

85, 000 forcibly-disappeared persons in the Syrian regime detention centers On the International Day of the Disappeared

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Introduction

Forced-disappearance is a multidimensional crime as it affects, in addition to the victim himself, his family and even his friends. Syria, in particular, has suffered from a very bitter and painful experience in this regard. In February 1982, Hafez Al-Assad perpetrated the horrible Hama massacre where tens of thousands of Syrian civilians were killed and no less than 22,000 were missing or forcibly-disappeared according to estimations at that time. To this moment, those people's fates are now known as the Syrian government abstained from revealing their fate or conduct an investigation on their fates. Instead, it let the issue's aftermath gets bigger and bigger to cause harsh social and psychological problems for the Syrian people. Usually, the victims' family doesn't know anything about his fate and they might wait for years hoping that he might come back one day especially that Hafez Al-Assad regime, in order to deepen the suffering, used to release one or several prisoners, who were assumed dead, every few years to ignite the spark of hope and suffering in the hearts of tens of thousands of families. The suffering is even greater when the missing person is a husband who left behind him a wife that doesn't know if her husband will ever come back or if he is dead already. There were many cases where previously married to missing person got married again before their original husband came back after years of being gone. Sometimes, the forcibly-disappeared person is the one who provide for the whole family.

Bashar Al-Assad followed his father's steps with the only difference being is that he adopted this policy to a greater extent to include all the Syrian governorates as he used enforced-disappearance as a weapon of war in order to terrorize the popular uprising and opposition.

Even if the missing person came back, the social and psychological impact of the experience would threaten what is left of his life.

The Syrian regime

The Syrian regime has been carrying out arrest campaigns since the beginning of the Syrian revolution simultaneously with the daily extrajudicial killings. These campaigns targeted the leaders of the popular uprising at first before it expanded to target anyone connected or related, even remotely, to the Syrian revolution or any other political, intellectual, media, or humanitarian activities aiming to benefit the Syrian revolution. Even after the Syrian revolution became an armed conflict, the arrests continued to target rebels and their relatives, and when the Syrian regime became unable to capture all the activists, it adopted a policy of widespread arrests to acquire information through interrogation and brutal torture.

If Syrian regime forces were unable to capture a fugitive, it would arrest his wife, father, or any of his relatives as we pointed in a previous report that was published on 18 November, 2012 which explains the large unimaginable numbers of prisoners and forcibly-disappeared persons.

SNHR has lists of more than 110,000 persons who are still being detained by the Syrian regime. However, the estimations suggest that these numbers are inaccurate due to the extreme difficulty to obtain information about all the detainees. Therefore, our estimation suggest that the Syrian regime has no less than 215,000 detainees.

The great disaster is the fact that there aren't any information about the whereabouts of those detainees according to tens of testimonies of victims' families. The Syrian authorities keep denying that it have them and they would even tell the families that their sons are being detained by Al-Qaeda to mock and deepen their suffering.

Fadl Abdulghani, head of SNHR, says: "the Syrian regime has not only arbitrary arrested tens of thousands of civilians, it also keep them in undisclosed locations to perpetrate several crimes at the same time. The detainee should be kept at places that have humanitarian standards, publicly known, and supervised by the government as it should be responsible for his life and security and it also should insure that he is not to tortured to die. If the Syrian authorities refuses to give information about the detainees and where they are being kept, then it is a partner in the crime of enforced-disappearance."

The Syrian regime has used the policy of enforced-disappearance as a weapon of war to terrorize the popular uprising through forcibly-detaining tens of thousands of the Syrian people. SNHR estimates that the Syrian regime is forcibly-holding no less than 85,000 as forcibly-disappeared persons.

SNHR has published an extensive report on the security branches in Syria and its directors on 1 April, 2013 in addition to tens of special cases that involved prominent individuals in the Syrian community who were arrested by the Syrian regime and their fates has become completely unknown.

The Syrian regime hasn't signed the International Convention for the Protection of All Persons from Enforced Disappearance in 2006. However, the International Covenant on Civil and Political Rights, which the Syrian regime is a part of, strictly prohibits enforced-disappearance which makes it completely responsible before the international and special courts for all the enforced-disappearance crimes it perpetrated.

In some of the Kurdish areas which is controlled by "Al-Ashayes Forces", enforced-disappearance is becoming more common. We received many reports about cases where the victims' families haven't been able to acquire any information about the fates of their sons for months,

The Islamic State

Similarly to the Syrian regime, IS has arrested hundreds of people and perpetrated the crime of enforced-disappearance for the same purpose which is to terrorize the areas it controls. No one dares usually to ask IS about the people they are detaining. Most of the kidnapping cases involved activists, whether they were media activists, military activists, or even relief workers. One of the most notable individuals that were arrested by IS was Father Paolo Dall'Oglio. Knowing IS, this extremist faction doesn't hesitate to execute its opponents. Therefore, it is difficult to determine if the detainees were alive and if they were, there is no guarantee that they would not execute them.

Armed Faction

SNHR documented some of enforced-disappearance crimes that were perpetrated by armed opposition battalions. Most notably, Razan Zaitouna, Wael Hamada, and Samra Al-Khalil who were arrested in Doma, which is controlled by the armed opposition, on December, 2013. Their fates remain unknown to this moment.

Conclusions and Recommendations

The Syrian regime has been perpetrating the crime of enforced-disappearance in a widespread and systematic manner against tens of thousands of Syrian civilians since 2011. According to Rome Statute, this is classified as a crime against humanity.

The Syrian regime has used enforced-disappearance as a weapon of war against armed oppositions where he arrested rebels' relatives and whole families which violates the customary international law and Rome Statute and can be classified openly as war crimes. The same goes for some of the Kurdish militias.

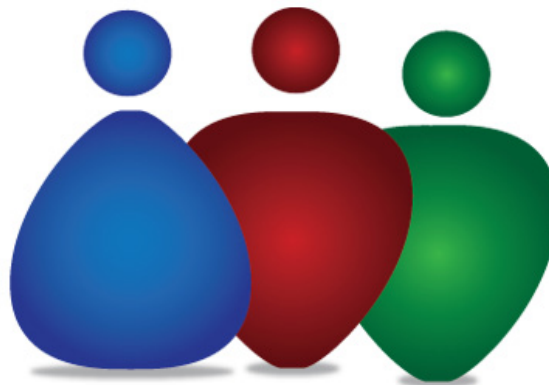
Also, IS has used the same policy against its opponents and perpetrated crimes that can be classified openly as war crimes. Furthermore, some of the armed opposition battalions have used the same policy but to a less extent than the Syrian regime and IS.

Recommendations

The Security Council should pass a binding resolution that would force the Syrian authorities to release all the peaceful detainees, and Human Rights, media, and relief activists. The Syrian regime should also allow the independent International Investigation Commission to have access to all the detention centers in order to investigate the horrible allegations about Human Rights violations inside its detention centers.

Furthermore, the detainees should be allowed immediately to contact their families, and lawyers and doctors. Also, binding guarantees should be made to prevent the occurrence of these violations again.

The International Committee should pay greater attention to the prisoners and forced-disappeared case in Syria as it affects more than 85,000 families who absolutely can't visit their prisoner relatives who lack any kind of legal, medical, or humane care.



Syrian Network
For Human Rights

الشبكة السورية لحقوق الإنسان