

Nearly 3,000 Individuals Are Still Detained or Forcibly Disappeared by Syrian Democratic Forces

Restrictions on Civil Society Organizations Through Repressive Practices Similar to Those of Extremist Groups

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. Restriction on all dissenting with the SDF under the pretext of its fighting ISIS is a policy similar to that of the Syrian regime

The Syrian Democratic Forces (SDF) are attempting to legitimize all repression, arbitrary arrest, enforced disappearance, kidnapping with the aim of forced conscription, and other widespread human rights violations in the areas they control under the pretext of fighting terrorism and extremists. This tactic is very similar to the ploy used by the Syrian regime, which categorizes anyone who opposes its policies and calls for the change of the dynastic ruling family and the ruling family's appointment of the government as a terrorist who must be arrested, silenced and made an example of as a warning to the rest of society. Since early 2019, the Syrian Network for Human Rights' (SNHR) team has noted the expansion of SDF operations (consisting mainly of Kurdish Democratic Union Party forces) in conducting raids and arrests in the governorates of Raqqa, Hasaka and Deir Ez-Zour, with more than half of their detainees having been forcibly disappeared, in light of the denial of their existence by these forces, with their families unaware of their whereabouts, and being denied any chance to visit or even to appoint a lawyer. We have noted that the approach adopted to arrests is very similar to that of the Syrian regime, which also fails to implement any legal process or to ensure that arrests are carried out by legally authorized persons or through presentation of a warrant. In both cases, the detainee is kept ignorant of the party carrying out the arrest, the reason for the arrest and where the detainee is being held. Also in both cases, detainees are not allowed access to any legal defense and are denied access to the outside world, with their families denied any information about their fate.



Since the beginning of 2019, the SDF has particularly targeted internally displaced persons (IDPs) who have been displaced to areas under their control, mainly those in camps, for arrest. In the case of most of the detentions that were not aimed at conscripting detainees, the SDF claimed that there were links between these detainees and ISIS, but in none of these cases did it present any evidence to substantiate these allegations, with no judicial authority independent from the armed forces handling such cases. We have recorded the release of a number of those detained by the SDF, either in return for ransom money paid by the detainees' families, or after mediation by local dignitaries and leading tribal Sheikhs in the areas targeted by arrests. Meanwhile the other cases of detention have turned into enforced disappearances in light of the subsequent denial by Syrian Democratic Forces of any knowledge about the detainees' arrest, and their families' inability to obtain any information about their whereabouts, having been denied any opportunity to communicate with or visit them.

Although enforced disappearance is a crime in itself, it also involves a horrific amount of other violations against the disappeared person, such as torture and denial of health care, being tried in secret courts without even the most fundamental principles of fair trial, or simply subjected to summary trial and death by torture or execution.

International law prohibits the use of enforced disappearance under any circumstances, and states that emergency conditions such as conflicts and wars may not be invoked to allow its practice. There are numerous international norms and instruments that deal with the crime of enforced disappearance as [the Rome Statute](#), Article 7 of which describes enforced disappearance as a crime against humanity when committed as part of a widespread and systematic attack, with Article 5 of the International Convention for the Protection of All Persons from Enforced Disappearance also stressing the same point. Similarly, Article VII of the International Covenant on Civil and Political Rights states that no-one shall be subjected to torture or cruel, inhuman or degrading treatment or punishment, and Article 14 of the same Covenant criminalizes the coercion of any person to testify against himself or admit to an offense he has not committed. In addition, enforced disappearance violates a range of rights, such as the right to recognition of legal personality and to the freedom and security of the person, to access to judicial guarantees and to a fair trial, as well as the right of victims' families to know the truth about the fate of the disappeared and the circumstances of their disappearance. In addition, enforced disappearance violates the fundamental rights guaranteed by the Universal Declaration of Human Rights.



II. The record of the detainees and forcibly disappeared by Syrian Democratic Forces according to Syrian Network for Human Rights' database

SNHR has a special database for registering detainees and forcibly disappeared persons according to strict criteria and strict methodology derived from the provisions of international laws and set of principles related to the identification of incidents of arbitrary arrest and enforced disappearance; we record incidents that we obtain from various sources such as the SNHR members, the victims' families, witnesses, and survivors of detention centers. We also continuously conduct an update on the database in order to continuously monitor and update cases of detention to determine the fate of each detainee, the conditions of his or her detention and the legal procedures his or her family has been able to take against the detaining authorities.

In the period between Kurdish Democratic Union Party forces first taking control of some areas in Syria in July 2012 up until September 2019, the SNHR team documented the detention of at least 2,907 individuals, including 631 children and 172 women (adult female) who are still being arbitrarily arrested by Syrian Democratic Forces, who have continued to detain those first taken prisoners by the Democratic Union Party. At least 1,877 individuals, including 52 children and 78 women, have been forcibly disappeared in this period.

III. Restriction on civil society organizations, arresting and disappearing six humanitarian organizations' workers

Since the beginning of August 2019, the SNHR team has documented several incidents of arrest, in which the SDF has targeted the founders and employees of independent local humanitarian organizations in Raqqa governorate. The SDF has worked to disseminate and spread reports among the local community claiming falsely that these organizations were linked to ISIS, terrorism and terrorists, in preparation for the arrest and disappearance of these individuals.

To date, no official statement has been issued by the SDF or by the judicial and administrative authorities in Raqqa city regarding these arrests, creating a dangerous precedent that suggests a close similarity to the practices of extremist groups in north-west Syria in terms of repression, restriction and intimidation of civil society organizations operating in areas under their control, with the aim of subjugating and extorting the local population, and using arbitrary arrests to make the detainees a warning to others, so that nobody else dares to build civil society organizations in order to concentrate all sources of funding and support in the hands of the dominant group, in this case the Syrian Democratic Forces, which has not yet succeeded in achieving tangible achievements on various civilian levels.



Details of incidents of arrest:

SNHR contacted a number of workers with local and community-based organizations in Raqqa governorate, and other eyewitnesses to the incidents of raids and arrests included in this report, using several communications media such as: phone or smart phone applications and social media platforms. We also contacted a number of victims' relatives, with the information they gave about the details of the arrests being similar to that provided by other sources. In this report, we include three accounts obtained through direct interviews with witnesses, all of them exclusive to the SNHR and none of which are taken from open sources. We also used aliases for these individuals based on the wishes of witnesses who expressed a well-founded fear that they would be subjected to persecution and security prosecution by the SDF if their identities were known.

Between August 10-17, 2019, we documented the arbitrary arrest by SDF forces of six workers with local humanitarian organizations working in the field of humanitarian aid and service response in Raqqa city, with all of these organizations having been licensed by the local authorities which are affiliated with both the Syrian Democratic Council and SDF and thus allowed to operate in Raqqa city.

The SDF personnel carried out these arrests without presenting any arrest warrant, providing clear charges against the detainees or identifying themselves in terms of their affiliation with any security centers or departments, in a manner closer to kidnappings than to legitimate arrests. The General Security Department in Raqqa city, which is authorized to maintain the security of the city and to carry out arrests and interrogations, was wholly uncooperative with the families of the detainees and did not provide any answers to their questions about the reasons for their loved ones' arrests, or the fate of the detainees and their places of detention. We recorded that the four activists were released on Monday, September 9, 2019.

The first incident:

At 21:50 on Saturday, August 10, a Syrian Democratic Forces military patrol carried out a raid on the Greek House Restaurant south of Raqqa city, demanding the identity cards of all employees and customers in the restaurant. They then arrested Salah Katea, Anas al Abbo, his brother Iyas, and Khaled al Salama, all of whom are employees of local humanitarian organizations, along with a restaurant employee, taking all four to an undisclosed location, before releasing them on Monday, September 9, 2019.

Salah al Din al Abd al Katea, the director of the media office and board member of the Future Makers Team, from al Nahda neighborhood in Raqqa city, was born in 1985.



Salah al Din al Abd al Katea



Anas Hasan al Abbo, the Monitoring and Evaluation Officer at the Future Makers Team working in the field of developmental services and service projects, was born in 1993, and resides in Afnan village in the southern suburbs of Raqqa governorate.

Iyas Hasan al Abbo, Anas's brother, is a media worker for Afaq Jadida organization (New Horizons), was born in 1992, also resides in Afnan village.



Iyas Hasan al Abbo



Anas Hasan al Abbo

Khaled Saud al Salama, director of traffic safety project with the Future Makers Team, from al Nahda neighborhood in Raqqa city, was born in 1992.



Khaled Saud al Salama

SNHR spoke with Khaled al Othman, an eyewitness to the incident and a friend of the four detainees, who told us the details of the arrest, **“The patrol raided the restaurant with a list of wanted persons, and when they requested the identity cards of those in the restaurant, Anas, Iyas, Salah and Khaled intervened as the owners of the restaurant, before the patrol members told them that they were the wanted individuals, then the four of them were arrested, along with the barbecue supervisor at the restaurant.”**.



We learned from Khalid al Othman that the patrol responsible for the arrest consisted of 15 members who arrived at the restaurant in three white pickup trucks and two vans. He added: **“Seven of the 15 members carried out the raid, entered the restaurant and searched it. A number of the patrol members were dressed in military uniforms of the SDF and others in civilian clothes, with all being heavily armed.”**

Khaled, who's close to the four detainees' families, told us that their families had made efforts to find out the party that had arrested their relatives and the reason for the arrest, but to no avail. He added: **“Anas's and Iyas' father visited the General Security in Raqqa city, but he and the families of the rest of the detainees did not receive any information about their children.”**

The second incident:

At 18:00 on Friday, August 16, a Syrian Democratic Forces military patrol raided the home of activist Hasan al Khalil, known as Hasan al Qassab, in Tabaqa city in the western suburbs of Raqqa governorate. They searched the house and confiscated a number of Hasan's personal belongings before taking him to an undisclosed location. His fate remains unknown.

Hasan Fawaz al Qassab, from Raqqa city, was born in 1992. Since the end of 2017, he has been the coordinator and liaison officer for the Euphrates Program, which provides grants to civil society organizations in Raqqa city, and is supported by Creative Associates International. Hasan had previously been arrested by ISIS in Raqqa city and left the city at the end of 2014 before returning in early August 2019.



Hasan Fawaz al Qassab

SNHR contacted Mohammad al Ahmad, a relative of Hasan, who told us details of Hasan's arrest. He said: **“Two cars, one white pickup and one white jeep, arrived. The members raided the house by force, then forced Hasan into the car. They then searched the house, confiscated some of Hasan's belongings, and then took him to an undisclosed location.”** Mohammad added that Hasan had been living in Serbia, working there as well as studying medicine after leaving Syria previously, and had returned to al Tabaqa in early August 2019 to get married and visit his family.

We also learned from Mohammad that Hasan's family had repeatedly visited the SDF headquarters to find out the reason for his arrest and discover where he was being held, with no success. The family also contacted SDF officials about these issues, but again received no response.



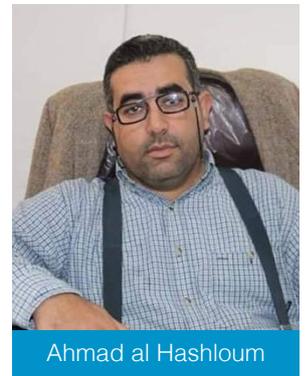
The third incident:

At 16:45 on Saturday, August 17, Syrian Democratic Forces military patrol raided the ENMAA Organization headquarters in Raqqa city, and arrested Ahmad al Hashloun, the executive director of the organization, in front of other staff there, taking him to an undisclosed location. His fate remains unknown up to the time of preparing this report.

The SNHR contacted Ryad al Jasem, an eyewitness to the arrest incident (we have changed his name for security reasons), who told us the details of the incident: **“Three white H1 van vehicles arrived. Three elements got out of the cars, two of whom were in the military uniform of the Syrian Democratic Forces and one in civilian clothes. One of them asked an employee to call on Ahmad. When he appeared, the elements put Ahmad in a car, whose driver was masked, and drove to an undisclosed location.”**

We learned from Ryad that the ENMAA Organization employees tried to prevent the arrest, asking the members to identify themselves and to present an arrest warrant or tell them the reason for the arrest but, according to Ryad, their efforts were to no avail. Ryad added that at the day after the arrest, Ahmad’s family visited a number of SDF General Security centers in Raqqa city to inquire about Ahmad’s fate; however, he added, they have not received an answer, nor were they allowed to appoint a lawyer to represent him.

Ahmad Mousa al Hashloun, from Raqqa city, born in 1985, is the executive director and chairman of the board of directors of the ENMAA Organization, which was established in 2017, and which provides services in Raqqa city and Raqqa eastern suburbs.



VI. Conclusions and Recommendations

Legal conclusions:

The SNHR believes that Syrian Democratic Forces has violated international human rights law through committing the crime of enforced disappearance. 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 Statute, practicing enforced disappearance in a systematic manner constitutes a crime against humanity (Article 7, paragraph 1-i).

SDF has also flagrantly violated a large number of principles relating to the protection of all persons subjected to any form of detention or imprisonment, such as principles number: 1/2/3/4/6/9/11/12/15/17

Recommendations:

States supporting Syrian Democratic Forces:

- States supporting the SDF should put pressure on them to stop arbitrary arrests and enforced disappearances, and to respect the rules of international humanitarian law and principles of international human rights law in the areas they control.
- Support the process of establishing a genuine local administration in the northeastern regions of Syria, in which all the inhabitants of the region may participate without discrimination on the basis of race and nationality and without the intervention of the de facto authorities in order to achieve stability and justice.
- Support the building and establishment of an independent judiciary that prohibits military parties from carrying out arbitrary arrests and enforced disappearances undeterred.

Syrian Democratic Forces:

- Stop all forms of arbitrary arrest, disclose the fate of the forcibly disappeared persons, allow their families to visit and communicate with them, and hold them to fair and independent trials.
- Stop the policy of restricting local and community-based humanitarian organizations and allow them to operate.

Independent International Commission of Inquiry (COI) and OHCHR:

- Investigate the incidents included in this report. The Syrian Network for Human Rights is always ready to cooperate in any such endeavors.

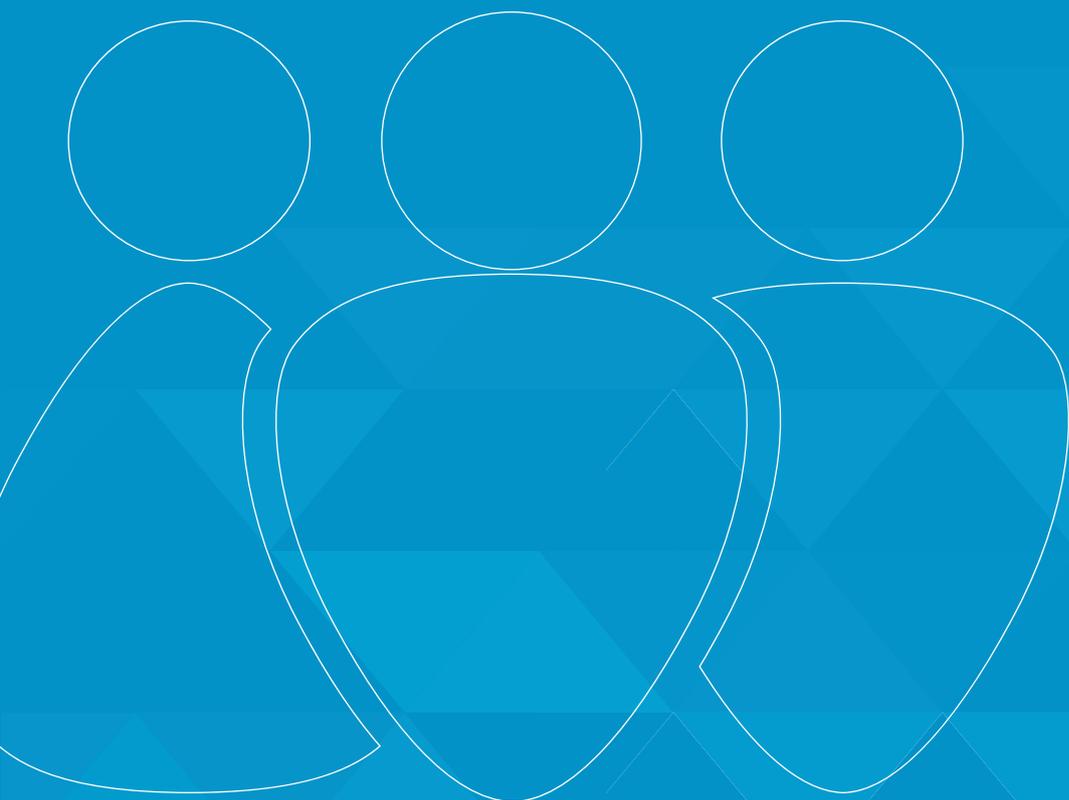
Human Rights Council:

- Follow up on the issue of detainees and enforced disappearances in Syria, highlight it in all periodic annual meetings, and allocate a special session to consideration of this terrible threat.

Thanks and solidarity

We extend our heartfelt solidarity to the victims and their families and our warmest thanks and appreciation to the local people and activists, without whose efforts this report could not have been so effectively completed.





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