

The Upcoming Astana and Geneva Rounds should not Skip the Detainees and Missing Issue

All of Geneva and Astana Rounds Have Failed to Reveal the Fate of one Missing or Disappeared Person

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 Data Collection Methodology

The first Security Council Resolutions to address Syria were 2041 and 2042 in April 2012, and both Resolutions highlighted the political arrest and enforced-disappearance issue, while Resolution 2139, February 2014, called for the immediate cease of enforced-disappearance practices, strongly condemning it, same as paragraph 12 of Resolution 2254 in December 2015. However, all of these Resolutions were merely words, and have all failed to reveal even the fate of one missing or forcibly-disappeared person, or set free any prisons of conscience, political figures, women, or children.

For its remarkable significance and importance to large segments of the Syrian people, the detainees issue was addressed in the path of Geneva talks, especially in the first rounds, and while the progress has been almost non-existent, the issue was present during discussions and on the agenda. However, the last three rounds were almost completely devoid of any discussion or reference to this sensitive issue. Interestingly, we, at SNHR, sensed a deliberate omission of this subject as we attended a number of Geneva rounds, whether in an advisory capacity or at the civil society room, under the pretext of it being too complicated and might hinder the political process. We have, time and time again, stressed in several reports and statements that the key to achieve progress in the political process and approach an agreement starts with revealing the fate of the missing and disappeared persons. The same scenario has repeated itself since the first Astana meeting in January 2017, as we are ahead of round 7 that is set to be held today and tomorrow.



A dedicated department at SNHR works on recording arbitrary arrest and enforced-disappearance cases (the detention of a person by government forces or forces affiliated or working with them, followed by a refusal to acknowledge the arrest or reveal the person's fate) in a daily and cumulative manner over the course of seven years. We also release [a monthly report on arrest](#), and [another report on deaths due to torture](#), in addition to publishing periodic news, as soon as it is verified, for most notable arrest cases and deaths due to torture. For more information on our work methodology, please see the following [URL](#):

Fadel Abdul Ghany, chairman of SNHR, says:

“If Astana fails, under the sponsorship of the major allies and supporters of the Syrian regime, to simply reveal the fates of the Syrian men and women who have been forcibly-disappeared mainly at the hands of the Syrian regime, let alone set some of them free, this will demonstrate the pointlessness of these talks. The Syrian people won't bother to pay attention to any negotiation path as long as there is no notable progress in the detainees issue.”

II. Nearly 86,000 Names are Recorded Missing

Since the summer of 2011, Syrian regime forces have been implementing a heavy, systematic, deliberate, widespread policy for enforced-disappearance that encompassed multiple governorates simultaneously. Since then, enforced-disappearance that Syrian regime forces have and still are practicing constitutes crimes against humanity.

Indisputably, the missing people are the responsibility of the Security Council, the United Nations General Assembly and its Secretary General, but they are also the responsibility of the negotiating parties at Geneva and Astana. The UN special envoy to Syria has to be honest with the Syrian people about the reason why all seven rounds have failed so far to reveal the fate of one missing person, or set free one woman or child, or even visit a detention center, as well as the responsibility of the states sponsoring the Astana path – especially the Russian and Iranian regimes who chose to side themselves with the Syrian regime that is responsible for 90% of the atrocity of the enforced-disappearance and the torture and death it leads to in Syria.

However, things didn't stop there, as the Syrian regime continues to make arbitrary arrests, practice torture, and kill detainees and forcibly-disappeared persons under torture during and between negotiation rounds in Geneva and Astana, as it is shown in the following chart that monitors arbitrary arrests' toll since the start of 2017 – the year that saw the start of Astana talks, in addition to a number of Geneva rounds that were also held this year.



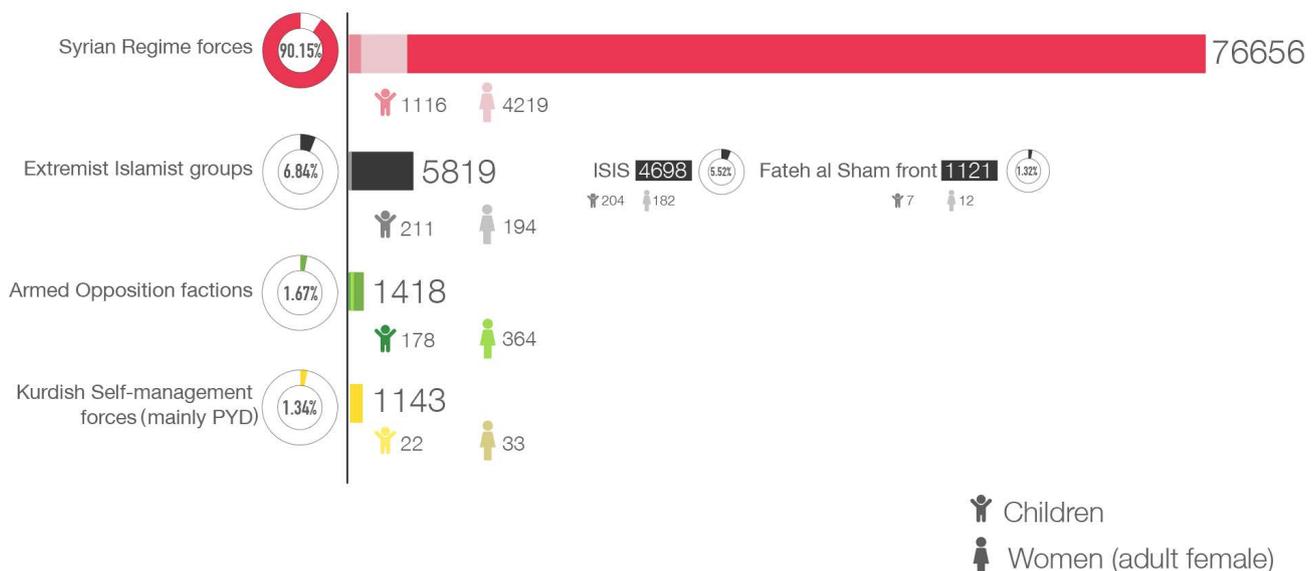
Arbitrary arrest cases at the hands of the parties to the conflict in Syria in light of Astana talks



According to SNHR documentation

Toll of forcibly-disappeared persons since the start of the Astana path have reached 5,027 individuals, including 14 women, while the total number of forcibly-disappeared person from March 2011 and August 2017 is estimated at 85,036 forcibly-disappeared persons who are recorded in a name database at SNHR and categorized by the perpetrator party, as follows:

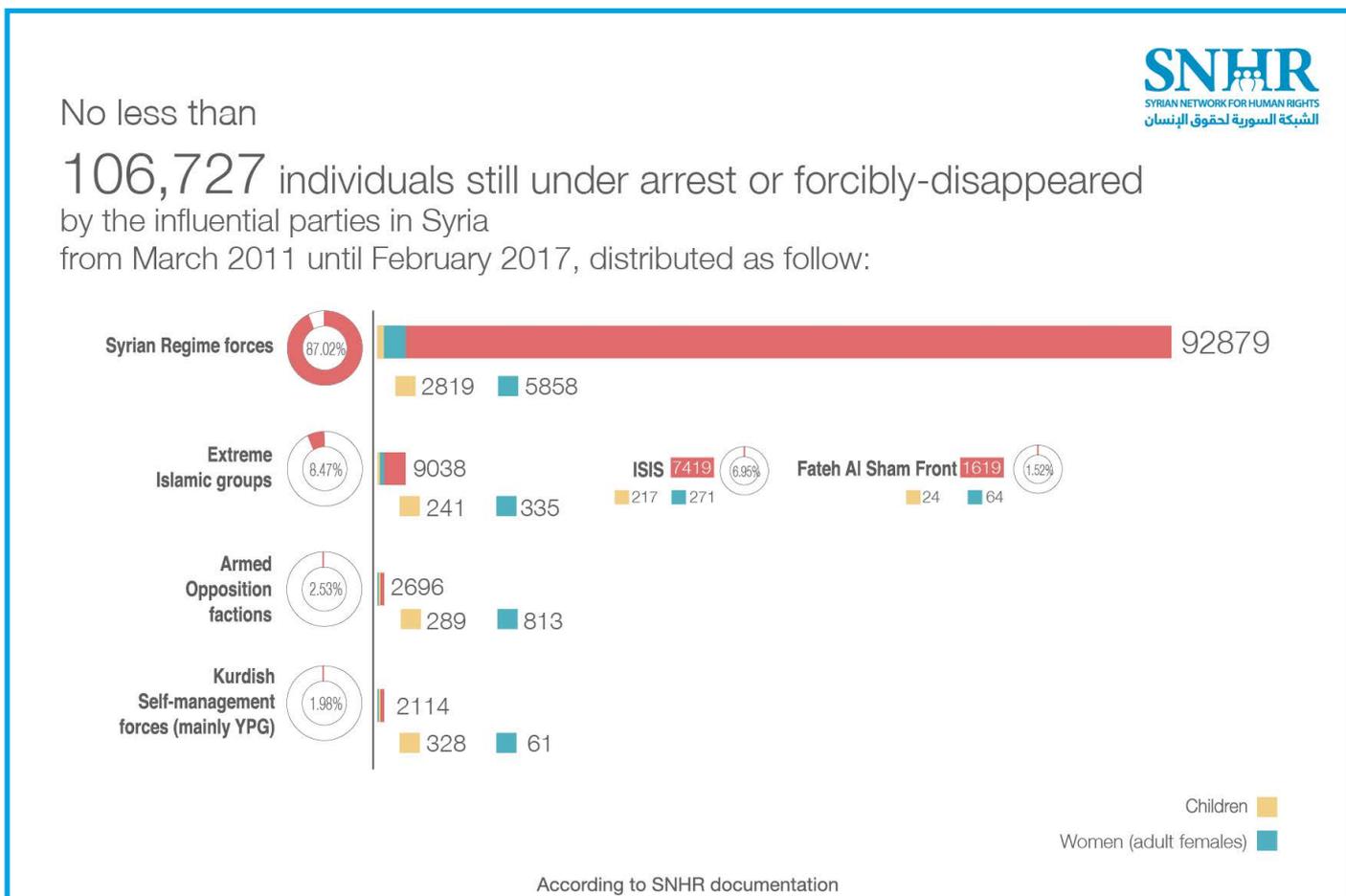
No less than **85,036** individuals are still forcibly disappeared in Syria from March 2011 until August 2017, distributed as follow:



According to SNHR documentation

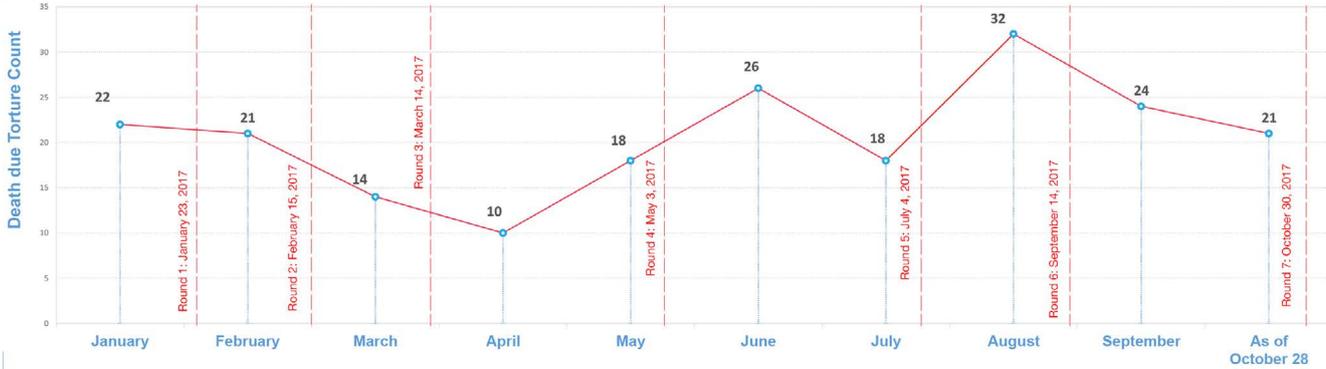


On the other hand, the total toll of arrests from March 2011 to February 2017 is 106,727 detainees who are recoded in a name database at SNHR. As the numbers show, 90.15% of detainees have become forcibly-disappeared, confirming that it is extremely difficult to continue with any political negotiations without starting to work on revealing their fates.



Those detainees and forcibly-disappeared persons are subjected to various kinds of torture and suffer from extreme health care negligence, which leads to periodic deaths due to torture. The following chart show deaths due to torture by month since the start of 2017. As shown, nothing changed during or between Astana and Geneva rounds.

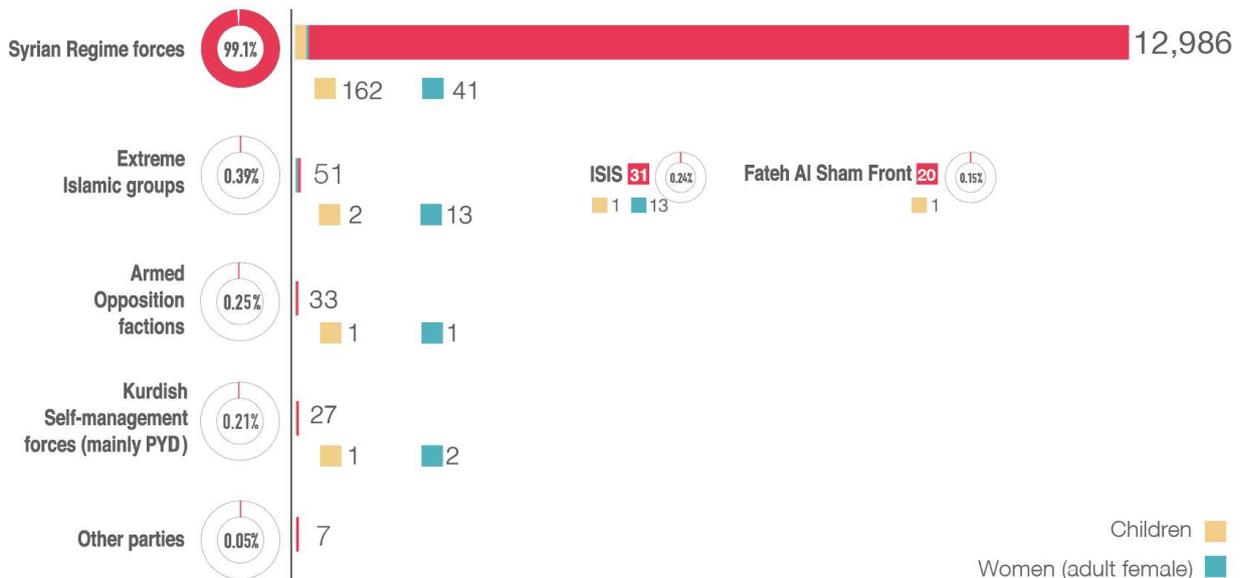




According to SNHR documentation

Total toll of deaths due to torture from March 2011 to September 2017 is at 13,104 individuals who are recorded in a name database at SNHR. Deaths are distributed by the perpetrator party as follows:

A total of 13,104 individuals died due to torture at the hands of the parties to the conflict in Syria from March 2011 until September 2017, distributed as follows:



According to SNHR documentation



III. Arrest for the Purpose of Conscription

The Syrian regime sought to pursue the civil movement's figures until the end 2013, when we noticed a shift in the Syrian regime's strategy in 2014, as its forces suffered from wide defections triggered by the Syrian regime killing its people themselves. To compensate the shortage, the Syrian regime resorted to widespread arrests for the purpose of sending people to the first clash lines, as thousands of youths have been arrested and many of those were killed in the spiral of this coercive strategy. This was particularly seen in the areas that underwent truces or settlements, where Syrian regime forces carried out widespread arrests among the people who chose to stay, sending them involuntarily to battlefronts.

IV. Releasing Detainees and Revealing the Fate of the Missing

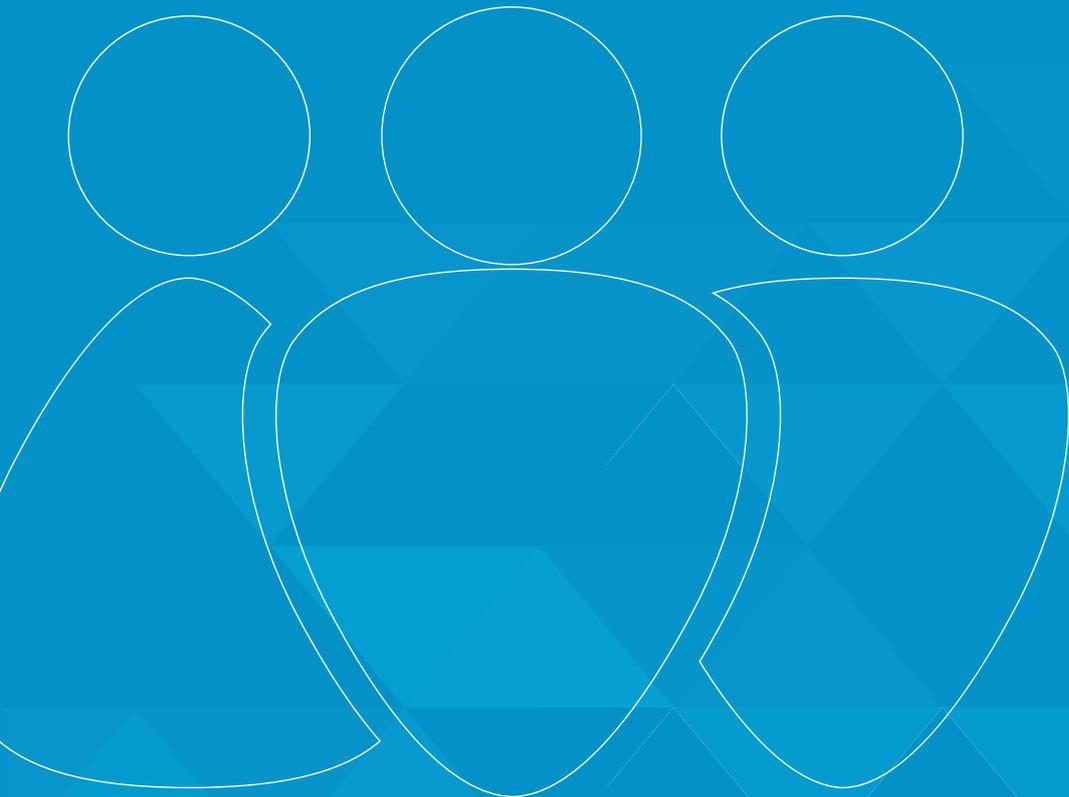
Almost all release cases that we have recorded were done as part of exchange deals between the Syrian regime and armed opposition factions, while other detainees were released from central prisons after appearing before a show terrorism court after the detainee's sentence has ended. This is usually done after a confession to charges is extracted under torture and without an attorney in order to obtain large sums of money that the detainee would pay just to save his life and receive a prison sentence instead.

V. Recommendations

The United Nations and the sponsoring parties at Astana

- 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 90% 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 to include the detainees issue in the upcoming round 8 of Geneva talks, as this issue is of a greater importance to the Syrian people than other far issues that can be jointly addressed later by the parties after a political settlement is reached, such as the constitution.





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