No Fewer than 529 Cases of Arbitrary Arrest in Syria in November 2018

70% of all Arrests Were Made by Syrian Regime Forces, most of Which Involved Individuals Who Agreed to Settlements

Monday, December 3, 2018
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.

Contents
I. Introduction and Methodology
II. November Outline
III. Toll of Arbitrary Arrests Made by the Parties to the Conflict
IV. Most Notable Cases and Incidents of Arbitrary Arrest in November
V. Recommendations

I. Introduction
Arbitrary arrests have been made in Syria on a daily basis since the start of the popular uprising for democracy in March 2011, with many people arrested simply for exercising one of their basic rights cited in the Universal Declaration of Human Rights such as the right to freedom of opinion and expression, or because they were denied a fair trial after being detained without a ruling by an independent judicial entity ordering their detention, 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 stated by international instruments, 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, with the Syrian regime using mafia-like methods, making most arrests without a legal warrant while the victim is passing through 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 even having made these arbitrary arrests, and most detainees become forcibly disappeared persons.
The Syrian regime is responsible for no fewer than 87 percent of all arbitrary arrests that we have documented. In most cases, victims' families can't accurately identify the entity that made the arrest, taking into account the array of the forces affiliated with the Syrian regime (Iranian militias, the Lebanese group Hezbollah, and others), in addition to the four main security agencies and their many branches, all of which are authorized 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 issue of detainees 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 this 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 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 war hostages must be stopped and they all must 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 non-official detention centers without establishing 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 according to a timetable that must be presented by all the detaining parties, mainly the Syrian regime forces that are responsible for 87 percent of all the detainees.
5- Suspend and repeal all rulings issued by the field-military courts and terrorism courts, which are non-compliant with domestic and international legislation, as well as guarantees of a fair trial.

Methodology
This report documents the toll of arbitrary arrests by the parties to the conflict in November. 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 incidents of arbitrary arrest that took place in November.

The SNHR team abides by strict standards in order to determine an incident of arbitrary arrests and 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 that they 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 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 daily process of documenting detainees comes with additional challenges for SNHR, which has 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 secretively, especially if the arrested individual was a female due to a notion still prevalent notion in Syrian society that doing so would result in more torture and danger. Instead, families try to negotiate with security forces which usually blackmail these families and demand cash payments that can amount to thousands of dollars in some cases. Despite the fact that SNHR possesses lists of more than 140,850 detainees, including children and women, we can safely say that our estimations 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 of a criminal background and include cases of arrest that are based on the internal armed conflict, 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 aid.
• Most of the arrests are being conducted randomly and involve people who weren’t involved in the popular protests, in provision of 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 continue to practice 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, with many of these entities making 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 which are subject to a power struggle. As a result, many of the armed militias that have emerged can’t be monitored as they don’t answer to any particular group.

II. November Outline

The record of arbitrary arrests made in November featured a number of campaigns of raids and arrests by Syrian regime forces which focused on civilians and former armed opposition fighters in the areas that had signed settlement agreements with Syrian regime forces. Our monitoring also confirmed that Syrian regime force arrested some of the previously forcibly displaced civilians who returned from north Syria to their hometowns as part of these settlement agreements. In addition, Syrian regime forces launched a sweeping arrest campaign against individuals who had returned from neighboring countries, as well as targeting individuals who should supposedly have been protected by the amnesty laws and reconciliation offers established by the regime.

November also saw an increase in the rates of kidnappings for ransom by Syrian regime forces’ security apparatuses, particularly by personnel of the Air Force Intelligence and Military Intelligence forces. These abductions were concentrated in the cities of Hama, Latakia, and Homs, and particularly targeted women and children.

Syrian regime forces, throughout the month of November, continued with their policies of pursuing civilian activists involved in the popular uprising for democracy, as well as targeting individuals affiliated with the armed opposition in areas under opposition control, with regime forces also carrying out campaigns of raids and arrests that targeted entire families related to members of armed opposition factions. These arrests, which included women and children, were concentrated in the cities of Hama, Latakia, and Homs.
Meanwhile, Self-Management forces continued enforcing their policies of arbitrary arrest and enforced disappearance throughout the month of November, targeting political activists and members of civil society groups who oppose their views. These arrests were concentrated in Hasaka governorate. Additionally, Self-Management forces continued their policy of arbitrary arrest for the purpose of conscription. November also saw an increase in the rate of child arrests for the purpose of conscription by Self-Management forces, particularly in the areas under their control in Hasaka governorate.

In addition to these incidents, November also saw the arrests of doctors and local council personnel 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.

Factions from the armed opposition, meanwhile, continued making arrests in the territories under their control, which were concentrated in Aleppo governorate, and particularly Afrin city, throughout the month of November.

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

A. Arbitrary arrests since the start of 2018

SNHR has documented 7126 cases of arbitrary arrest at the hands of the parties to the conflict in Syria between the start of 2018 and December of the same year. These arrests were distributed as follows:
B. Arbitrary arrests in November

SNHR has documented no less than 529 arbitrary arrests in Syria in November, which were distributed by the parties to the conflict as follows:

No less than 529 cases of arbitrary arrest in Syria in November 2018

- **Syrian Regime forces**: 69.57% (368)
  - Children: 22, Women: 24

- **Kurdish Self-Management forces (mainly PYD)**: 20.22% (107)
  - Children: 9, Women: 3

- **Extremist Islamic groups**: 5.3% (28)
  - ISIS: 1.7%, Women: 1

- **Factions from the Armed Opposition**: 4.91% (26)
  - Women: 2

As documented by SNHR.
The following map shows the distribution of arbitrary arrests in November across Syrian governorates by the parties to the conflict.

No less than 529 cases of arbitrary arrest in Syria in November 2018

As documented by SNHR

We’ve also documented no less than 105 inspection points that resulted in detention in the month of November. Those were distributed across governorates as follows.
Inspection points were distributed by the responsible party as follows

<table>
<thead>
<tr>
<th>Areas under the Control of Syrian Regime Forces</th>
<th>Areas under the Control of Self-Management Forces</th>
<th>Areas under the Control of Hay’at Tahrir al Sham</th>
<th>Areas under the Control of Factions from the Armed Opposition</th>
<th>Areas under the Control of ISIS</th>
</tr>
</thead>
<tbody>
<tr>
<td>68</td>
<td>21</td>
<td>8</td>
<td>6</td>
<td>2</td>
</tr>
</tbody>
</table>

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

#### A. Syrian regime forces (army, security, local militias, and Shiite foreign militias)

**Most notable incidents**

On Monday, November 26, 2018, Syrian Regime forces carried out a campaign of raids and arrests in al Boulay village in the eastern suburbs of Deir Ez-Zour governorate. We documented the arrest of three civilians, who had previously agreed to the settlement agreement, who were taken to a regime forces’ detention center.

On Sunday, November 18, 2018, Syrian Regime forces arrested five civilians at a check-point at al Salehiya village, which is administratively a part of al Boukamal city in the eastern suburbs of Deir Ez-Zour governorate. They were taken to an undisclosed location.

On Saturday, November 3, 2018, Syrian Regime forces arrested three civilians at a check-point at Hama city. They were taken to an undisclosed location.

**Most notable cases**

Wisal Mhawesh Affash, from al Sawara town in the northern suburbs of Daraa governorate, was arrested on Thursday, November 8, 2018, by Syrian Regime forces from the civil registry department in Izra city in the northern suburbs of Daraa. She was taken to an undisclosed location, and her fate remains unknown to SNHR as well as to her family.
Mufid Abu Nabbout, from Daraa city, was born in 1975, and holds a degree in Philosophy. On Sunday, November 18, 2018, he was arrested by Syrian Regime forces from the Criminal Security building in al Kashif neighborhood east Daraa city. He had previously agreed to the settlement agreement. He was taken to an undisclosed location, and his fate remains unknown to SNHR as well as to his family.

Nawal Mustafa al Omar, from Idlib city, was born in 1976. On Tuesday, November 20, 2018, she was arrested by Syrian Regime forces at a checkpoint at Tayha village in the eastern suburbs of Aleppo governorate, while she was heading from Idlib city to Damascus city. She was taken to an undisclosed location, while her fate remains unknown to SNHR as well as to her family.

Amira Abdul Karim Khader is from Seyda town in the eastern suburbs of Daraa governorate. On Tuesday, November 6, 2018, she was arrested by Syrian Regime forces at a checkpoint at southern Damascus city. She had previously agreed to the settlement agreement. She was taken to an undisclosed location, while her fate remains unknown to SNHR as well as to her family.

B. Extremist Islamic groups
- Hay’at Tahrir al Sham (an alliance composed of Fateh al Sham Front and a number of armed opposition factions)

Most notable incidents
On Wednesday, November 7, 2018, gunmen affiliated to Hay’at Tahrir al Sham arrested two civilians, who are originally from al Dana city in the northern suburbs of Idlib governorate, following a raid on their place of residence in the city. They were taken to an undisclosed location.

On Sunday, November 25, 2018, gunmen affiliated to Hay’at Tahrir al Sham arrested one civilian from Hazra town in the northern suburbs of Idlib governorate, following a raid on his place of residence in the town. He was taken to an undisclosed location.
Most notable cases
Abdul Razzaq Awad, from Zardana town in the northern suburbs of Idlib governorate, works as a director of the Food Program in the Violate Organization - Relief and Development. On Monday, November 19, 2018, he was arrested by gunmen affiliated to Hay’at Tahrir al Sham from their security quarters in Idlib city after arraigning him there.

C. Factions from the armed opposition
Most notable cases
Bilal Sraiwel, from Douma city in the Eastern Ghouta in eastern Damascus Suburbs governorate, was born in 1993. He is a media worker for Swa’adna Alsouria Organization, a member of Media Workers Association East Ghouta and a designer for the Syrian Independent Kurd League. On Thursday, November 8, 2018, gunmen affiliated to al Sultan Murad brigade, one of the factions from the armed opposition, arrested him from Vilas street at the center of Afrin city on charges of filming without prior authorization. He was taken to an undisclosed location, before he was released on Sunday, November 11, 2018, after being subjected to severe torture.

D. Self-Management forces (consisting primarily of the Democratic Union Party – a branch for the Kurdistan Workers’ Party)
Most notable incidents
On Sunday, November 4, 2018, Self-Management forces carried out a campaign of raids and arrests for conscription purposes in al Shdadi city in the southern suburbs of Hasaka governorate. We documented the arrests of six civilians, who were taken to an undisclosed location.

On Monday, November 26, 2018, Self-Management forces arrested two civilians, who are from Tal Abyad city in the northern suburbs of Raqqa governorate, after raiding their place of residence. They were taken to an undisclosed location.
Most notable cases
Khaled Jaber al Suleiman and Ahmad Ismail al Ali, from Hatla village in the eastern suburbs of Deir Ez-Zour governorate. On Monday, November 19, 2018, they were arrested by Self-Management forces from M’izila village in the northern suburbs of Deir Ez-Zour governorate. Their fate remains unknown to SNHR as well as to their families.

Siblings Abdul Salam and Mohammad Khalil al Dandal al Khabour are from al Rhayyat village in the northern suburbs of Raqqa governorate. On Tuesday, November 6, 2018, they were arrested by Self-Management forces from al Rhayyat village. Their fate remains unknown to SNHR as well as to their family.

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.

**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 95,000 missing persons in Syria, approximately 86% of whom are detained by the Syrian regime.
- 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 round 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.