

No less than 687 Cases of Arbitrary Arrest in Syria in September 2018

60% at the hands of Syrian Regime Forces mostly Targeting People Who Agreed to Settlements

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

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 September. 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 September.

SNHR team abides by strict standards in order to determine an incident of arbitrary arrests 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 140,850 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 continue 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 its 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. September Outline

September saw Syrian regime forces carrying out raid and arrest campaigns that were concentrated against civilians and former affiliates from armed opposition factions in the areas that signed settlement agreements with Syrian regime forces. We've also recorded that Syrian regime forces arrested civilians who returned from north Syria to their hometowns after they were displaced as part of settlement agreements. Some of those even died, as we documented, due to torture shortly after they were detained. These arrests were concentrated in the governorates of Daraa and Damascus suburbs.

In addition, Syrian regime forces continued, in their areas of control, pursuing popular uprising activists' families in September, as well as affiliates from armed opposition factions, as we've documented organized raid and arrest campaigns by Syrian regime forces who targeted entire families related to affiliates from armed opposition factions. Those arrests were concentrated in the cities of Hama, Latakia, and Homs, as women and children were no exception.

On the other hand, Self-Management forces (consisting primarily of Democratic Union Party forces – a branch for the Kurdistan Workers' Party) continued enforcing their arbitrary arrest and enforced-disappearance policies against political activists and members of civil society organizations who oppose their views. These arrests were concentrated in Hasaka governorate. Further, September saw more arbitrary arrests for the purpose of conscription in September by Self-Management forces.

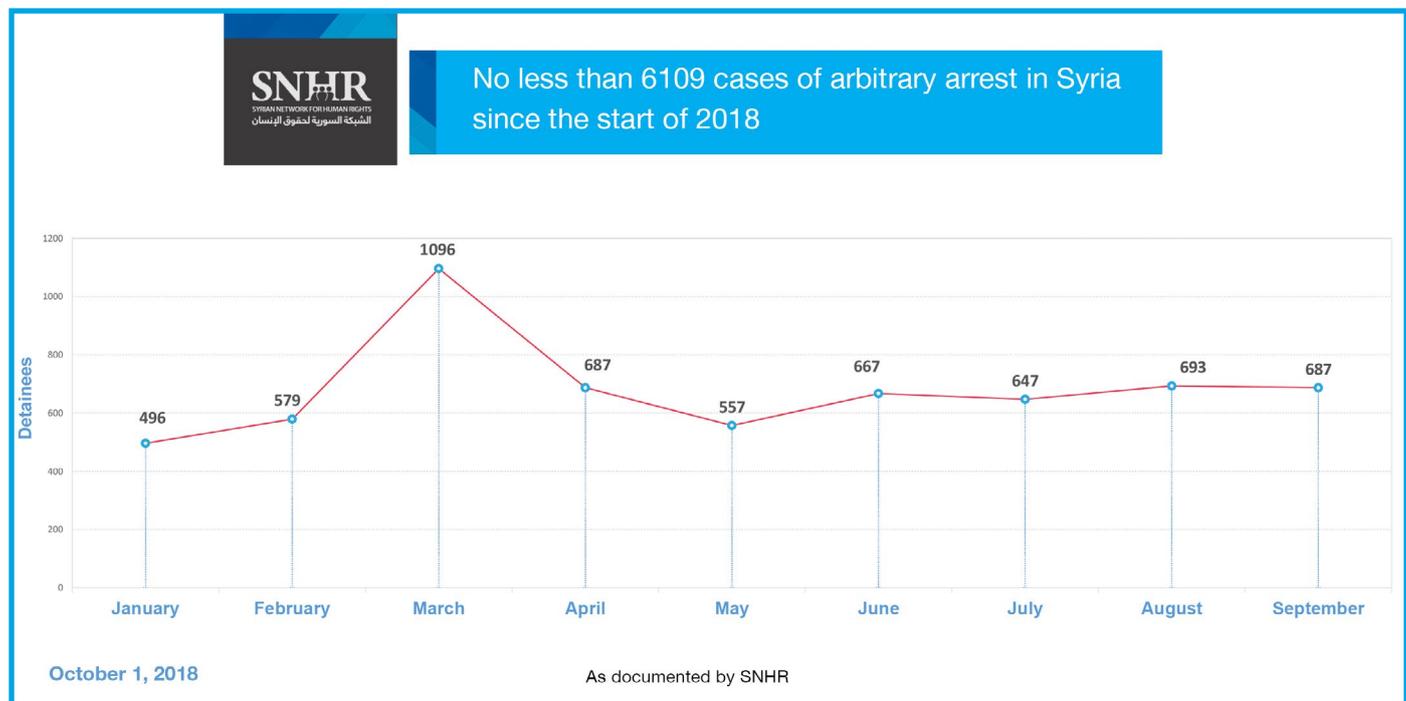


Additionally, September recorded arrests that involved doctors and activists from local councils by Hay'at Tahrir al Sham who also continue to target affiliates from armed opposition factions who are working with the Euphrates Shield and the Olive Branch operation rooms. These arrests were concentrated in southern suburbs of Idlib governorate. Armed opposition factions also made arrests that were concentrated in their areas of control in Aleppo governorate, particularly Afrin city.

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

A. Arbitrary arrests since the start of 2018

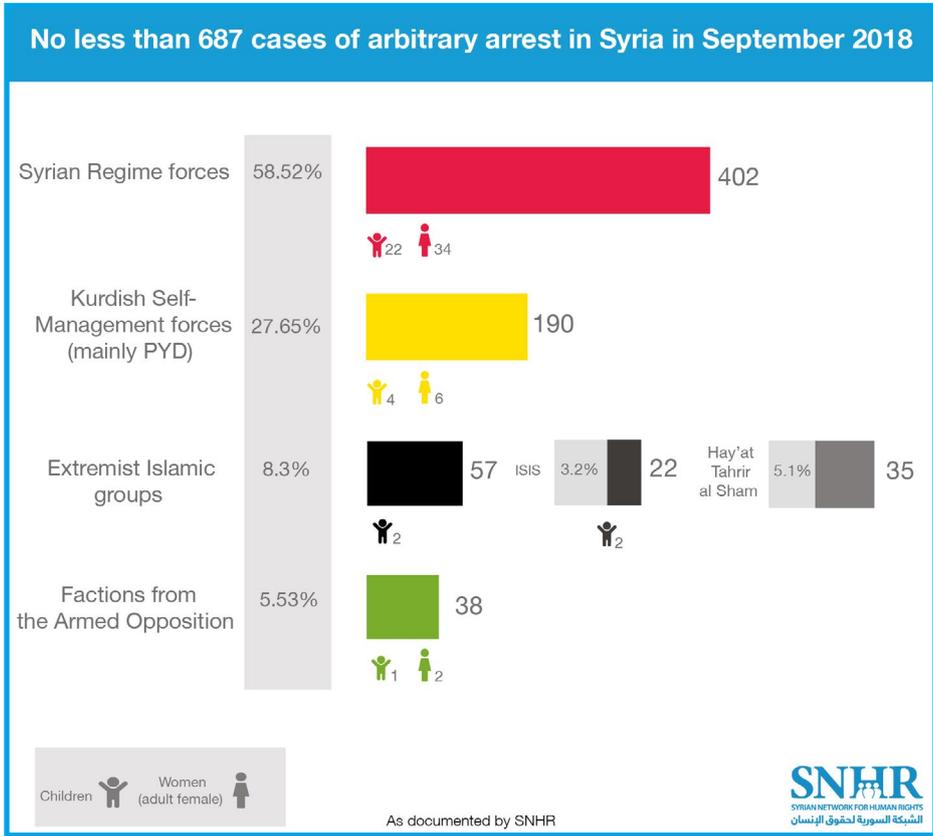
SNHR has documented 6,109 cases of arbitrary arrest at the hands of the parties to the conflict in Syria between the start of 2018 and October of the same year. These arrests were distributed as follows:



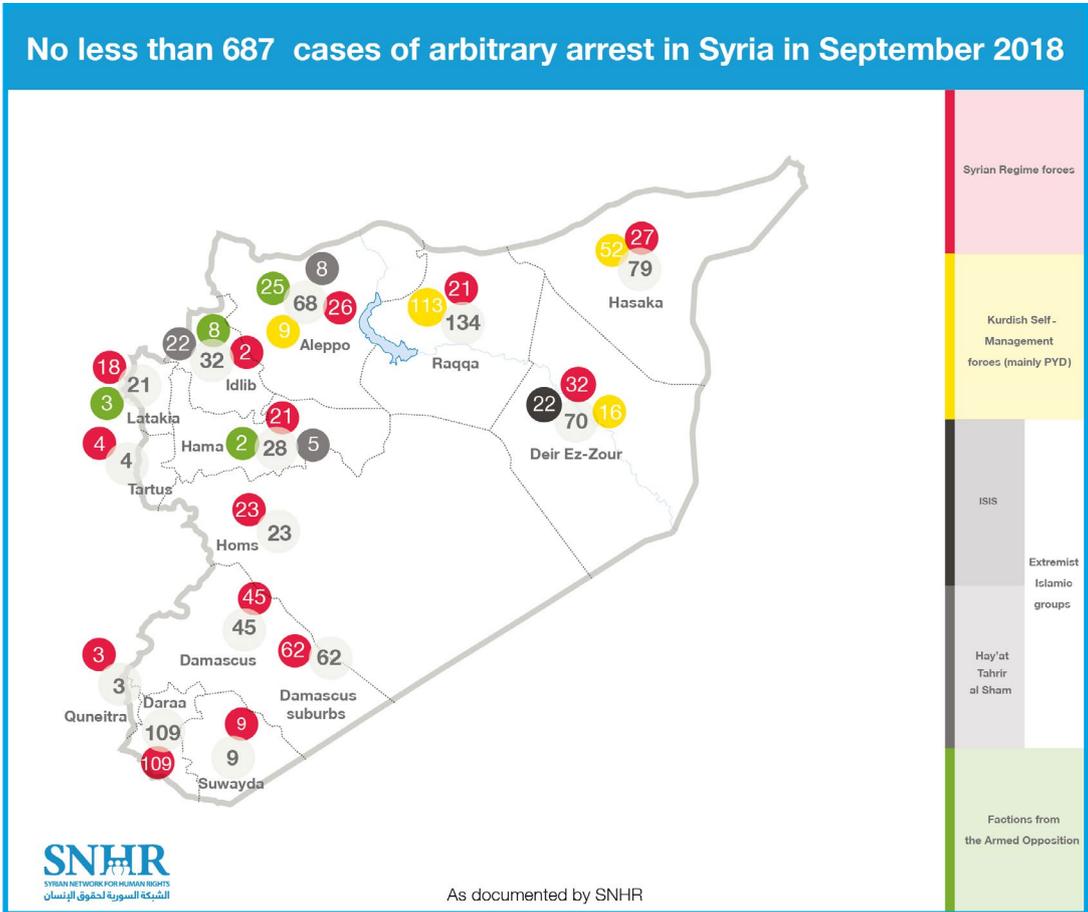
B. Arbitrary arrests in September

SNHR has documented no less than 687 arbitrary arrests in Syria in September, which were distributed by the parties to the conflict as follows:

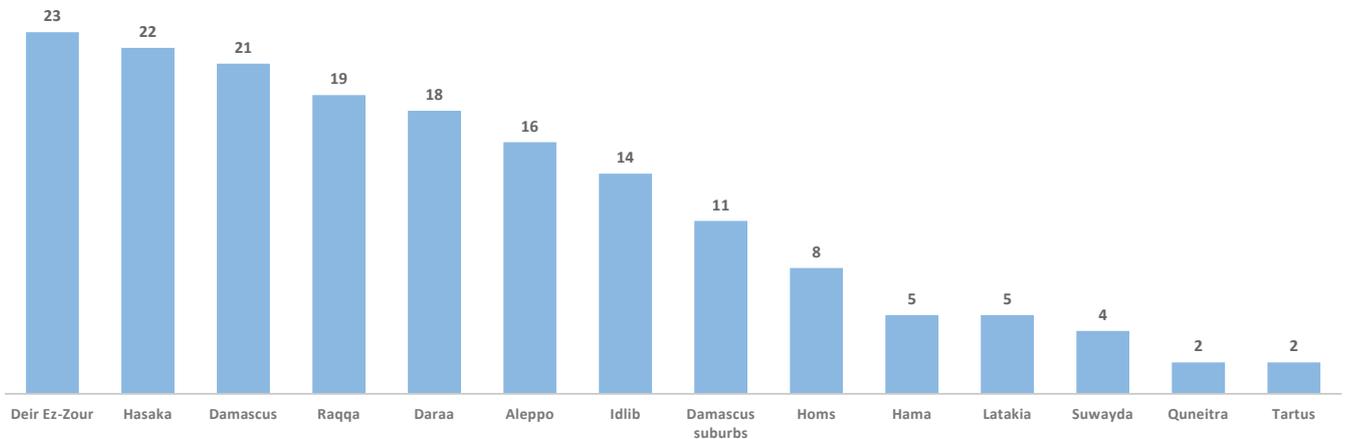




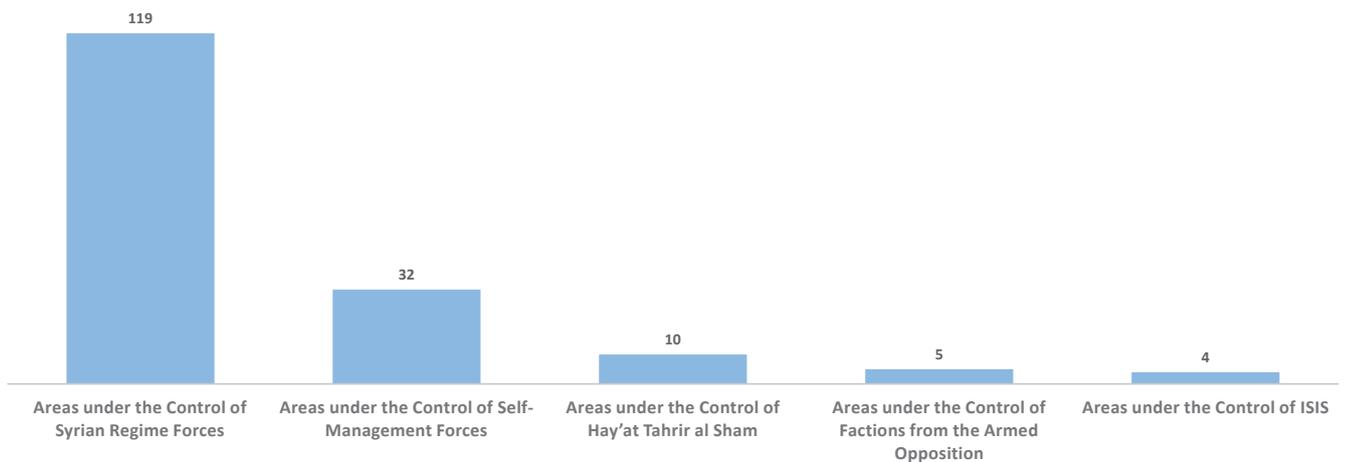
The following map shows the distribution of arbitrary arrests in September across Syrian governorates by the parties to the conflict:



We've also documented no less than 170 inspection points that resulted in detention in the month of September. Those were distributed across governorates as follows:



Inspection and raid points were distributed by the responsible party as follows:



IV. Most Notable Cases and Incidents of Arbitrary Arrest in September

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

Most notable incidents:

Sunday, September 30, 2018, Syrian regime forces carried out a raid and arrest campaign in Mahjja town, northern suburbs of Daraa governorate. We've documented that four civilians were arrested even though they were among who agreed to "settle their situation" with the Syrian regime at an earlier time. They were taken to an undisclosed location.



Saturday, September 29, 2018, Syrian regime forces carried out a raid and arrest campaign in al Hara city, northwestern suburbs of Daraa governorate. We've documented that three civilians were arrested. They were taken to an undisclosed location.

Saturday, September 22, 2018, Syrian regime forces carried out a raid and arrest campaign in Irbeen city, Eastern Ghouta, eastern Damascus suburbs governorate. We've documented that four women were arrested. They were taken to the State Security Intelligence branch in Damascus city.

Most notable cases:

Abdul Majid Mukhtar al Masri, from Ataman city, suburbs of Daraa governorate, 60-year-old. He was arrested by Syrian regime forces on Thursday, September 6, 2018, in Ataman city. His fate is still unknown to SNHR as well as his family.

Sharif Naser al Masri, a nurse, from Ataman city, suburbs of Daraa governorate. He was arrested by Syrian regime forces on Thursday, September 6, 2018, in Ataman city. His fate is still unknown to SNHR as well as his family.

Ziad and Mohammad Hamouda (brothers), from Aqraba town, western Damascus suburbs governorate. They were arrested by Syrian regime forces on Friday, September 7, 2018, at a checkpoint in Babbila town even though they were among those who agreed to "settle their situation" with Syrian regime forces. Their fate is still unknown to SNHR as well as their families.

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:

Tuesday, September 18, 2018, gunmen from Hay'at Tahari al Sham carried out a raid and arrest campaign in al Dana city, northern suburbs of Idlib governorate. We've documented that three civilians were arrested. They were taken to an undisclosed location.

Monday, September 23, 2018, gunmen from Hay'at Tahrir al Sham carried out a raid and arrest campaign in Mazra'at Hammour area, Salqin city, northern suburbs of Idlib governorate. We've documented that five civilians were arrested. They were taken to one of the group's detention centers in Harem city, northwestern suburbs of Idlib governorate.



Most notable cases:

Yasser Abdul Rahman al Salim, from al Dimas city, western Damascus suburbs governorate, born in 1970. He was arrested by gunmen from Hay'at Tahrir al Sham on Friday, September 21, 2018, after they raided his place of residence in Kafranbel city, southern suburbs of Idlib governorate. His fate is still unknown to SNHR as well as his family.



Yasser Abdul
Rahman al Salim

Anas Hasoud, secretary and co-founder of Idlib University, has a degree in Sharia, from Ma'aret Harma village, southern suburbs of Idlib governorate. On Tuesday, September 25, 2018, he was arrested by gunmen from Hay'at Tahrir al Sham from the university headquarters. His fate is still unknown to SNHR as well as his family.



Anas Hasoud

Haitham Mohammad Jad'an, a former employee at the customs department of Nasib Crossing on the Syrian-Jordanian borders in Daraa governorate, from Jozef village, southern suburbs of Idlib governorate. On Saturday, September 22, 2018, He was arrested by gunmen from Hay'at Tahrir al Sham in Jozef village. His fate is still unknown to SNHR as well as his family.



Haitham Mohamamd Jad'an

C. Factions from the armed opposition

Most notable incidents:

Monday, September 17, 2018, gunmen from armed opposition factions carried out a raid and arrest campaign in Diki village, Rajo county, which is administratively part of Afrin city, northern suburbs of Aleppo governorate. We've documented that one civilian was arrested. He was taken to an undisclosed location.



Most notable cases:

Kawa Omar, from Darkir village, administratively part of Afrin city, northern suburbs of Aleppo governorate, 32-year-old. On Wednesday, September 5, 2018, he was arrested by gunmen from Ferqat al Hamza, an armed opposition faction, in Darkir village. His fate is still unknown to SNHR as well as his family.



Kawa Omar

D. Self-Management forces (consisting primarily of the Democratic Union Party – a branch for the Kurdistan Workers’ Party)

Most notable incidents:

Saturday, September 22, 2018, Self-Management forces carried out a raid and arrest campaign for conscription purposes in al Hasaka city. We’ve documented that nine civilians were arrested. They were taken to an undisclosed location.

Thursday, September 20, 2018, Self-Management forces carried out a raid and arrest campaign in Ja’dat al Samra village, eastern Manbej city, eastern suburbs of Aleppo governorate. We’ve documented that nine civilians were arrested. They were taken to an undisclosed location.

Wednesday, September 19, 2018, Self-Management forces carried out a raid and arrest campaign for conscription purposes in Ras al Ein city, western suburbs of Hasaka governorate. We’ve documented that nine civilians were arrested. They were taken to an undisclosed location.

Most notable cases:

Wael, Hael, and Nayel Mohammad Abd al Assaf, brothers, from al Sahl village, southern suburbs of Raqqa governorate. On Saturday, September 8, 2018, they were arrested by Self-Management forces in al Sahel village. Their fate is still unknown to SNHR as well as their family.

Jasem and Meqdad al Fsieh, brothers, from Ratla village, southern suburbs of Raqqa governorate. On Friday, September 7, 2018, they were arrested by Self-Management forces in Ratla village. Their fate is still unknown to SNHR as well as their family.



Hasan Hasan, member of the teachers' union in Hasaka governorate, from al Qameshli city, northern suburbs of Hasaka governorate, 55-year-old. On Friday, September 7, 2018, he was arrested by Self-Management forces in al Qameshli city. His fate is still unknown to SNHR as well as his 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.

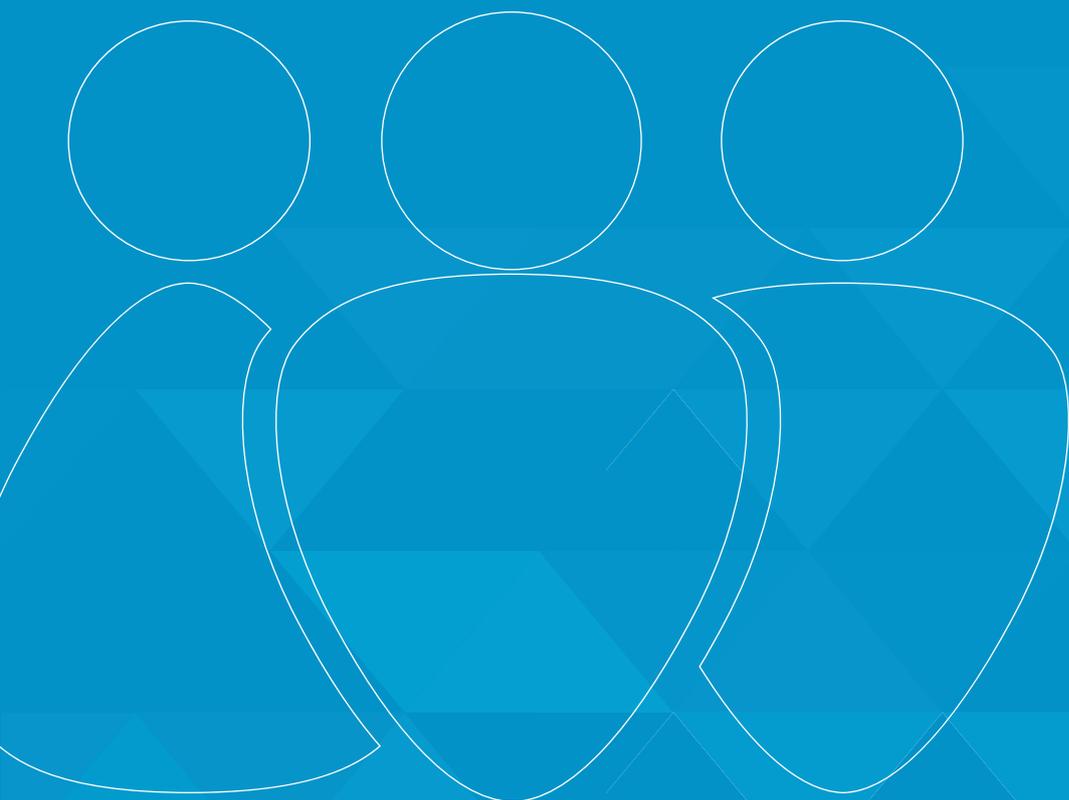
International, Impartial, and Independent Mechanism (IIIM)

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 them 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.





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