

No less than 488 Cases of Arbitrary Arrest in Syria in October 2018

63% of all Arrests Were Made
by Syrian Regime Forces, most
of Which Involved Individuals
Who Agreed to Settlements

SNHR

SYRIAN NETWORK FOR HUMAN RIGHTS

الشبكة السورية لحقوق الإنسان

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The Syrian Network for Human Rights (SNHR), founded in June 2011, is a non-governmental, independent group that is considered a primary source for the OHCHR on all death toll-related analyses in Syria.



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I. Introduction and Methodology

Arbitrary arrests have been made in Syria on a daily basis since the start of the popular uprising for democracy in March 2011, as people have been arrested simply for exercising one of their basic rights stated in the Universal Declaration of Human Rights such as the freedom of opinion and expression, or because they were denied a fair trial for they were detained without a ruling by an independent judicial entity to detain them, or without being charged with anything, tried, or afforded an attorney, or because they were detained after their punishment had ended. In most cases, arbitrarily detained individuals are subjected to solitary confinement for several months or sometimes years if not indefinitely at official and non-official detention centers. In itself, detention is not considered a violation of human rights until it becomes arbitrary as international instruments state, such as the Universal Declaration of Human Rights – Article 9: **“No one shall be subjected to arbitrary arrest, detention or exile.”** while Article 9 (1) of the International Covenant on Civil and Political Rights states: **“Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.”**

New incidents of arbitrary arrest are recorded almost every day. The Syrian regime was the first party to practice this violation in a systematic manner against the various segments of the Syrian people, as the Syrian regime used mafia-like methods, where most arrests are made without a legal warrant as the victim passes at a checkpoint or during raids. Torture starts the moment the detainee is arrested, and he is deprived of any mean to contact his family or attorney. Also, authorities deny making arbitrary arrests, and most detainees become forcibly-disappeared persons.



The Syrian regime is responsible for no less than 87% of all arbitrary arrests that we have recorded. In most cases, victims' families can't accurately identify the entity that made the arrest, considering that all of the forces that sided with the Syrian regime (Iranian militias, the Lebanese group Hezbollah, and others), aside from the four main security agencies and their many branches, have the authority to arrest, torture, and commit the crimes of enforced-disappearance.

Despite all the negotiations, agreements, and Cessation of Hostilities statements over the course of the Syrian conflict, it is clear that the detainees issue is almost the only issue that has yet to see any progress. In this regard, we recommend the following:

- 1- Arbitrary arrests must be ceased immediately as it is still an ongoing concern according to SNHR's monthly report. All detainees' fates must be revealed and their families' right to visit them must be insured immediately as well.
- 2- All detainees who were detained for merely exercising their political and civil rights must be released unconditionally. The use of women and children as war hostages must be stopped and they all must be released.
- 3- Grant the Independent international monitors of the Independent International Commission of Inquiry on the Syrian Arab Republic, which was established by the UN, and the International Committee of the Red Cross access to all official and non-official detention centers without setting up any prior arrangements or any restrictions or conditions.
- 4- A UN committee should be formed to see to the release of the detainees periodically and per a timetable that must be presented by all the detaining parties and mainly Syrian regime forces that are responsible for 87% of all the detainees.
- 5- Suspend and repeal all rulings issued by the field-military courts and terrorism courts, as they are non-compliant with the local and international legislations as well as guarantees of a fair trial.

Methodology

This report documents the toll of arbitrary arrests by the parties to the conflict in October. Additionally, this report monitors the most notable raid and inspection points that resulted in detentions, in addition to shedding light on the most notable individual cases and incident of arbitrary arrest that took place in October.



SNHR team abides by strict standards in order to determine an incident of arbitrary arrests and avoid recording any incidents of detention, imprisonment, or deprivation of freedom in accordance with the international laws and the aforementioned set of principles on arbitrary arrest. The Detainee and Forcibly-Disappeared Department at SNHR records cases of arrest that they collect from various sources, such as: victims' families, SNHR members in Syrian governorates, cooperating local activists, and former detainees, before diligently working on contacting the families of the detainees and forcibly-disappeared persons, as well as people close to them and people who survived detention for the purpose of collecting as much information and data as possible, in light of extraordinarily and extremely complex challenges. We also record eyewitnesses' accounts and track cases of arrest to update it regularly in order to find out the fate of a detainee, their place of detention, and the circumstances of their arrest.

The ongoing and daily process of documenting detainees comes with additional challenges for SNHR that have been documenting detainees since 2011. One of these most notable challenges is the families' reluctance to cooperate and reveal and document any information on their family members' arrest even secretly and especially if the arrested individual was a female due to a prevalent notion among the Syrian society that doing so would result in more torture and danger. Instead, families try to negotiate with security forces that usually blackmail these families and demand a cash payment that can amount to thousands of dollars in some cases. Despite the fact that SNHR possesses lists of more than 140,850 detainees, including children and women, we can safely say that our estimations for the actual number of detainees have exceeded 215,000.

The international community's and the United Nations', in all of its organs, failure to apply pressure on the Syrian authorities to release even one case (including those whose sentences are over), and even prisoners of conscience, affirmed that convention within the Syrian society which believes that it is useless to cooperate in the documentation process. Most of the releases were part of exchange deals with the armed opposition.

The detainee figures included in this report don't include prisoners of a criminal background and include arrests cases that are based on the internal armed conflict and mainly due to the opposition activity against the ruling authorities. The mounting number of arrests is due to a number of reasons:

- Many arrested individuals weren't arrested because of a crime they committed, but because of their relatives' involvement with armed opposition factions or because they provided humanitarian aids.



- Most of the arrests are being conducted randomly and involve people who weren't involved in the popular protests, relief, or even military activity.
- Thousands of detainees are still being detained by the Syrian regime even though a judicial order for their release was issued despite the bureaucracy, corruption, slowness, and limpness that the Syrian judiciary suffers from.
- Syrian regime forces control densely populated cities such as the main central cities and it continue to practice its systematic policies of arbitrary arrests against the civilians of these areas.
- There are many Syrian regime forces-affiliated entities that are authorized to make arrests, many of these entities make arrests without checking with Syrian regime forces or the judicial authorities to which these entities are affiliated. Also, these entities have its own list of detention centers that are not subject to any judicial supervision. The detainees inside these detention centers are not being treated in accordance with the stated Syrian laws.
- A large number of cases are driven by blackmails or sectarian grudges especially in unstable areas that are not held by a specific faction or it is undergoing a power struggle. As a result, many armed militias that have emerged can't be monitored as they don't answer to any particular group.

II. October Outline

The record of arbitrary arrests made in October featured a number of campaigns of raids and arrests by Syrian regime forces which focused on civilians and former armed opposition fighters in the areas that had signed settlement agreements with Syrian regime forces. Our monitoring also confirmed that Syrian regime force arrested some of the previously forcibly displaced civilians who returned from north Syria to their hometowns as part of these settlement agreements. In addition, Syrian regime forces launched a sweeping arrest campaign against individuals who had returned from neighboring countries, as well as targeting individuals who should supposedly have been protected by the amnesty laws and reconciliation offers established by the regime. October also saw an increase in the rates of kidnappings for ransom by Syrian regime forces' security apparatuses, particularly by personnel of the Air Force Intelligence and Military Intelligence forces. These abductions were concentrated in the cities of Hama, Latakia, and Homs, and particularly targeted women and children.



Syrian regime forces continued with their policies of pursuing civilian activists involved in the popular uprising for democracy, as well as targeting individuals affiliated with the armed opposition in areas under opposition control, with regime forces also carrying out campaigns of raids and arrests that targeted entire families related to members of armed opposition factions. These arrests, which included women and children, were concentrated in the cities of Hama, Latakia, and Homs.

Meanwhile, Self-Management forces continued enforcing their policies of arbitrary arrest and enforced disappearance throughout the month of October, targeting political activists and members of civil society groups who oppose their views. These arrests were concentrated in Hasaka governorate. Additionally, Self-Management forces continued their policy of arbitrary arrest for the purpose of conscription. October also saw an increase in the rate of child arrests for the purpose of conscription by Self-Management forces, particularly in the areas under their control in Hasaka governorate.

In addition to these incidents, October also saw the arrests of doctors and local council personnel by Hay'at Tahrir al-Sham, whose members also continue to pursue and arrest armed opposition fighters belonging to factions affiliated with the Euphrates Shield and Olive Branch operation rooms, with these arrests being concentrated in the southern suburbs of Idlib governorate.

Factions from the armed opposition, meanwhile, continued making arrests in the territories under their control, which were concentrated in Aleppo governorate, and particularly Afrin city.

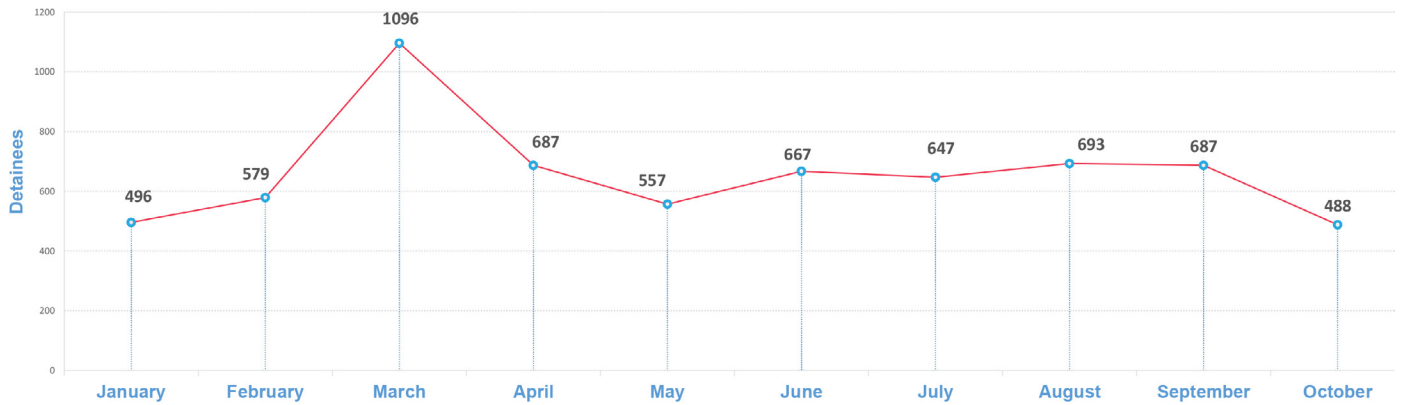
III. Toll of Arbitrary Arrests Made by the Parties to the Conflict

A. Arbitrary arrests since the start of 2018

SNHR documented 6,597 cases of arbitrary arrest at the hands of all parties to the conflict in Syria between the start of 2018 and November of the same year. These arrests were distributed as follows:



No less than 6597 cases of arbitrary arrest in Syria since the start of 2018



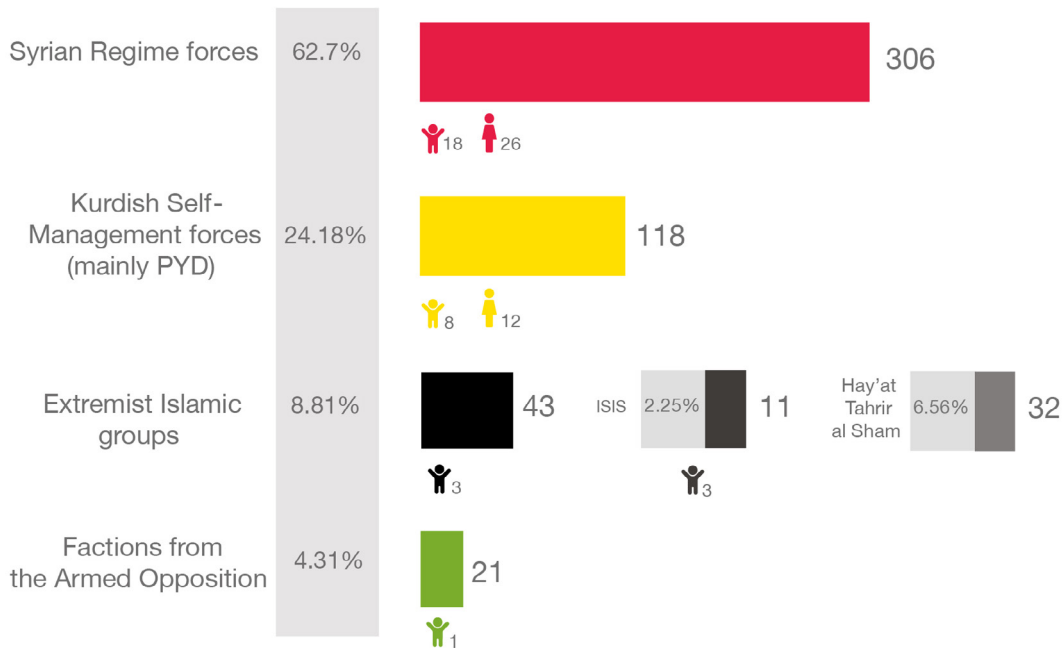
November 1, 2018

As documented by SNHR

B. Arbitrary arrests in October

SNHR documented no fewer than 488 arbitrary arrests in Syria in October, which were distributed by all parties to the conflict as follows

No less than 488 cases of arbitrary arrest in Syria in October 2018

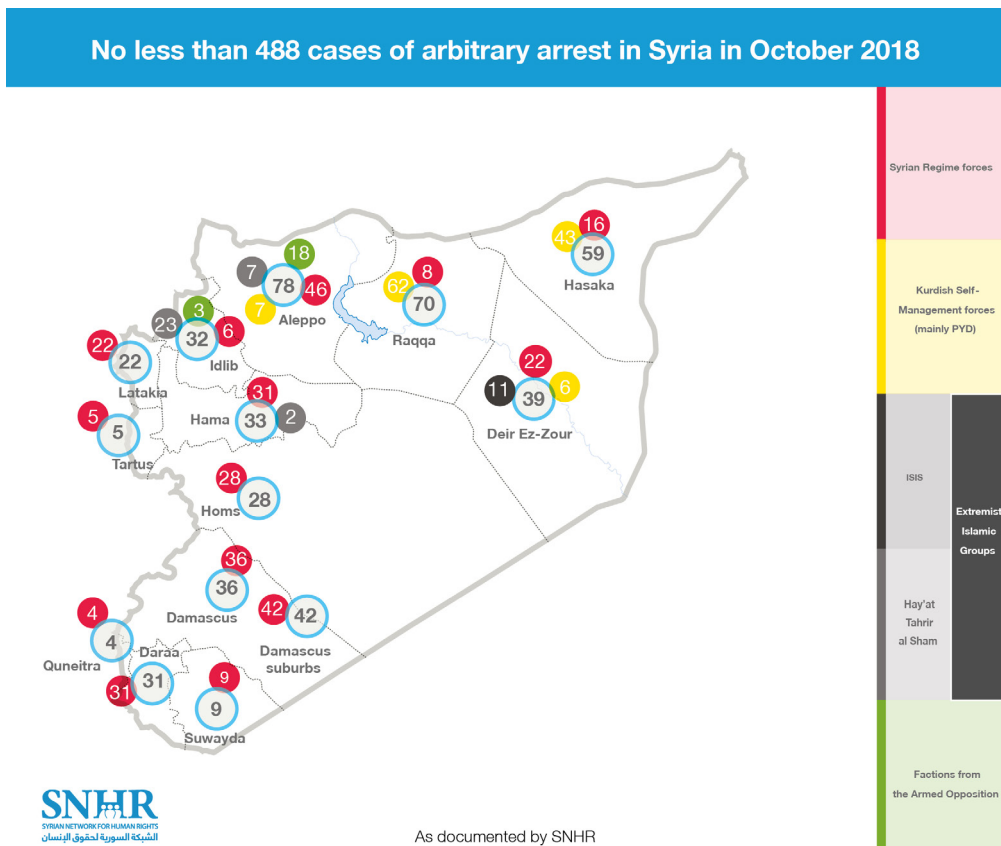


Children Women (adult female)

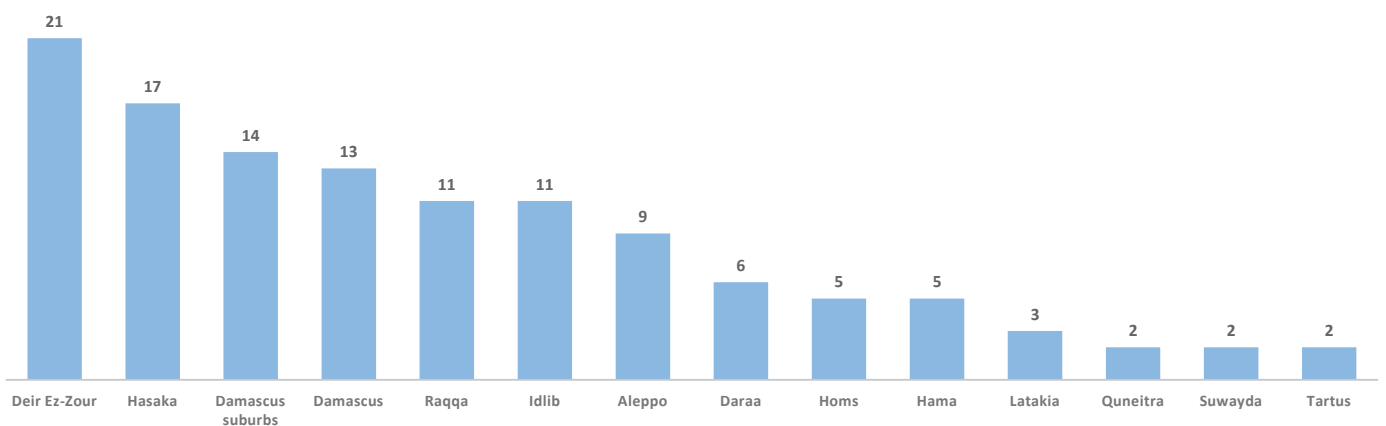
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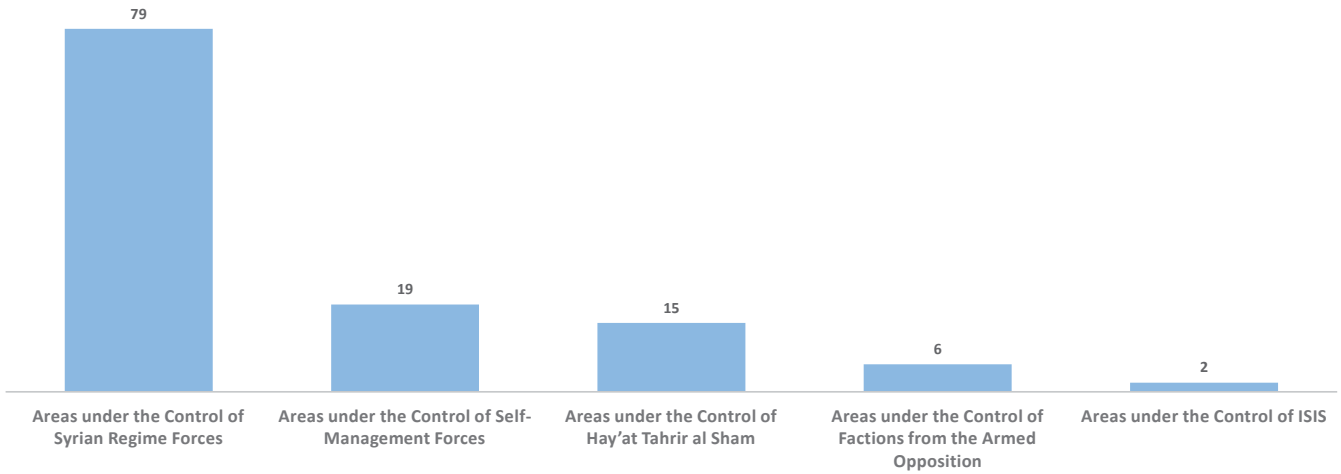
The following map shows the distribution of arbitrary arrests in October across Syrian governorates by all parties to the conflict



We also documented no fewer than 121 inspection points that resulted in detention in the month of October. Those were distributed across governorates as follows



Inspection points were distributed by the responsible party as follows:



IV. Most Notable Cases and Incidents of Arbitrary Arrest in October

A. Syrian regime forces (army, security, local militias, and Shiite foreign militias)

Most notable incidents

On Monday, October 29, 2018, Syrian regime forces carried out a raid and arrest campaign in Jbab village in the northern suburbs of Daraa governorate. We documented the arrest of 12 civilians who had previously agreed to settlements. They were taken to an undisclosed location. Their fate remains unknown to SNHR as well as their families.

On Friday, October 26, 2018, Syrian regime forces arrested four civilians who had previously agreed to settlements at a checkpoint in Quneitra city. They were taken to an undisclosed location.

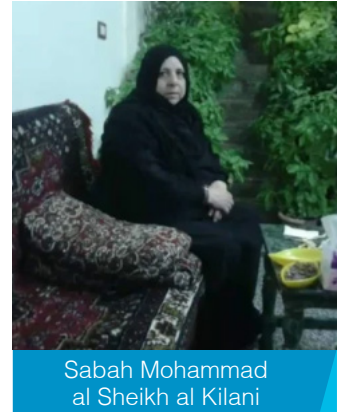
On Wednesday, October 24, 2018, Syrian regime forces arrested 10 civilians at a checkpoint at the neighborhoods of Tareeq Halab, al Qosour, and al Arba'in in al Hader area in northern Hama city. They were taken to an undisclosed location.

Most notable cases

Siblings Malek and Haitham al Barghash, from Inkhil city in the northern suburbs of Daraa governorate were arrested by Syrian regime forces on October 3, 2018 during a raid on Inkhil city. They had previously agreed to settlements. Their fate remains unknown to SNHR as well as to their families.



Sabah Mohammad al Sheikh al Kilani, a 60-year-old lady from al Dmair city in eastern Damascus suburbs governorate, was arrested by Syrian regime forces on Monday, October 8, 2018 in al Dmair city. Her fate remains unknown to SNHR as well as to her family.



Al al Jad'ie, a former volunteer with the Syrian Civil Defense (White Helmets), from al Dmai-na village in the southern suburbs of Hama governorate, was arrested by Syrian regime forces on Thursday, October 4, 2018 in a raid on his place of residence in al Tloul al Humr village in the southern suburbs of Hama governorate. His fate remains unknown to SNHR as well as to his family.

B. Extremist Islamic groups

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

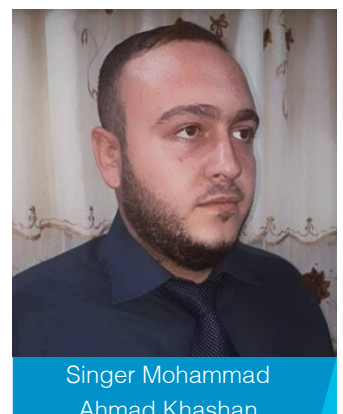
Most notable incidents

On Tuesday, October 16, 2018, Hay'at Tahrir al Sham gunmen arrested three civilians from Morek town in the northern suburbs of Hama governorate. They were taken to an undisclosed location. Their fate remains unknown to SNHR as well as to their families.

On Monday, October 15, 2018, Hay'at Tahrir al Sham gunmen carried out a campaign of raids and arrests in Ein Larouz village in the Jabal al Zawiya area in the southern suburbs of Idlib governorate. We documented the arrests of 10 civilians who were taken to an undisclosed location.

Most notable cases

Mohammad Ahmad Khashan, the head of a religious singing group, from Ma'aret al Nu'man city in the southern suburbs of Idlib governorate, was arrested by Hay'at Tahrir al Sham gunmen on Friday, October 5, 2018 in Khan Sheikhoun city in the southern suburbs of Idlib governorate. His fate remains unknown to SNHR as well as to his family.



Ali Shahoud Rashid, from Darat Ezza city in the southern suburbs of Aleppo governorate, works in the first-aid wing of al Amal Surgical Hospital in Darat Ezza city. On Monday, October 29, 2018, Ali, who was born in 1991, was arrested by Hay'at Tahrir al Sham on a public road in northern Darat Ezza city. His fate remains unknown to SNHR as well as to his family.



Jum'a al Omari, a media worker, from Kafr Hamra village in the western suburbs of Aleppo governorate, was arrested on Monday, October 29, 2018, by Hay'at Tahrir al Sham gunmen who raided his place of residence in Termanin village in the southern suburbs of Idlib governorate. He was taken to an undisclosed location. His fate remains unknown to SNHR as well as to his family.



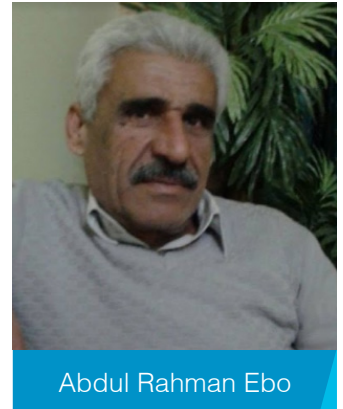
Ziad Hussein Naddaf, from Morek town in northern Hama governorate, is a member of the Hama Governorate Free Council and president of the Local Council of Morek town. He was arrested on Monday, October 29, 2018, by Hay'at Tahrir al Sham gunmen in a raid on his place of residence in Morek town. He was taken to an undisclosed location. His fate remains unknown to SNHR as well as to his family.



C. Factions from the armed opposition

Most notable cases

Abdul Rahman Ebo, an engineer from Karzila village, which is administratively a part of Afrin city in the northern suburbs of Aleppo governorate, was born in 1961. On Saturday, October 20, 2018, Abdul Rahman, an Aleppo University architecture graduate, was arrested by gunmen from armed opposition factions affiliated with the Olive Branch operation room, in a raid on his place of residence in the Villa Street neighborhood in the center of Afrin city. He was taken to an undisclosed location. His fate remains unknown to SNHR as well as to his family.



Laila Ismail Qabalan, a woman, from Holilou village, which is administratively a part of Afrin city in the northern suburbs of Aleppo governorate, was born in 1982. She was arrested by associates of armed opposition factions who are affiliated with the Olive Branch operation room on Saturday, October 13, 2018, during a raid on Holilou village. Her fate remains unknown to SNHR as well as to her family.

D. Self-Management forces (consisting primarily of the Democratic Union Party – a branch of the Kurdistan Workers’ Party)

Most notable incidents

On Thursday, October 25, 2018, Self-Management forces carried out a campaign of raids and arrests at a farm in the Badiya of Ghranij city in the eastern suburbs of Deir Ez-Zour governorate. We documented the arrests of 11 civilians, including two children, who were taken to an undisclosed location.

On Thursday, October 25, 2018, Self-Management forces carried out a campaign of raids and arrests for conscription purposes in al Shdadi city in the southern suburbs of Hasaka governorate. We documented the arrests of seven civilians, who were taken to an undisclosed location.

On Friday, October 12, 2018, Self-Management forces carried out a campaign of raids and arrests in the Masakin Sariko area of northern Raqqa city. We documented the arrests of five civilians, who were taken to an undisclosed location.



Most notable cases

Ahmad Sofi is a media worker and reporter for the Ark Media Institution, and a member of the Kurdistan Democratic Party, from al Malikiya city in the northern suburbs of Hasaka governorate. He was arrested by Self-Management forces on Monday, October 22, 2018 at a checkpoint on the road between al Qasr village and al Malikiya city in the northern suburbs of Hasaka governorate. His fate remains unknown to SNHR as well as to his family.



V. Recommendations

Security Council

Monitor the implementation of Resolution 2042, adopted on April 14, 2012, Resolution 2043, adopted on April 21, 2012, and Resolution 2139, adopted on 22 February, 2014 which demands the immediate end of the crime of enforced-disappearance.

Human Rights Council

- Follow up on the issue of detainees and forcibly disappeared persons in Syria and shed light on it in all of the annual meetings.
- Cooperate and coordinate with all active local human rights groups in Syria.

Commission of Inquiry (COI)

Launch investigations on the cases included in this report and past reports. SNHR is willing to cooperate and provide more evidences and data.

International, Impartial, and Independent Mechanism (IIIM)

Address the cases mentioned in this report and past reports. SNHR is willing to cooperate and provide more evidences and data.

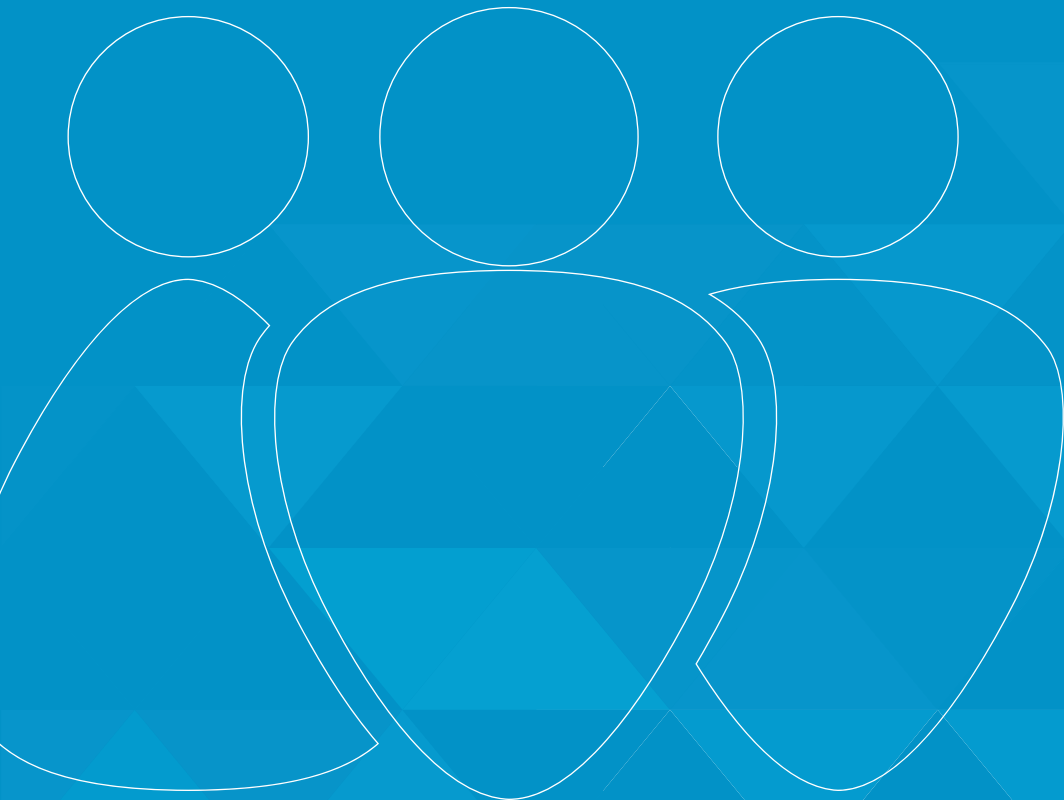
United Nations and the guarantors in Astana talks

- An impartial special committee should be formed to monitor enforced-disappearance cases, and make progress in revealing the fate of nearly 95,000 missing persons in Syria, approximately 86% of them are detained by the Syrian regime.



- Immediately start applying pressure on all parties in order to immediately reveal their detention records per a timetable. In the meantime, detention places should be revealed immediately, and humanitarian organizations and the International Committee of the Red Cross should be allowed to visit them directly.
- Release children and women, and stop holding families and friends as war hostages.
- We call on the official who was newly appointed in charge of the detainee file at the UN special envoy office to include the detainees issue in the upcoming round of Geneva talks, as this issue is of a greater importance to the Syrian people than other far-term issues that can be jointly addressed later by the parties after a political settlement is reached, such as the constitution.





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