

Hay'at Tahrir al Sham Kills an Activist Whom It Forcibly Disappeared

Nearly 2,000 Syrians Are
Still Forcibly Disappeared by
Hay'at Tahrir al Sham
Extremist Organization

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. Hay'at Tahrir al Sham's strategy of terrorizing the community

The model of rule of Hay'at Tahrir al Sham (an alliance of Fatah al Sham organization (Jabhat al Nusra) and a number of militant opposition factions) is based on intimidation and terrorizing the community by practicing a policy of arbitrary and violent arrest, then denying the existence of those detained whose fate invariably turns into enforced disappearance. The Syrian Network for Human Rights' (SNHR) team has noted that Hay'at Tahrir al Sham's strategy is focused on targeting prominent activists and social figures with the intention of intimidating the rest of society; this became even more apparent as Hay'at Tahrir al Sham expanded its control over areas in Idlib governorate since July 2017, where they exercised a policy of threat or arrest, disappearance, torture, or exile to opposition-held areas outside their control against them, and prohibited those exiled from returning even refusing their family members permission to bring those exiles' bodies back for burial after their death. We have recorded a large number of cases in which Hay'at Tahrir al Sham refused people permission to bury the bodies of their exiled relatives. This strategy led to a large number of activists hiding or fleeing to Turkey and trying to enter illegally after the Turkish authorities closed the borders since 2015, meaning that the areas controlled by Hay'at Tahrir al Sham were almost emptied of media activists, medical personnel and civilian organizations in general, with a large number of countries and international organizations ceasing their support for relief, medical and civil organizations operating in areas controlled by Hay'at Tahrir al Sham for fear that the latter would take control of this aid and thus link the donor countries or organizations with support for the cause of HTS which has been designated as a terrorist group by the international community and the UN Security Council.



The violent barbaric attack carried out by Russian and Syrian forces since April 26, 2019, on the fourth de-escalation zone in northwestern Syria, with all the indiscriminate bombardment resulting in killings, destruction, massacres and mass displacement of the population, has not pushed HTS to stop carrying out arbitrary arrests and enforced disappearances. Rather, the group has continued to reject the repeated requests of their victims' families to reveal the fate of their children or to allow family members to visit those detained and find out the reasons for their detention and torture, with all such pleas being made in vain. HTS has cloned the policy of the Syrian regime's security services in detaining citizens without a warrant or clarifying the reason for the arrest or the party carrying it out, and preventing the presence or operation of any fair and independent judiciary.

II. The record of arrests, enforced disappearances, torture and execution by Hay'at Tahrir al Sham

The SNHR team adheres to precise criteria in determining incidents of arbitrary arrest and enforced disappearance, based on the provisions of international law and the Body of Principles for Arbitrary Detention and Enforced Disappearance. SNHR's Detainees and Forcibly Disappeared Persons department records cases of arrests obtained from multiple sources and keeps track of these cases and updates them continuously to determine the place of detention, the conditions in which those detained are being held, and the fate of each detainee.

Since the announcement of the establishment of Jabhat al Nusra in early 2012 up until August 2019, SNHR's Detainees department has documented at least 2,006 individuals, including 23 children and 59 women (adult female) who are still being detained by HTS, with at least 1,946 of these people now categorized as forcibly disappeared. During the same period, we documented the deaths of at least 24 individuals, including one child, as a result of torture, and 38 executions in HTS detention centers, with most of these victims' bodies not being handed over to their families.

III. Hay'at Tahrir al Sham bears responsibility for the killing of activist Samer al Salloum

Samer Saleh al Salloum, an activist in the popular uprising, in charge of the printing and distribution of 'al Gherbal' political magazine and 'Zawrak' children's magazine, is from Kafranbel city in the southern suburbs of Idlib city. Samer, who was born in 1985, is a married father of four children, one of whom was an infant when Samer was arrested.

On Tuesday, December 26, 2017, gunmen affiliated with Hay'at Tahrir al Sham arrested the activist Samer al Salloum and his friend Ahmad al Hannak in a raid on Samer's family home



in Kafranbel city and took them to al Uqab Prison in the southern suburbs of Idlib governorate. While Samer's friend, Ahmad, was released after one day of detention, Samer remained in detention, with HTS denying any knowledge of his fate, and refusing many times to allow his family to visit him; as a result, Samer was categorized as having been forcibly disappeared. This continued until August 10, 2019, when his family received information confirming that he had been executed by a gunshot nearly four months previously, in April 2019; however, Hay'at Tahrir al Sham did not inform his family about his death. In adopting this tactic, HTS also reproduces the ugliest tactics of the Syrian regime, continuing to hide the detainee's fate from his terribly worried family who, until August 2019, still believed that he was alive and went through horrendous suffering simply to obtain information about his fate. In this sense, enforced disappearance is more painful and torturous for relatives of the disappeared than their detained family members because it keeps them in a complex, constantly fearful state of psychological tension, vacillating between hoping that their detained loved one is alive and fearing that he or she has been killed. This brutal tactic is used as standard by the Syrian regime, which is currently not only concealing the fate of about 83,000 Syrian citizens, but withholding the deaths of those amongst this total who have already been killed under torture from their relatives, so that their families endure constant suffering, trauma and stress, as well as leaving these victims' wives or children unable to conduct any transactions or procedures related to them due to not being able to obtain any document proving their deaths.

SNHR contacted the activist Mohammad al Salloum, Samer's brother, who told us that throughout the duration of Samer's detention, his family had been in contact with officials of HTS to find out the reasons for his arrest, but to no avail. Mohammad adds: **“We communicated with Jihad al Hussein and Abdullah al Hammoud from Kafranbel city, [but] we received no official or serious response to find out the reasons behind Samer's arrest or his fate. My 60-year-old father was insulted every time he went to ask about Samer, and every time he heard new charges, such as being agent of many countries or parties. On one occasion, they were so ridiculous, telling him that Samer was accused of working for Lafarge, the cement factory where Samer was responsible for shipping operations before the outbreak of the popular uprising in March 2011.”**

We also learned from Muhammad that HTS prevented Samer's family from visiting him throughout the duration of his detention, and would not allow them to hire a lawyer for him either.



Mohammad added, **“About two months after my brother’s arrest, Hay’at Tahrir al Sham communicated with one of our acquaintances through the WhatsApp application linked to Samer’s phone. The one communicating claimed that he was Samer and he had escaped from prison, and tried to lure our relative by the conversation by saying that they at HTS had discovered everything that was going on between Samer and I, and when our relative asked him ‘What has HTS found out?’, he didn’t receive a response, then he asked [the caller] to send a picture to confirm that he was really Samer. A picture of Samer in a cell was sent, describing it to us as if it seemed to be in an underground basement. Since that incident, we were sure that HTS was looking for a charge to fabricate against my brother and wanted to take revenge on him because he was critical of its policies and practices, especially in Kafranbel city.”**

Mohammad told us that his family learned through people released from al Uqab Prison that Samer had been transferred from al Uqab Prison to a prison in Idlib city before being returned again to al Uqab Prison. The efforts of the family and some of those close to them to communicate with the judiciary in Idlib governorate failed, and they received a response telling them that all matters related to Samer’s case were limited to al Uqab prison and nobody else could influence it. This tactic is also identical to the policy of the Syrian regime, which withholds any information about those held in security branches from their families throughout the period of their detention.

Mohammad further recalled: **“A number of those released told us that investigators at al Uqab Prison had tried to extract confessions from Samer at the end of March 2019 to film it and broadcast it on social media and channels affiliated to HTS. However, Samer initially refused to do so and was beaten and tortured, and the detainees in al Uqab Prison heard verbal arguments between the interrogators and Samer about his rejection of the charges and the filming. The interrogators repeated doing that until Samer accepted under torture.”**

On August 18, 2019, Hay’at Tahrir al Sham’s Ibaa news agency broadcasted [a video](#) showing Samer supposedly confessing to forming an assassination cell, as well as to being an agent for the Syrian regime and Syrian Democratic Forces. HTS had previously spread reports in the community through its associates about the vast number of charges against Samer, and in our view, this was a planned and intentional strategy, aimed at reducing solidarity and sympathy with Samer after the news emerged of his execution.



Since April 2019, Samer's family had received frequent reports from recently released former HTS detainees informing them that the group had issued a sentence of retribution (killing) against Samer, but that this was not carried out for unknown reasons. His family also received reports that he had been executed from three former detainees who were released at different times during 2019, the last of whom was released on August 10, 2019. All of these individuals confirmed that HTS interrogators took Samer from his cell about two weeks after the incident of filming him making his clearly coerced confessions. These former detainees said that he was taken away without any of his personal effects, and when other detainees asked the HTS members about Samer and the reason for his absence, they responded that he had been executed in the al Uqab Prison square.

IV. Conclusions and recommendations

- Hay'at Tahrir al Sham, through abductions, arbitrary arrests, enforced disappearances, and summary killings, has violated international humanitarian law and has excluded the judiciary and police that allowed it to be established in the areas it now controls, and as a hierarchical entity, it is obliged to apply the provisions of international human rights law.
- The case of the activist Samer al Salloum is one of dozens of cases in which Hay'at Tahrir al Sham has forcibly disappeared, then killed individuals without informing their families or relatives. This comes as part of a systemic policy of violating the most basic principles of human rights in order to terrorize the society under its control.

Recommendations:

The international community and the Security Council:

- Extremist organizations live on wars and conflicts. Therefore, the political transition towards democracy in Syria must be accelerated to expedite the process of ending them.
- The failure of the international community and the Security Council to deter the Syrian regime from committing crimes against humanity with total impunity is the historic and gross injustice on which extremist organizations base their narrative in recruiting members of Syrian society.
- Allocate resources and create plans to try to attract and dissuade those who joined extremist organizations through financial inducements, appeals to morality and reasoning, and raising awareness.



Hay'at Tahrir al Sham:

- Stop arbitrary arrests, disclose the fate of the disappeared, stop prosecutions and compensate the families of the victims.

Thanks and solidarity

We would like to extend our thanks and solidarity to the victims and their families and to express our gratitude and appreciation to the local people and activists, without whose efforts this report could not have been written.





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