

No less than 95,000 Forcibly- Disappeared Persons in Syria since March 2011

A Tunnel with no End

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. Background

The Syrian regime has followed the same methods that prevailed in the 80's when it disappeared, and is still disappearing, the fates of tens of thousands of Syrian citizens from Hama city, as well as other cities including Aleppo, Damascus, and Jisr al Shoghour. Having based its legitimacy on terrorism, oppression, and military rule that manifested in the army and security apparatus, the Syrian regime has been hardly concerned about the Syrian people's rights and satisfaction. Since the start of the popular uprising, the Syrian regime has made sure to disappear as many Syrian residents as it could which can be drawn from the fact that the majority of forcibly-disappeared persons were ordinary citizens rather than political or military activists. In that, the Syrian regime aimed to submit and terrorize the whole society even at the cost of destroying the future of hundreds of thousands of Syrian citizens, in addition to the social and economic ramifications that follow as the Syrian regime has been absolutely hell-bent on protecting the family rule no matter the human or economic cost that the Syrian state might have to endure

The unrestricted support by Iran and Russia has afforded the Syrian regime to notably succeed in disappearing nearly 100,000 Syrian citizens and have complete control over their fate, as well as toying with the feelings of their families and all the existing and ongoing crimes against humanity that enforced-disappearance involves. Undoubtedly, Russia's and



Iran's support is a direct implication in this crime as many other crimes. Moreover, the Syrian regime wouldn't have succeeded had there been an active international will to aid the Syrian people in their strife to get rid of this suffocating cancer that is devoid of any social legitimacy bar terrorization through torture, disappearance, and killing. The Syrian regime has become more of a vicious group that lack the simplest sense of humanity, something that can be manifestly seen in its recent acknowledgments of the death of 836 forcibly-disappeared persons without revealing the cause of their deaths or delivering the dead bodies. No regime that has elective legitimacy could ever dare to commit such an act. As long as the international community is willing to keep failing the Syrian people, the ruling regime's sadism will only grow and will result in even more violations and the Syrian regime won't be the solely responsible party as turning a blind eye is part of the crime.

Detainees and forcibly-disappeared persons are subjected to extremely brutal and sadistic acts of torture. A few years ago, we released an extensive report on the methods of torture adopted by the Syrian regime which came out in 2012, and to this day the same methods are still being used, as new deaths due to torture are recorded almost every week with more victims, who were detained by the Syrian regime, are failing to the machine of torture. According to SNHR's database, 13,608 have died due to torture between March 2011 and August 2018.

While other parties, such as al Nusra Front, ISIS, the Democratic Union Party, and factions from the armed opposition, have subsequently committed patterns of arrest, enforced-disappearance, and torture, all of those parties haven't reached even 10% of what the Syrian regime has committed in terms of scale and quality as shown by the database that SNHR has built over the course of its work since it was founded about eight years ago.

Fadel Abdul Ghany, chairman of SNHR, says:

“States of the civilized world should care about the fate of 100,000 Syrian citizens who have fallen into oblivion. This horrifying figure and its direct implications on hundreds of thousands of families should be a wake-up call to the world consciousness that should act to put an end to this national Syrian catastrophe and hold anyone who was responsible for it accountable.”



II. Methodology

SNHR has a department dedicated for detainees that works on collecting data through an extensive network of relations that has been built over the course of eight years of continuous work which involved attempts to contact detainees' families, former detainees that were released, or individuals who contact us on a daily basis via email and our social media pages. Our team has compiled all the data they've been able to document over the years where our IT team took this data and developed a special database program that categorizes it by governorate before it automatically enters the data into the database.

In light of the current ruling regime in Syria, a detainee becoming a forcibly-disappeared person is hardly an anomaly, as detainees are denied the right to contact their families or attorneys, while authorities deny having them. SNHR has confirmed that most arrest cases have developed into the level of enforced-disappearance. Article 7, paragraph 2-i of Rome Statute's Part 2 defines enforced-disappearance as: **“the arrest, detention or abduction of persons by, or with the authorization, support or acquiescence of, a State or a political organization, followed by a refusal to acknowledge that deprivation of freedom or to give information on the fate or whereabouts of those persons, with the intention of removing them from the protection of the law for a prolonged period of time.”** This definition applies unequivocally to tens of thousands of cases in Syria and in a systematic manner, primarily at the hands of the Syrian regime authorities. In most cases, families can't accurately identify the arresting party given that besides the four main security branches and their sub-branches, all forces that are fighting with the Syrian regime (Iranian militias, Hezbollah militias...) has the authority for arrest, torture, and enforced-disappearance.

Even though the Syrian constitution does not explicitly criminalize enforced-disappearance, it contains articles and provisions that prohibit enforced-disappearance practices. The 2014 constitution states, in Article 33, that “Every person captured must be informed of the reason of this detention within 24 hours. Also, a person can't be interrogated without the presence of a representing attorney if requested. A person also shall not be detained for more than 48 hours before the administrative authority without an order by the judicial authority.”

Article 72 of the Code of Criminal Procedure states that a judge has the right to decide to prohibit a detained defendant from contacting the outside world for one period of no more than 10 days that can be renewed for one time. The same article, however, notes that this prohibition does not apply to the attorney of the defendant as he can contact him at anytime and without any form of surveillance.



Article 7-1-i of Rome Statute's Part 2 states that enforced-disappearance constitutes a crime against humanity when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack.

While this definition limits enforced-disappearance to the practices of a state or groups affiliated to it, we are going to document all cases of enforced-disappearance in this report as there have been de facto forces that have taken the place of governing authorities as with the case of ISIS, al Nusra Front, and the Kurdish Self-Management forces, which are primarily affiliated to the Democratic Union Party, as well as some factions from the armed opposition. All of those forces have carried out arrests to varying degrees, some of which have taken the form of enforced-disappearance.

Forcibly-disappeared persons' families have gone to immeasurably great lengths just to acquire information about their relatives and beloved ones which, in many cases, involved paying large sums of money to mafia-like networks that were a by-product of this catastrophe. However, only a very few can acquire merely information as the Syrian authorities are in constant denial, and have yet to launch any investigations, hold any official accountable, and, instead, are protecting those and legalizing the crime.

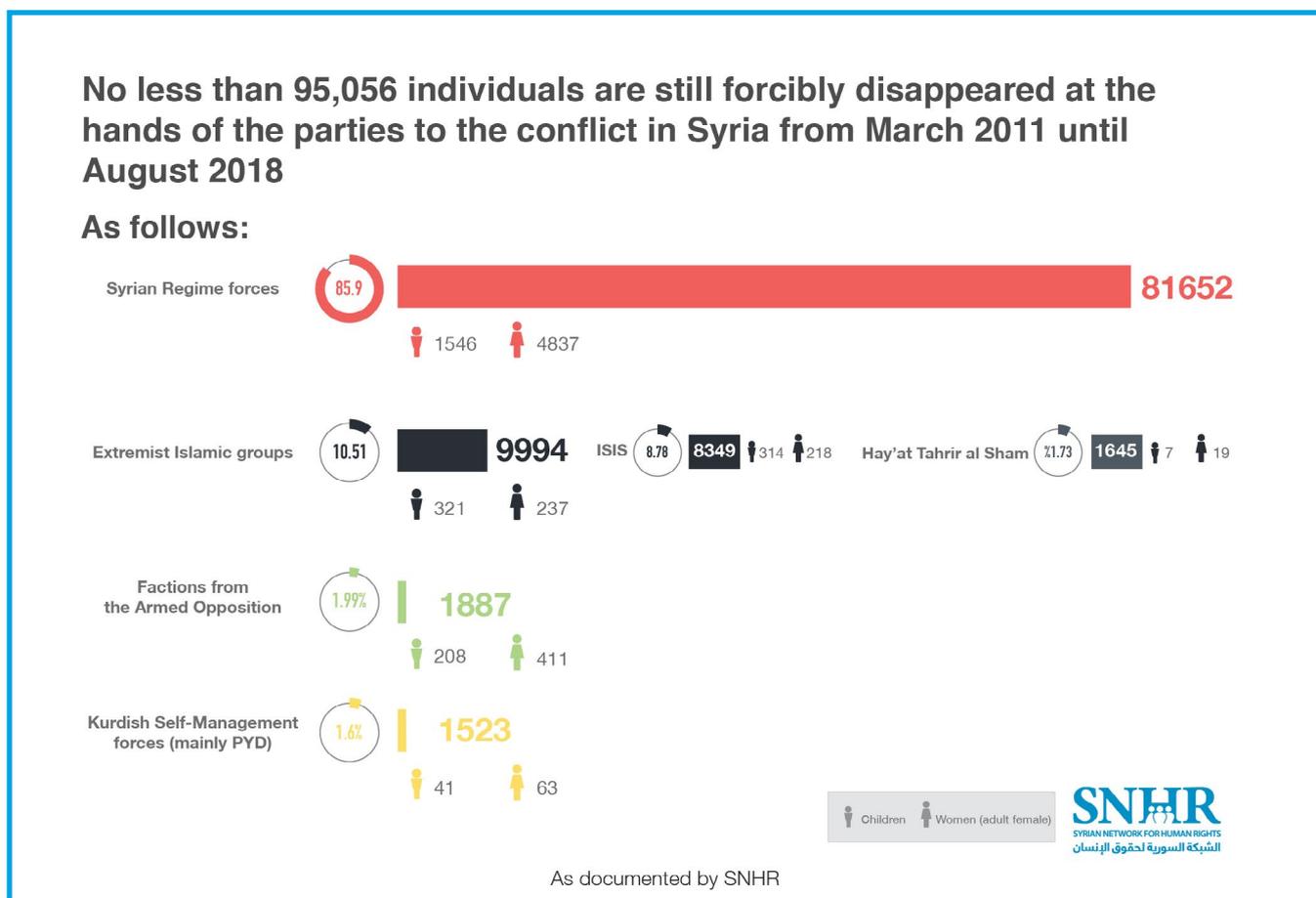
August 30 of each year marks the International Day of the Disappeared. A day on which we release our annual report on enforced-disappearance which outlines the violations related to enforced-disappearance by the parties to the conflict with focusing particularly on the violations we have recorded between the two most recent reports. This report outlines the most notable violations we recorded between August 30, 2017 and August 30, 2018, in addition to a number of incidents that took place before those dates but weren't included in our past reports. In this report, we are shedding light on the continuous rise of enforced-disappearance numbers given that most detainees become forcibly-disappeared persons. This report draws upon SNHR's archive that we have been updating since 2011 with incidents and cases related to arbitrary arrest and enforced-disappearance. Our archive is regularly revised and updated. This report also draws upon interviews we've conducted with victims' families and enforced-disappearance survivors either by visiting them in their place of residence or via phone, as this report contains 13 accounts for relatives and friends of enforced-disappearance victims who were detained by the four parties to the conflict. We have disclosed the purpose of those interviews to all of the witnesses who gave us permission to use the information they provided in this report. Additionally, the eyewitnesses weren't given any aids or promises of aids in return of agreeing to taking part in these interviews. We've also concealed any and all information that might put them at risk or any information they wished to conceal to maintain their anonymity.



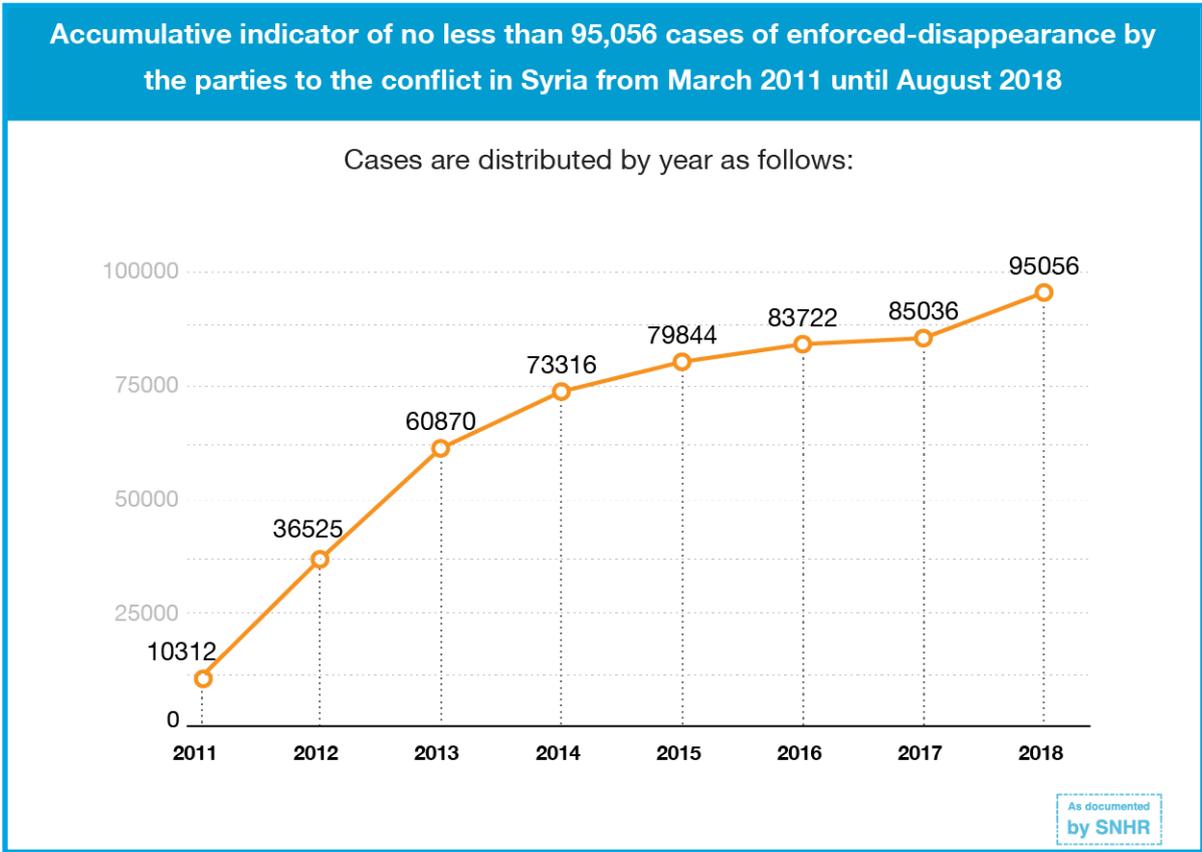
SNHR releases a monthly report on [arbitrary arrest](#) and one on [victims of torture](#), in addition to publish regular news, once verified, on most notable cases of arrest and death due to torture. We also regularly contact the UN's working team on enforced disappearance by continuously sending a special form, [which is available on our website](#), in order to help the families provide us with the basic information. We have received many responses from the UN team on a large number of the cases about which we contacted them, where they were added to the special appendix to the report released by the UN team on enforced-disappearance in Syria. The UN team has contacted the Syrian regime regarding all of these cases.

III. Toll of Enforced-Disappearances according to SNHR's Database

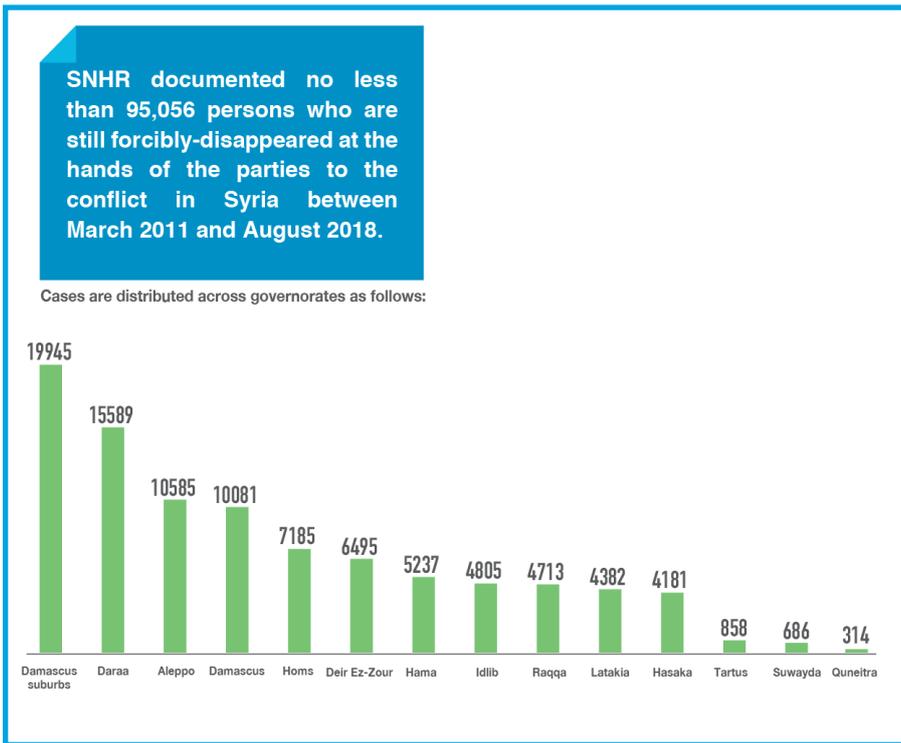
According to our past methodology, and our general work methodology, SNHR recorded, in its database no less than 95,056 persons who are still forcibly-disappeared at the hands of the parties to the conflict in Syria between March 2011 and August 2018. Toll is distributed by the parties to the conflict as follows:



A chart showing the distribution of the toll of enforced-disappearances across Syrian governorates. Damascus suburbs governorate has recorded the highest enforced-disappearance toll, followed by Daraa



An accumulative chart showing the toll of enforced-disappearances at the hands of the parties to the conflict in Syria from March 2011 until August 2018



The international law declares enforced-disappearance a crime against humanity according to Article 7 of Rome Statute with crime against humanity being a set of acts, including enforced-disappearance and other inhumane acts. “when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack.” According to Article 8 of the same law, enforced-disappearance constitutes a war crime. This applies categorically to the Syrian regime first and foremost.

While the Security Council, the UN General Assembly and its General-Secretary are all directly responsible to address the fates of the forcibly-disappeared, It is also the responsibility of the negotiating parties at Geneva and Astana, as well as the special envoy to Syria who is required to disclose to the Syrian people the reason why all of the rounds he mediated at Geneva have failed to reveal the fate of even one forcibly-disappeared person, or bring about the release of even one woman or one child, or visit one detention center. The states sponsoring Astana path, particularly the Russian and Iranian regimes are also responsible seeing that their ally, the Syrian regime, has caused 90% of the enforced-disappearance catastrophe and the torture and death due to torture that follow in Syria.

IV. A Tragic Development, the Syrian Regime Tampers with the Enforced-Disappearance File and Acknowledges the Death of 836 Cases

Since May 2018, a number of families who have forcibly-disappeared relatives at Syrian regime persons have been contacting us to tell us that they learned the fate of their missing relatives by accident, when they were acquiring some documents at civil registration offices, such as a family statement, where their missing relatives were listed among death incidents. In the weeks that followed, hundreds of families went to civil registration offices hoping to find anything about their beloved ones. Subsequently, the Syrian regime (security apparatuses) sent lists of dead forcibly-disappeared persons to civil registration offices where copies of those lists were put publicly on walls so that the families of enforced-disappearance victims could see them when visiting civil registration offices.

SNHR went to great lengths to access and speak to tens of families. Our [first report](#) on this horrifying phenomenon was released on July 13, 2018, and was followed by [a second report](#), in which we recorded the Syrian regime’s acknowledgment of the death of 836 forcibly-disappeared persons who were at its prisons through civil registration offices.



SNHR's database on enforced-disappearance cases, which contains the name of approximately 82,000 cases at the hands of the Syrian regime, proved to be crucially useful. We have searched for the names we recently received in our database to cross-check the information, and we found out that 77% of the cases revealed recently by the Syrian regime were recorded in our enforced-disappearance database. The remaining 23% were new cases that we didn't know anything about their arrest or enforced-disappearance.

SNHR team also relied on the database for deaths due to torture inside Syrian regime detention centers, which contains 13,608 names who died between March 2011 and August 2018. We repeated the same process, and found out that only 28 individuals were previously recorded as having died due to torture. Accordingly, 97% of new deaths were previously recorded as enforced-disappearance cases that we had no information on their fate.

We conducted an additional cross-check using the data and documents we've obtained or were posted online. It is important to note that the 836 deaths we've documented are ones revealed by the Syrian regime through civil registration offices exclusively and not by other means.

There are a handful of death cases that were revealed by the Syrian regime who didn't die due to torture, but in summary executions on sentences issued as a result of military field trials (commonly called al-Midan Military Courts) Those cases make up approximately 5% of the overall number of cases. Al Midan Court is not a court in a legal sense, but more of a security apparatus given that this court's judges are military individuals and them having law degrees is not a requirement. In the cases within the jurisdiction of this court, the defendant has no right to an attorney. In addition, the court is completely affiliated with the executive branch. Another thing to note is that it gives multiple rulings on the same case.

SNHR notes in all of its reports that the Syrian regime stopped delivering dead bodies to the families who are informed that one of their members had died inside a detention center. This applies to the recent cases when forcibly-disappeared persons' fates were revealed through civil records. Except by a phone call or a document from the civil registration offices, the Syrian regime never disclosed any tangible proofs to families proving the death of their relatives, thus the Syrian regime has yet to categorically reveal the fate of the forcibly-disappeared persons. As such, it is important to note that the crime of enforced-disappearance is still ongoing. Unless the person is found, dead or alive, we are going to continue to consider all of them as forcibly-disappeared in accordance with the international community, and the main accused in these crimes is the Syrian regime.



The Syrian regime has perpetrated a string of crimes and indignities, from the warrantless arrest and denying the right to an attorney, to the extremely brutal detention conditions, torture, and then turning 85% of them into forcibly-disappeared, before informing the families without delivering a dead body or remains or revealing a burial. From our point of view, the recent revealing of forcibly-disappeared persons' fate is a solid proof that convicts the Syrian regime who has long denied having any forcibly-disappeared persons. How did the Syrian regime, then, know of the fate of those 836 cases?

V. Accounts for Survivors and their Relatives, and Cases of Enforced-Disappearance by all Parties

A. Syrian regime forces

The Syrian regime has adopted an enforced-disappearance policy in most of the arrest cases we've documented since 2011. In that, the Syrian regime aimed to spread a sense of terror and panic, as well as submitting, degrading, and deterring the society from supporting any popular movement against it. Even the detainees whom the Syrian regime forced to appear on official TV channels and had them confess to committing terrorist acts, where thousands of Syrians have watched them, are still of completely unknown fates. We have recorded a large number of cases that followed this pattern.

Furthermore, the Syrian regime transfers a number of detainees from civil and military prisons, where some families had a chance to visit their relatives, to other places, where families lose any hope of knowing the destination to which their beloved ones were taken. Those detainees turn into forcibly-disappeared persons as their fate remains unknown. We have shed light on this horrifying phenomenon in a number of past statements. This phenomenon involved a number of female detainees from Adra Central Prison where they were transferred to places where their fates have been unknown ever since.

Usually, families of the forcibly-disappeared have to wait for years with no legal recourse. The Syrian regime hasn't dedicated any apparatus for the residents that enables them to track the situation of their missing beloved ones and know of their fate. In a totalitarian regime in which security apparatuses have full control over all life aspects, a judicial branch is non-existent. We even have recorded that a large number of families have been threatened with arrest and death if they continue to ask about their missing relative, the cause of their arrest, or their whereabouts. The Syrian regime has deliberately ensured to keep those families in a spiral fearing the unknown in a complete state of anguish and agony over the fate of their beloved ones to be an easy prey to the networks of fraud, blackmailing, and extortion



that have run rampant among victims' families who are being blackmailed and extorted in light of their mental and moral vulnerable state to extract large sums of money from them in exchange of promises of information about the missing person such as their whereabouts or conditions or trying to set them free. In most cases, this information is completely falsified and fabricated. As such, the suffering continues on mental, social, and economic levels and even in the context of acquiring regular documents such as inheritance or marriage. In accordance with our methodology, we recorded no less than 81,652 names, including 1,546 children and 4,387 women (adult female), who are still forcibly-disappeared at the hands of the Syrian regime between March 2011 and August 2018. The Syrian regime is responsible for 85.9% of all enforced-disappearance cases in Syria.

Cases of enforced-disappearance by the Syrian regime

Ibtisam Jum'a, woman, from al Rastan city, northern suburbs of Homs governorate, she was 53-year-old at the time of her arrest. She was arrested by Syrian regime forces on Sunday, June 30, 2013, at a checkpoint near al Abbasiya Clinic in Homs city. Her fate is still unknown to SNHR as well as her family.

SNHR spoke to Hanin Jum'a, Ibtisam's daughter, via phone. Hanin was with her mother when she was arrested, **"They stopped our cars and asked for an identification, before they asked my mother to step down from the car, and I got out of the car too. They put us in a room by the checkpoint and confiscated our mobile phones and the money we had on us while insulting and degrading us. Eventually, they told me to leave and kept my mom detained."** Hanin said that she asked the official in charge about the reason of her mother's arrest and when she will be released, **"He told me that we will not forget and wipe her off our memory. My elder mother has been missing ever since, and we haven't been able to find out anything about her. She vanished completely. We don't know anything about her life, whereabouts, or even her charges. My mother suffers from high blood pressure and diabetes and she needs to take her medication every day."**



Ibtisam Jum'a, woman



Bashar al Mesleh, a university student, from Khan al Sheih camp, western Damascus suburbs governorate, he was 27-year-old at the time of his arrest. He was arrested by Syrian regime forces on Friday, January 11, 2013, in a raid in al Iskan Street in Khan al Sheih camp. On Friday, January 25, 2013, we received news that he was at the Air Security Intelligence branch at al Mazza Military Airbase in Damascus city. Since then, his fate has been unknown to SNHR as well as his family.



University student
Bashar al Mesleh

Mohammad Nour al Mesleh, Bashar's brother, told SNHR, via phone, that an Air Force Intelligence patrol was carrying out a raid and arrest campaign in al Iskan Street in Khan al Sheih camp on the day his brother was arrested, **“Bashar was on the sidewalk watching what was happening. The patrol car stopped in front of him and arrested him without even asking his name. They transferred all the detainees on that day to the Air Force Intelligence branch in al Mazza Airbase in Damascus. We tried to ask about him at the Air Force Intelligence branch in Damascus, but they threatened to arrest us. On January 25, 2013, a former detainee that was with my brother told us that he was still at al Mazza Airbase and he has been subjected to severe torture. We tried to find out his fate through meditators or paying money, but all was useless. We are still waiting to know anything about him to this day.”**

Mohammad Othman Agha, university student at the civil engineering faculty at al Ba'ath University in Homs city, from al Amiriya neighborhood, eastern Hama city, born in 1994. He was arrested by Syrian regime forces on Wednesday, March 1, 2017, at a checkpoint in Hama city. He was taken to an undisclosed location. His fate is still unknown to SNHR as well as his family.

SNHR spoke to Khadija al Mahmoud, Mohammad's wife, via phone. Khadija was with Mohammad when he was arrested, **“The officers at the military checkpoint stopped us near the old al Baath Party building in al Assi square in the center of Hama city. They asked for my husband's identification, and told me to go stand far away by the wall without looking at them. They called the head of the checkpoint and he came from inside the building. I heard him communicating my husband's personal information on the wireless device he was holding. The answer was quick 'he's wanted'. The officers brought my husband quickly and started calling him a dog. They closed the main door and told me to move away. I moved a little bit away as I was afraid I might get arrested.**



I stood watching the door. About 30 minutes later, a security vehicle came and they transferred my husband. I saw his bare feet and chest, and there were red bruises on his back. He was walking heavily, so they dragged him so viciously, and that was the last time I saw him.” Khadija said that his husband’s father asked the security branches the city about his whereabouts. He found out that he was transferred to a security branch in Damascus city, **“My husband’s father paid 2 million Syrian pounds for one piece of information on Mohammad but that didn’t help. Mohammad is still so far away from me to this day. We are always trying to find some mediators that can at least help us know his whereabouts. Everyone around me is saying that he is most likely had due to torture at prison, but I still believe that he’s alive, and I will always be waiting for him as long as I am breathing.”**

Israa A, woman, from Janoub al Mal’ab neighborhood, born in 1979, housewife. She was arrested on Thursday, January 11, 2018, by Syrian regime forces who raided her place of residence in the neighborhood. She was taken to the Air Force Intelligence at Hama Military Airbase in western Hama city. Her fate is still unknown to SNHR as well as her family.

SNHR met Isra’s son Mohammad at his place of residence in northern suburbs of Aleppo governorate. Mohammad told us that the Air Force Intelligence arrested his mother as an attempt to apply pressure on him to surrender himself, **“They raided our house and broke the contents. They told my brothers that my mother will not be released unless I surrender myself. That happened after I was fled to northern suburbs of Aleppo to avoid the mandatory military service”** Mohammad said that security affiliates started sending him messages via people, telling him to come back to Hama city and his mother will be released. After a while, their demands changed and they started asking for \$40,000 in exchange of her release, **“I haven’t received any messages in a few months. I haven’t gotten any news about my mother, and we can’t get any information about her. I feel completely powerless. I can’t save my mother from the prisons of this criminal regime.”**

Faisal S, from Douma city, eastern Damascus suburbs governorate, born in 1976, Arabic teacher and a public sector employee. On Tuesday, May 29, 2018, he was arrested by Syrian regime forces as he was visiting his house in Douma city, Damascus suburbs governorate. He was taken to an undisclosed location. His fate is still unknown to SNHR as well as his family.



We contacted Fatima S, Faisal's wife, via Skype. She told us that Syrian regime forces arrested her husband when they came back to check on their house:

“They raided the house as they were screaming at us. They went directly for my husband and starting beating him with shotguns. They dragged him by feet on the stairs and to the car. They tossed him in the trunk and drove away. I saw them beating him with their feet.” Fatima learned that his husband was accused of helping an armed opposition faction that was in control in Douma city, **“They are pressing wild charges against him. How could he be with armed opposition factions if we have been living in Damascus city since 2013. My husband was receiving his paycheck from government institutions. The way he was arrested was too heinous and degrading. We haven't been able to find out anything about his case. Every time we ask, they deny having him and refuse to tell us anything about him. Security forces threatened to arrest us if we kept asking about him.”**

Abdullah Karim, from al Sha'ar neighborhood, eastern Aleppo city, born in 1974. He was arrested by Syrian regime forces on Monday, January 15, 2018, as his place of residence was raided. His fate is still unknown to SNHR as well as his family.

We spoke, via phone, with Wedad Karim, Abdullah Karim's wife, who told us that security affiliates from the Syrian regime raided their house in al Sha'ar neighborhood a few hours after they arrived at the house coming from Idlib where they were among those who displaced from Eastern Aleppo's neighborhoods, **“They asked about Abdullah, and he told him who he was and asked him what they need. The officer suddenly slapped him and called him a terrorist.”** Wedad added that she doesn't know what her husband's charges are, nor she has known anything about him since he was arrested, **“The thing that hurts the most is when my children whisper to each other wondering if their father is still alive or if he was killed by the army.”**

Adel al Sultan, teacher, from al Sheikh Mustafa village, suburbs of Idlib governorate. He was arrested by Syrian regime forces on Monday, February 19, 2018, as he was heading for Hama city. His fate is still unknown to SNHR as well as his family.

Fares al Bsies, teacher, from al Sheikh Mustafa village, suburbs of Idlib governorate. He was arrested by Syrian regime forces on Monday, February 19, 2018, as he was heading for Hama city. His fate is still unknown to SNHR as well as his family.



Ahmad Hamdoun, from al Ferdous neighborhood, eastern Aleppo city, he was arrested by Syrian regime forces on Tuesday, March 6, 2018, at a temporary checkpoint at the entrance of the neighborhood. The checkpoint was affiliated to the Syrian regime forces' Military Security intelligence. He was taken to an undisclosed location. His fate is still unknown to SNHR as well as his family.

SNHR contacted Khaled Hamdoun, Ahmad's brother, via phone. He told us that he was with a number of people heading for al Sabil neighborhood in Aleppo city when a patrol from Syrian regime forces stopped them and asked for identifications, **“They used a laptop to search for our names, and then they put Ahmad in the backset handcuffed while her eyes were blindfolded using his shirt. They took him to an unknown place. I immediately called meditators and some relatives of mine with influence and have connection with security branches. They told me that my brother's charges were contacting FSA fighters from Darat Ezza city, western Aleppo governorate.”** Khaled added that Ahmad's family made great efforts to release him but to no avail, **“All we have been able to do is just sit and wait any news about his whereabouts and his fate.”**

Hiyam al Ghdeib, from al Ashara city, eastern suburbs of Deir Ez-Zour governorate. She was arrested by Syrian regime forces on Tuesday, May 29, 2018, at a checkpoint in al Ashara city. Her fate is still unknown to SNHR as well as her family.

Kholoud al Allo, from al Ashara city, eastern suburbs of Deir Ez-Zour governorate. She was arrested by Syrian regime forces on Tuesday, May 29, 2018, at a checkpoint in al Ashara city. Her fate is still unknown to SNHR as well as her family.

B. Extremist Islamic groups

• ISIS

Since it was founded in April 2013, enforced-disappearance has been a common practice for ISIS in their areas of control. In particular, the group targeted people of non-Syrian nationalities in order to extract large sums of money. ISIS also targeted journalists, aid workers, media workers, workers for humanitarian groups, and ethnic and religious minorities, as well as fighters from armed opposition factions.

The terrorist group has carried out abductions and targeted areas outside of its control in attacks, in addition to arresting people from houses, places of work, markets, or checkpoints. The group also targeted people violating the regulations enforced in their territories. Many secret detention centers were built by the group in which blatant violations, such as brutal torture and killing, has been committed in accordance with sentences issued in perfunctory trials that usually end up with execution and hiding the dead body in undisclosed locations.



The issue of the forcibly-disappeared and the missing at the hands of ISIS has created a harsh reality for thousands of Syrian families in the group's territories, particularly in Raqqa governorate. Even though the residents had some hope to find their beloved ones or at least find out their fates after ISIS was defeated, their suffering continues as no information has been revealed in this regard despite the many attempts by many families to find out the fate of the missing and disappeared by contacting local leaders. However, no real efforts are being made by the forces in control in those areas, namely Kurdish Self-Management forces.

We recorded no less than 8,349 names, including 314 children and 218 women (adult female), who are still forcibly-disappeared at the hands of the ISIS between March 2011 and August 2018.

Cases of enforced-disappearance by ISIS

Mahmoud al Suhail, from Jilleen town, northwestern Daraa governorate. He was arrested by ISIS gunmen on Monday, July 9, 2018, who raided his place of residence in the town. He was taken to an undisclosed location. His fate is still unknown to SNHR as well as his family. We spoke with Khaldoun al Suhail, Mahmoud's brother, via Skype and he told us that some gunmen from ISIS wanted to seize Mahmoud's house for his strategic location during their battles with the Syrian regime, **“My brother refused, so they simply took him with a car outside the town. Since then, I haven't seen him or known anything about his fate or whereabouts. I think they killed him outside the town, but I am still having hope that he will return safely one day.”**

On July 25, 2018, ISIS fighters raided a number of villages in eastern Suwayda governorate and abducted 34 hostages (18 children and 16 women) (adult female). Their fates are still unknown to SNHR as well as their families. We are going to shed light on some of those cases:

- Rasmiya Adib Abu Ammar, woman, from Shbeki village, eastern Suwayda governorate, 50-year-old.
- Suad Adib Abu Ammar, woman, from Shbeki village, eastern Suwayda governorate, 45-year-old.
- Fadiya Badi Abu Ammar, woman, from Shbeki village, eastern Suwayda governorate, 40-year-old.
- Lamis Hekmat Abu Ammar, female child, from Shbeki village, eastern Suwayda governorate, four-year-old.



- Lana Nash'at Abu Ammar, woman, from Shbeki village, eastern Suwayda governorate, 12-year-old.



Lana Nash'at Abu Ammar



Lamis Hekmat Abu Ammar,
female child

• **Hay'at Tahrir a Sham (an alliance composed of Fateh al Sham Front and a number of armed opposition factions)**

Hay'at Tahrir al Sham possesses a security apparatus known as “al Qoua al Amniya” (the Security Force) which is supervised by religious clerks who issue Fatwas and serve in leadership positions, and enjoy a notable influence within Hay'at Tahrir al Sham. Most of them are of non-Syrian nationalities. This apparatus has established many secret detention centers, most notably al Uqab detention center in Idlib governorate. This security apparatus has targeted media workers, foreigners, workers for humanitarian groups, as well as fighters from armed opposition factions, in arbitrary arrests, abductions, ambushes, and raids on areas that aren't fully under the control of the group. Hay'at Tahrir al Sham deliberately disappears a wide range of detainees, which drove many activists and their families to flee their territories.

Hay'at Tahrir al Sham denies having any forcibly-disappeared persons or using them as hostages. We have shed light on a number of enforced-disappearance cases we've documented at Hay't Tahrir al Sham prisons in past statement. Many of those who were released have confirmed that they were indeed detained by Hay'at Tahrir al Sham when the group has denied having detained them. In many cases, a person would be missing for years at Hay'at Tahrir al Sham prisons.



Cases of enforced-disappearance by Hay'at Tahrir al Sham

Ahmad al Saleh, lawyer, member of Aleppo's Lawyers' Union, from Deir Hassan village, northern suburbs of Idlib governorate. He was arrested by gunmen from Hay'at Tahrir al Sham on Thursday, March 1, 2018, from Deir Hassan village. His fate is still unknown to SNHR as well as his family.



Abdo al Ali, from al Tawwama village, western suburbs of Aleppo governorate, born in 1964. He was arrested by gunmen from Hay'at Tahrir al Sham on Thursday, March 15, 2018, from al Dana town, northern suburbs of Idlib governorate. His fate is still unknown to SNHR as well as his family.



Hamida al Gharib, woman, from Idlib city, 23-year-old. On Saturday, April 28, 2018, she was abducted by gunmen from Hay'at Tahrir al Sham who rode in a van from al Shamali neighborhood in the city. Her fate is still unknown to SNHR as well as her family.

Mohammad Fawwaz al Mousa, pharmacist, from Abu al Thoghour town, southeastern suburbs of Idlib governorate. He was arrested by gunmen from Hay'at Tahrir al Sham on Tuesday, July 3, 2018, from Sarmin city, northern suburbs of Idlib governorate. His fate is still unknown to SNHR as well as his family.

Mohammad al Halawani, from al Khaldiya neighborhood, Homs city, born in 1987. He was arrested by gunmen from Hay'at Tahrir al Sham on Thursday, July 26, 2018, at a checkpoint at the entrance to Harem city, northern suburbs of Idlib governorate. He was taken to an undisclosed location. His fate is still unknown to SNHR as well as his family.

We called Khaled al Halawani, Mohammad's brother, via Skype. He told us that a money dispute between him and one of Hay'at Tahrir al Sham leaders in Sarmada caused for his summon before a court. On the way to Harem city to appear before the court, a checkpoint for Hay'at Tahrir al Sham stopped him, **“The affiliates told Mohammad to step down from**



the car under the pretext that they have an order to take him to a secret base for Hay'at Tahrir al Sham. They told me to go back in my car and wait Mohammad at home.” We learned from Khaled that days have passed but Mohammad never came home, **“I went to the same checkpoint that stopped us. They denied that they arrested Mohammad. I continued on the same way hoping that I can find the person we were looking for on that day, but I couldn't find him either.”** Khaled added that **“I still don't know the fate of my brother even after we tried to contact some leaders at Hay'at Tahrir al Sham.”**

Emad Qattini, general practitioner, from Khan Sheikhoun city, southern suburbs of Idlib governorate. He was arrested by gunmen from Hay'at Tahrir a Sham on Monday, August 13, 2018, from Khan Sheikhoun city. His fate is still unknown to SNHR as well as his family.



Emad Qattini

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

Arbitrary arrests have been a widespread policy adopted by Kurdish Self-Management forces in their areas of control, whether for the purpose of conscription or to target politicians and activists who oppose their policies in their areas of control. In addition, many individuals were arbitrarily arrested or forcibly-disappeared for their ethnic background or because of their kinship with affiliates of ISIS or armed opposition factions, where those have been forcibly-disappeared for long time periods that amount to two years in some cases, during which, the disappeared person would spend several months in solitary confinement.

Cases of enforced-disappearance by Self-Management forces

Jenkin Salah al Din Aliko, teacher, has a degree in philosophy, born in 1988, from al Derbasiya city, northern Hasaka governorate. On Thursday, February 1, 2018, he was arrested by Self-Management forces in al Derbasiya city. His fate is still unknown to SNHR as well as his family.



Jenkin Salah al Din Aliko



Jasim al Mahmoud, from al Tariqiya village, southern suburbs of Hasaka governorate. He was arrested by Self-Management forces on Tuesday, February 6, 2018, from al Tariqiya village. His fate is still unknown to SNHR as well as his family.

Ismail Ahmad al Eisa, child from Zanouba village, northern Raqqa city, 12-year-old. He was arrested by Self-Management forces on Saturday, March 31, 2018, from Zanouba village. His fate is still unknown to SNHR as well as his family.

Rahim al Abd al Eisa, child, from Zanouba village, northern Raqqa city, 11-year-old. He was arrested by Self-Management forces on Saturday, March 31, 2018, from Zanouba village. His fate is still unknown to SNHR as well as his family.

Nariman Yousef Kalash, female child, from al Qamishli city, northern suburbs of Hasaka governorate, 17-year-old. She was arrested by Self-Management forces on Tuesday, May 15, 2018, from al Qameshli city. Her fate is still unknown to SNHR as well as her family.

Sabah Mahmoud al Hamad, woman, from Jahfat Adwan village, northern suburbs of Hasaka governorate, 26-year-old. She was arrested by Self-Management forces on Saturday, May 19, 2018, from Jahfat Adwan village. Her fate is still unknown to SNHR as well as her family.

Abdul Hamid Tammo, director of foreign relations at the Kurdish Future Movement in Syria and member of the Kurdish National Council, from al Derbasiya city, northern suburbs of Hasaka governorate. He was arrested by Self-Management forces on Sunday, June 3, 2018, at a checkpoint in al Derbasiya city. His fate is still unknown to SNHR as well as his family.



Abdul Hamid Tammo

Mohammad Masoum Mohammad, member of the Kurdish National Council, from al Qameshli city, northern suburbs of Hasaka governorate. He was arrested by Self-Management forces on Friday, June 22, 2018, from al Gharbi neighborhood in al Qameshli city. His fate is still unknown to SNHR as well as his family.



Mohammad Masoum
Mohammad



Hamed Aboud al Hussein, from Buqrus Fouqani town, suburbs of Deir Ez-Zour governorate. He was arrested by Self-Management forces on Friday, June 22, 2018, at a checkpoint on Manbej city road, northern suburbs of Aleppo governorate. His fate is still unknown to SNHR as well as his family.

SNHR spoke to Faten, a relative of al Hamed al Hussein, via phone. She told us that the affiliates at the checkpoint accused them of being associated with ISIS after looking at our identifications, “A checkpoint for the Kurdish units stopped us on the road leading to Manbej city. The affiliates only asked for the identifications of the men. When they found out that we were from Deir Ez-Zour, they accused us of having connections with ISIS and that we want to get to Manbej so we can carry out bombings. My relative Hamed denied those accusations, but they arrested him anyway and told us to go back to where we came from.” We learned from Faten that she was insulted and threatened when she refused to go back without her relative Hamed. She added that all their attempts to find out his fate have failed.



Hamed Aboud al Hussein

Odai Ahmad al Alloush, from al Twaihiniya village, suburbs of Raqqa governorate. He was arrested by Self-Management forces on Monday, June 25, 2018, from al Twaihiniya village. His fate is still unknown to SNHR as well as his family.

We contacted Khaled A, a friend of Odai's, via phone. He told us that he was with Odai when he was arrested, and he was told that he will be killed and arrested because he asked about the fate of his detained friend, **“The village was raided by a large Syrian Democratic Forces (SDF) patrol, that was composed of about five pickup cars and two vans. We found out that they were targeting youths. They entered Odai's house by force in a very provocative way. An altercation ensued. As a result, a group started beating him with wooden sticks and tossed him in a van after tying his hands to his back. They left for other houses in the village before leaving.”** Khaled added that **“We tried to follow them, but couldn't because of the checkpoints scattered around the village. We spoke to some friends who have connections with SDF, but instead of getting information about Odai, we received death and arrest threats from them. Since that day, we haven't been able to find out anything about Odai.”**



Odai Ahmad al Alloush



Eid Jasim al Rahil, from Hasaka city and member of the city council, 60-year-old. Self-Management forces arrested him on Monday, August 16, 2018, at a checkpoint in al Hasaka city. His fate is still unknown to SNHR as well as his family.



D. Armed opposition factions

Some armed opposition factions have practiced enforced-disappearance, mainly against captives they've abducted after attacking areas under the control of the Syrian regime. Also, some armed opposition factions have targeted activists and workers for humanitarian groups in their areas of control. In 2018, we recorded a rise in rates of enforced-disappearances by factions from the armed opposition that were concentrated in northern suburbs of Aleppo governorate.

Cases of enforced-disappearance by factions from the armed opposition

Abdul Majid Izzat Sheikho, has a PhD in media, and head of the faculty of media at Afrin University, born in 1951, from Jalil village, northern suburbs of Aleppo governorate. He was arrested by gunmen from Ahrar al Sharqiya, an armed opposition faction, on Wednesday, April 4, 2018, who raided his place of residence in Afrin city, northern suburbs of Aleppo governorate. He was taken to an undisclosed location.



Barujan Ali, from Afrin city, northern suburbs of Aleppo governorate, he was arrested by gunmen from Ferqat al Sultan, an armed opposition faction, on Sunday, July 15, 2018, from his place of work in Afrin city. His fate is still unknown to SNHR as well as his family.



SNHR learned, through a phone call with Barujan's friend Ahmad Afrini who was with him when he was arrested, that five gunmen assaulted Barujan suddenly and dragged him on the ground to the car and took off towards Afrin. He added that they received some of pictures of Barujan with signs of torture on his body, before the updates about him stopped completely.

Hushannak Khaled, from Basouta village, northern suburbs of Aleppo governorate. He was arrested by gunmen from Ferqat al Hamzat, an armed opposition faction, on Thursday, July 19, 2018, at a checkpoint in al Basouta village. His fate is still unknown to SNHR as well as his family.

We contacted Saeed Khaled, a relative of Hushannak's, via Skype. He told us:

“Gunmen from Ferqat al Hamzat arrested Hushannak because he protested their ill practices against the residents who were passing through the checkpoint, so three affiliates started beating him severely and tossed him on the ground and confiscated his motorbike, before handcuffing him with metal cuffs, putting him in a car, and taking off to Afrin.” Saeed told us that Ferqat al Hamzat denied arresting Hushannak and threatened anyone asking about him. Saeed added that Hushannak's family fears that he might be killed or harmed at the hands of the faction.



Hushannak Khaled

Nazliya Na'san, 36-year-old, and Feryal Na'san, 34-year-old, two women, from Afrin city, northern suburbs of Aleppo governorate. They were arrested by gunmen from armed opposition factions on Sunday, August 12, 2018, from al Zibdiya neighborhood, Afrin city. Their fates are still unknown to SNHR as well as their family.

VI. Conclusions and Recommendations

Legal recommendations

SNHR believes that the Syrian regime has demonstrated a lack of commitment to the international agreements and treaties it ratified, in particular the International Covenant on Political and Civil Rights. In addition, the Syrian regime has violated the Syrian constitution itself as hundreds of thousands of detainees have been detained for many years with no arrest warrants or any charges. The Syrian regime also denied those detainees the right to an attorney and barred their families from visiting them. 85% of all detainees have become enforced-disappearance cases as the Syrian regime never informed their families of their



whereabouts. In case a family tried to inquire about the whereabouts of their beloved ones, a question that might put the families at risk in some cases, security branches and authorities would deny having them in the first place.

Enforced-disappearance was a strategy the Syrian regime used to target anyone connected to the popular uprising that rose against the family rule. Analyzing data shows that this phenomenon was prevalent in the areas that were distinctly known for joining the uprising, which suggests that this was based on a consistent and deliberate policy, including the recent revealing of forcibly-disappearance persons' fates which was also done in a deliberate manner. The implications of the harmony between the state institution in a way that serves the criminal act is clear judging from the arrests that targeted figures who supported the popular uprising which was followed by forcibly disappearing them and then issuing death certificates that don't contain any information about the place and cause of their deaths. This also suggests that wide segments of the employees, leaders, and workers were aware of this particular policy by the Syrian regime, as well as the true cause of death and the brutal acts of torture. Some of them even had knowledge of the location of the dead bodies and mass graves given the appallingly large number of forcibly-disappeared persons and the number of death-due-to-torture cases we recorded which is estimated at nearly 14,000 deaths.

Enforced-disappearance is prohibited by the customary international humanitarian law according to rule 98 which prohibits enforced-disappearance in international and non-international armed conflicts.

Rule 117 of the same law states, **“Each party to the conflict must take all feasible measures to account for persons reported missing as a result of armed conflict and must provide their family members with any information it has on their fate.”**

Further, the international criminal law prohibits enforced-disappearance. According to the International Criminal Court's Rome Statute, practicing enforced-disappearance in a systematic manner constitutes a crime against humanity (Article 7, paragraph 1-i), which applies to the acts of the Syrian regime.

While their crimes might have been not as centralized as the Syrian regime's, something which is the Syrian is known for, nor those crimes have been of a similar scale and variety, other parties have committed the crime of enforced-disappearance. According to our data, ISIS was the party most similar to the Syrian regime in terms of case variety and methodology.



Recommendations

Security Council and United Nations

- Hold an emergency meeting to discuss this critical matter that threatens the fates of nearly 95,000 individuals and terrorizes the whole Syrian society.
- Find methods and mechanisms to prevent the Syrian regime from tampering with the living and the dead, as this poses a major threat to the security and stability of the Syrian state.
- The Security Council should act to stop torture and deaths due to torture inside Syrian regime detention centers, and save whoever detainees left as quickly as possible.
- Take action under Chapter VII of the Charter of the United Nations to protect the detainees from a certain death inside detention centers, and to put an end to enforced-disappearance that has plagued Syria as it poses a threat to the security and stability of the society.
- The Security Council should continue implementing and bind parties to the resolutions it has adopted, most notably Resolution 2024 and Resolution 2139. The Security Council should follow its resolutions with action.
- Devote more attention to the issue of the forcibly-disappeared in Syria given its severity and the fact that it is a crime against humanity. This issue must be addressed urgently.
- All detainees should be immediately allowed to contact their families, as well as lawyers and doctors. Bindings guarantees should be established to prevent torture to death inside detention centers.

Syrian regime

- Stop treating the Syrian state as a private family property
- Stop terrorizing the Syrian people through enforced-disappearance, torture, and death due to torture.
- Stop tampering with and exploiting civil records and in service of the goals of the ruling family.
- Shoulder all legal and material fallouts and compensate the victims and their families from the resources of the Syrian state.

Human Rights Council

- Follow up on the issue of the detainees and forcibly-disappeared in Syria and shed light on it at all periodic annual meetings, and dedicate a special session to address this horrifying threat.



OHCHR

- Release a special and extensive report that sheds light on this catastrophe including all of its mental, social, and economic ramifications, and support active human rights groups in Syria.

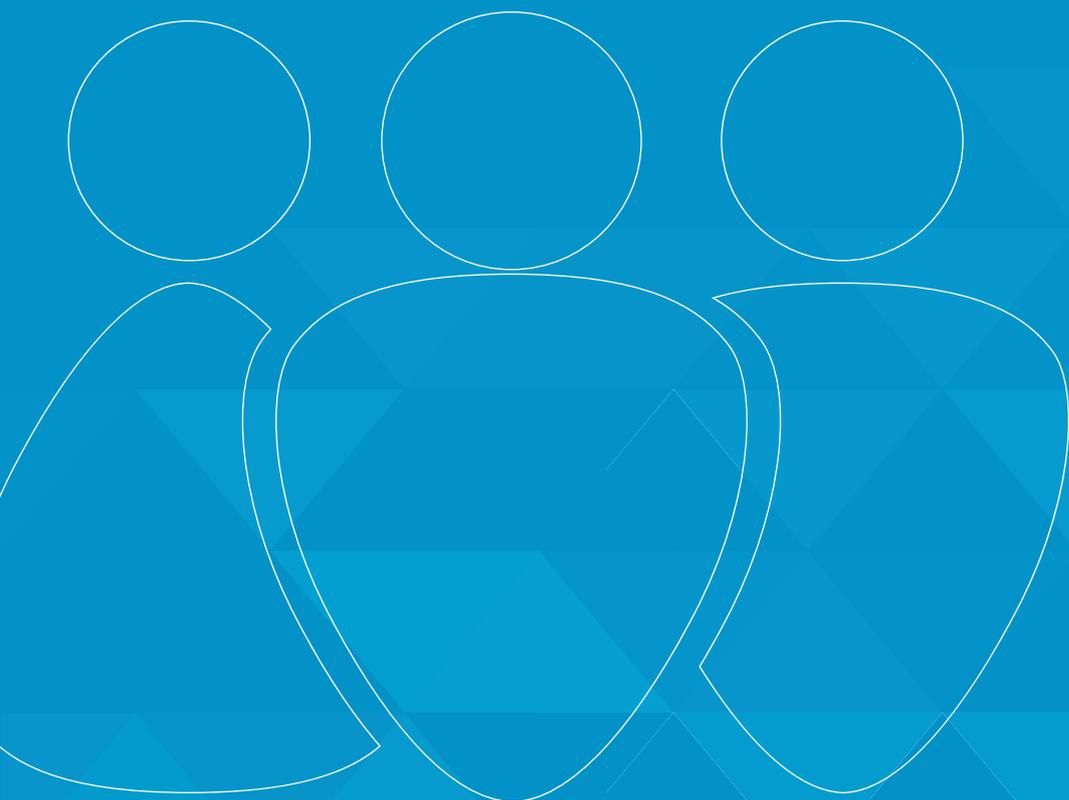
Special Rapporteur on Enforced-Disappearance

- Increase the manpower on enforced-disappearance at the office of the Special Rapporteur on Enforced-Disappearance in Syria in light of the notable and sizeable cases of enforced-disappearances in the country.

Solidarity

We stand in solidarity with the victims and their families. A true, ongoing human rights and social movement must be founded that aims to liberate them and reveal their fates. Also, our most sincere gratitude and appreciation to the families and local residents who contributed effectively to this report.





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