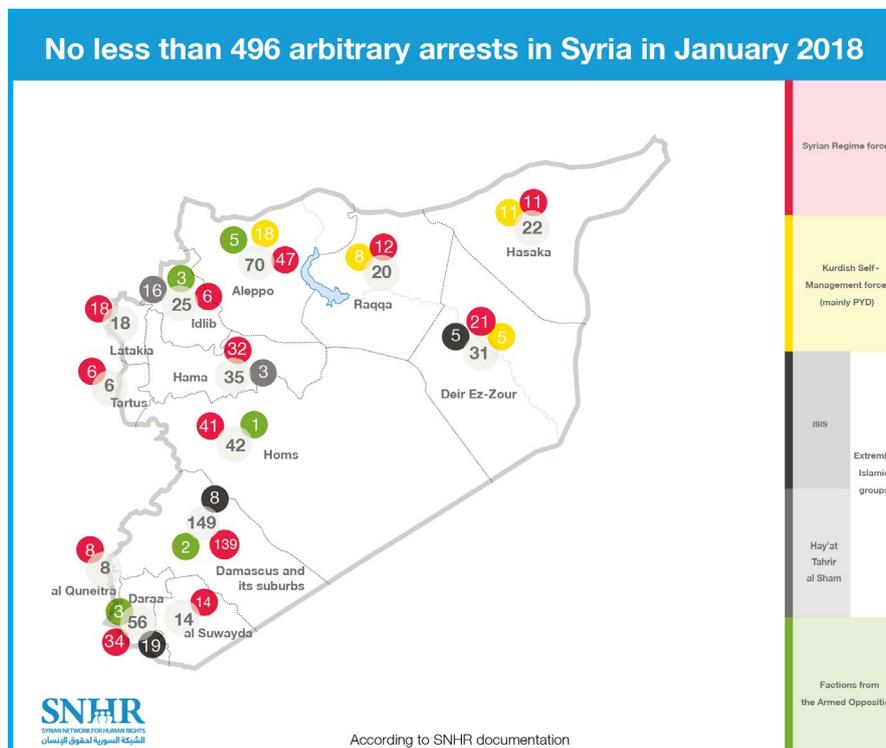
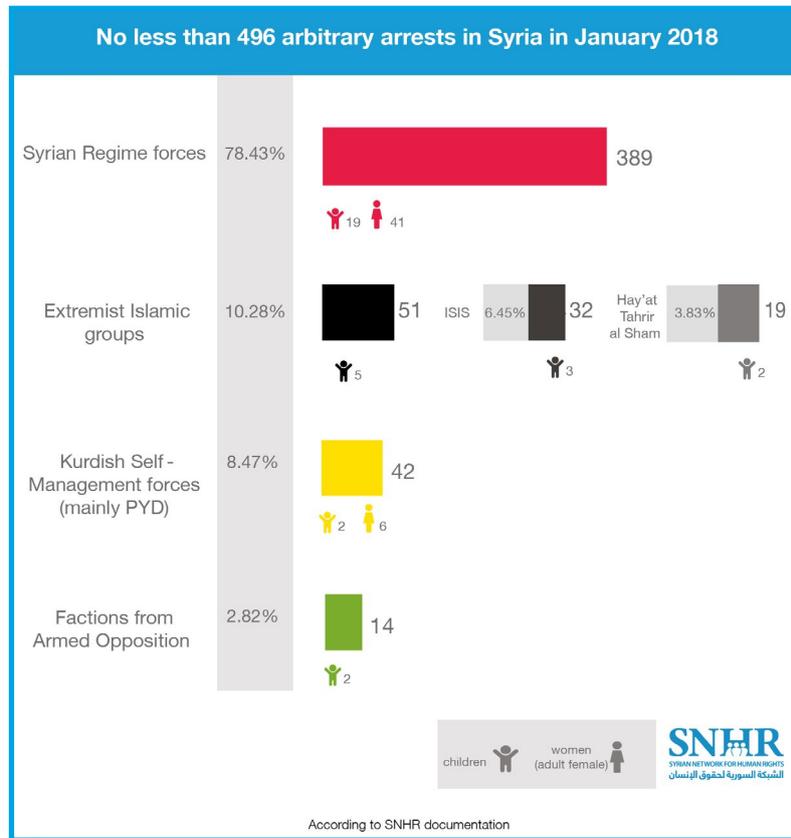
Kurdish Self-Management forces, on the other hand, continued their policies of making arbitrary arrests for the purpose of conscription. The arbitrary arrests concentrated on young men between the ages of 18-24. It should be noted also that these forces made tens of arrests that involved younger age groups, including 14 years of age regardless of their sex, as these arrests included girls as well. These arrests were concentrated in Hasaka governorate.

ISIS also continued carrying out arrests and raids against civilians in January in their areas of control. Most of the arrests made by the group were for the purpose of conscription – especially in the areas that remain under their control in Deir Ez-Zour governorate.

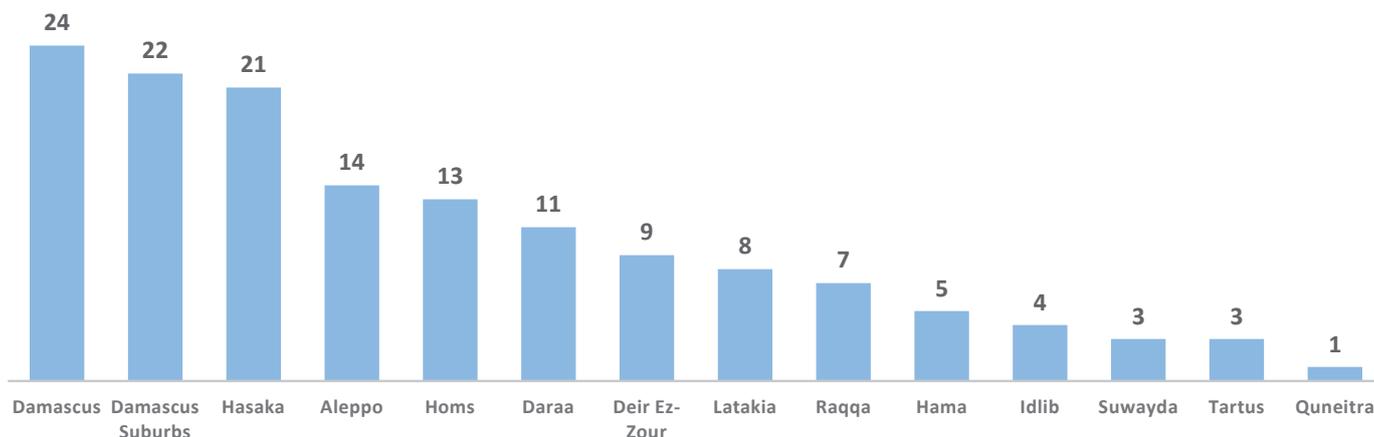


### III. Toll of Arbitrary Arrests Made by the Parties to the Conflict

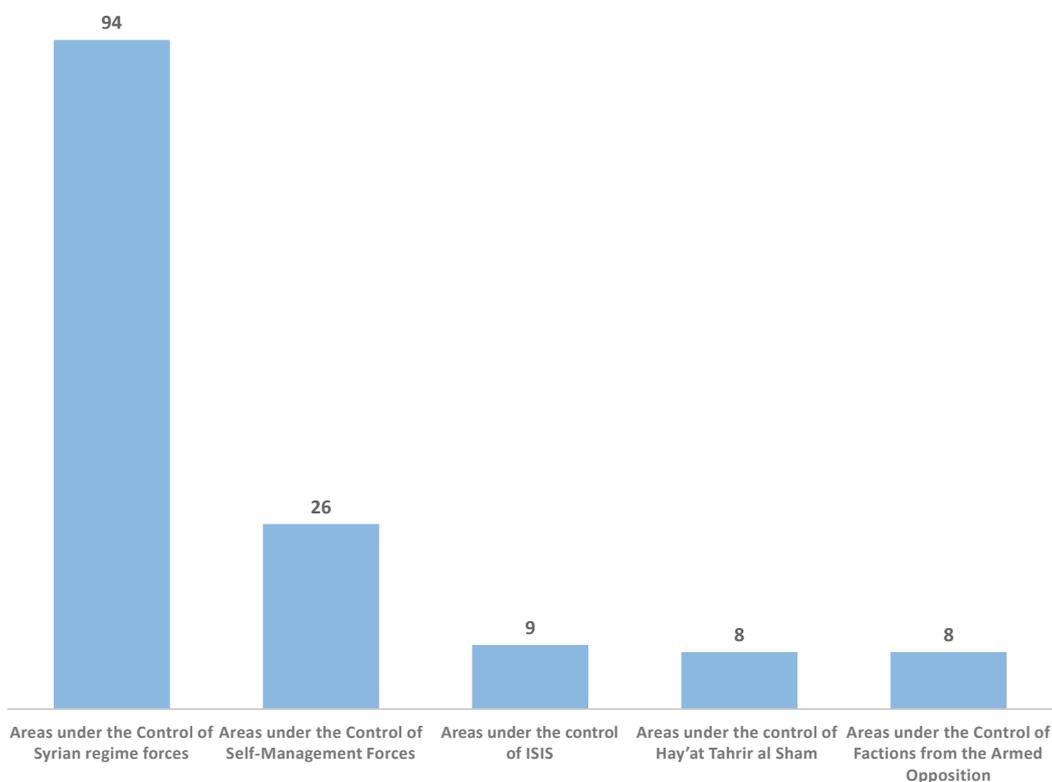
#### B. Arbitrary arrests in January were distributed as follows



## **Raid and inspection points that resulted in detention:**



## **Parties responsible for raids**



## **IV. Most Notable Cases and Incidents of Arbitrary Arrest in January**

### **Syrian regime forces**

#### Most notable incidents of arrest

Friday, January 5, 2018

Syrian regime forces carried out raids and an arrest campaign for the purpose of conscription in a number of neighborhoods in Deir Ez-Zour city. We documented that 11 civilians were arrested. They were taken to an undisclosed location.



Tuesday, January 9, 2018

Syrian regime forces' Political Security carried out raids and an arrest campaign for the purpose of conscription in al Tal city, western Damascus suburbs governorate. We documented that five civilians were arrested. They were taken to an undisclosed location.

#### Most notable case of arrest

Mohammad Samer Hasan, engineer, from Tartus city, an electrical engineer and a government employee at the Ministry of Electricity. On Wednesday, January 24, 2018, he was arrested by Syrian regime forces at one of their checkpoints in the city. His fate is still unknown to SNHR as well as his family.

(Name was concealed for security concerns), female, born in 1985, from al Khaldiya neighborhood, Homs city, teacher, holds a teacher degree from the college for education. On Monday, January 22, 2018, she was arrested by Syrian regime forces at a checkpoint in Fayrouza town, eastern Homs city. Her fate is still unknown to SNHR as well as her family.

### **Self-Management forces (primarily consisting of the Democratic Union Party – a branch for the Kurdistan Workers' Party)**

#### Most notable incidents of arrest

Self-Management forces (primarily consisting of the Democratic Union Party – a branch for the Kurdistan Workers' Party) carried out raids and an arrest campaign for the purpose of conscription in al Tabaqa city, western suburbs of Raqqa governorate. We documented the arrest of seven civilians. They were taken to an undisclosed location.

Thursday, January 11, 2018

Self-Management forces (primarily consisting of the Democratic Union Party – a branch for the Kurdistan Workers' Party) carried out raids and an arrest campaign for the purpose of conscription in al Mshierfa neighborhood in the center of Hasaka city. We documented the arrest of three university students from al Hasaka city. They were taken to an undisclosed location.

Sunday, January 14, 2018

Self-Management forces (primarily consisting of the Democratic Union Party – a branch for the Kurdistan Workers' Party) carried out raids and an arrest campaign for the purpose of conscription in the market of Ras al Ein city, northern Hasaka governorate. We documented the arrest of seven civilians. They were taken to an undisclosed location.



Tuesday, January 23, 2018

Self-Management forces (primarily consisting of the Democratic Union Party – a branch for the Kurdistan Workers' Party) carried out raids and an arrest campaign for the purpose of conscription in the villages of Alaya, Um al Fursan, and Jam'aya, northern suburbs of Hasaka governorate. We documented the arrest of nine civilians. They were taken to an undisclosed location.

### Most notable cases of arrest

Jamal Sheikh Ismail Zada, member of the Kurdistani Democratic Party's political office, from Zaytouna village, northern suburbs of Aleppo governorate. On Thursday, January 25, 2018, he was arrested by Self-Management forces (consisting primarily of the Democratic Union Party – a branch for the Kurdistan Workers' Party) in Zaytouna village. His fate is still unknown to SNHR as well as his family.



Jamal Sheikh Ismail Zada

Ayman al Saleh, a university student, from Raqqa city. On Sunday, January 21, 2018, he was arrested by Self-Management forces (consisting primarily of the Democratic Union Party – a branch for the Kurdistan Workers' Party) at a checkpoint on the road between Raqqa governorate and Hasaka governorate for the purpose of conscription. His fate is still unknown to SNHR as well as his family.

### **Hay'at Tahrir al Sham**

Aref Akkoush, lawyer, from Aleppo city, born in 1973. On Tuesday, January 23, 2018, he was arrested by Hay'at Tahrir al Sham fighters after he was summoned to al Atareb Court in western suburbs of Aleppo governorate. He was released on Wednesday, January 24, 2018



Aref Akkoush



## V. 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 22 February, 2014 which demands the immediate end of the crime of enforced-disappearance.

### Human Rights Council

- Follow on the issue of detainees and forcibly-disappeared persons in Syria and shed light on it in all of the annual meetings.
- Cooperate and coordinate with all active local human rights groups in Syria.

### Commission of Inquiry (COI)

Launch investigations on the cases included in this report and past reports. SNHR is willing to cooperate and provide more evidences and data.

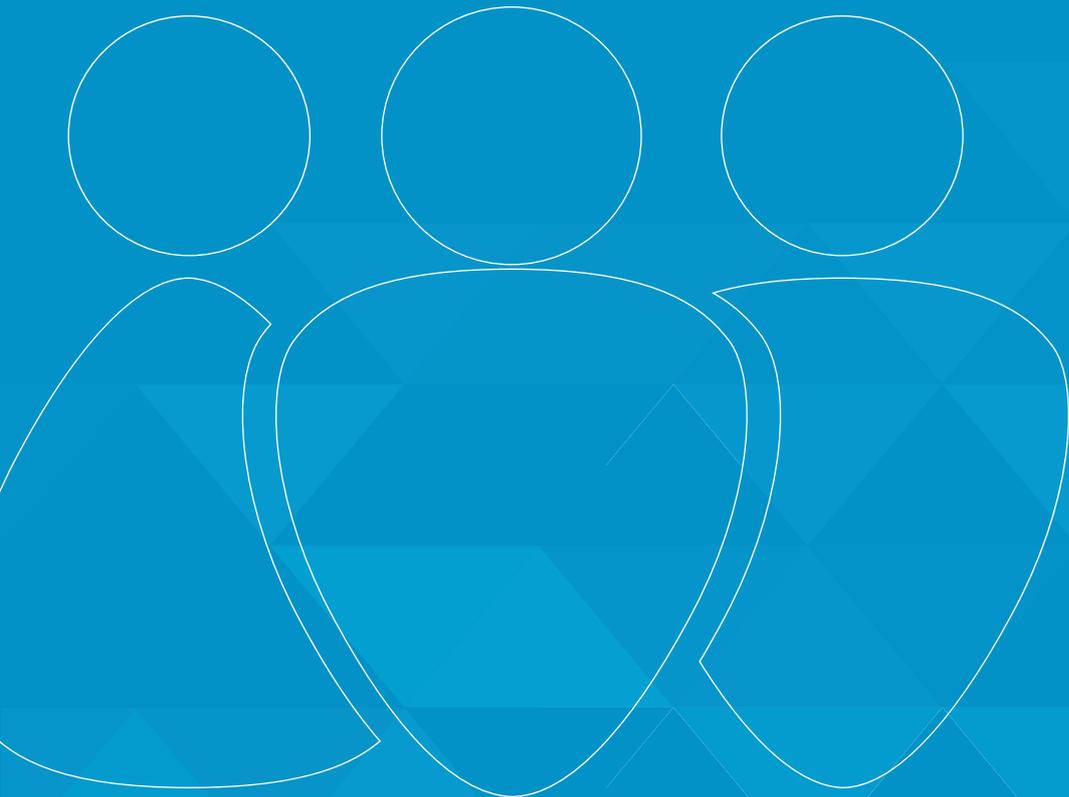
### International, Impartial, and Independent Mechanism (IIIM)

Address the cases mentioned in this report and past reports. SNHR is willing to cooperate and provide more evidences and data.

### The United Nations and the guarantors in Astana talks

- An impartial special committee should be formed to monitor enforced-disappearance cases, and make progress in revealing the fate of nearly 86,000 missing persons in Syria, including 87% at the hands of Syrian regime forces.
- Immediately start applying pressure on all parties in order to immediately reveal their detention records per 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 who was newly appointed in charge of the detainee file at the UN special envoy office to include the detainees issue in the upcoming rounds of Geneva talks, as this issue is of a greater importance to the Syrian people than other far-term issues that can be jointly addressed later by the parties after a political settlement is reached, such as the constitution.





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