

No less than 693 Cases of Arbitrary Arrest in Syria in August 2018

66% of all Cases Were by Syrian Regime Forces Who Targeted Mostly People 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

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 August. 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 August.

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 arbi-



trary 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 continues 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 their 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 great 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. August Outline

August saw a number of raid and arrest campaigns by Syrian regime forces that were concentrated against civilians and former armed opposition fighters in the areas that agreed to settlements with Syrian regime forces. We've also recorded a number of arrests made by Syrian regime forces that involved people returning to their hometowns from north Syria after they were forcibly displaced as part of settlement agreements. Some of those died due to torture shortly after they were detained. Those arrests were concentrated in Daraa governorate and Douma city, Damascus suburbs governorate.

Syrian regime forces also continued seeking out civilians who were activists in the popular uprising towards democracy and also armed opposition factions fighters who live in their areas of control. We've recorded that Syrian regime forces carried out organized raid and arrest campaigns that targeted entire families on account of being relatives to individuals from armed opposition factions. Those arrests were concentrated in the cities of Hama, Latakia, and Homs. Women and children were no exception.

On the other hand, Self-Management forces (primarily consisting of the Democratic Union Party – a branch for the Kurdistan Workers' Party) continued enforcing their policy of arbitrary arrest and enforced-disappearance against political activists and individuals from civil society groups who oppose their policies. Those arrests were concentrated in Hasa-



ka governorate. Also, Self-Management forces continued carrying out arbitrary arrests for the purpose of conscription. August has recorded the highest toll of arbitrary arrests by Self-Management forces since the start of 2018.

August saw also arrests by Hay'at Tahrir al Sham that involved doctors and activists from local councils. The group is still pursuing and arresting individuals from armed opposition factions who are affiliated with the Euphrates Shield and Olive Branch operation rooms. Those arrests were concentrated in southern suburbs of Idlib governorate.

In addition, armed opposition factions made arrests in August that were concentrated in their areas of control in Aleppo governorate, particularly Afrin and al Bab cities.

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

A. Arbitrary arrests since the start of 2018

SNHR has documented 5,422 cases of arbitrary arrest at the hands of the parties to the conflict in Syria between the start of 2018 and September of the same year. These arrests were distributed as follows:

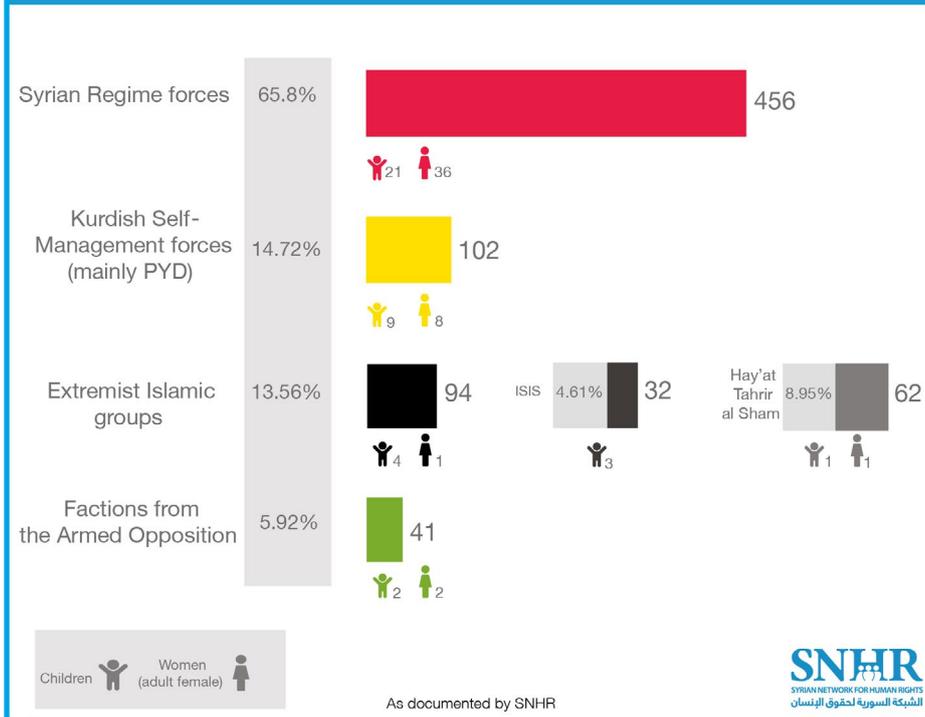


B. Arbitrary arrests in August

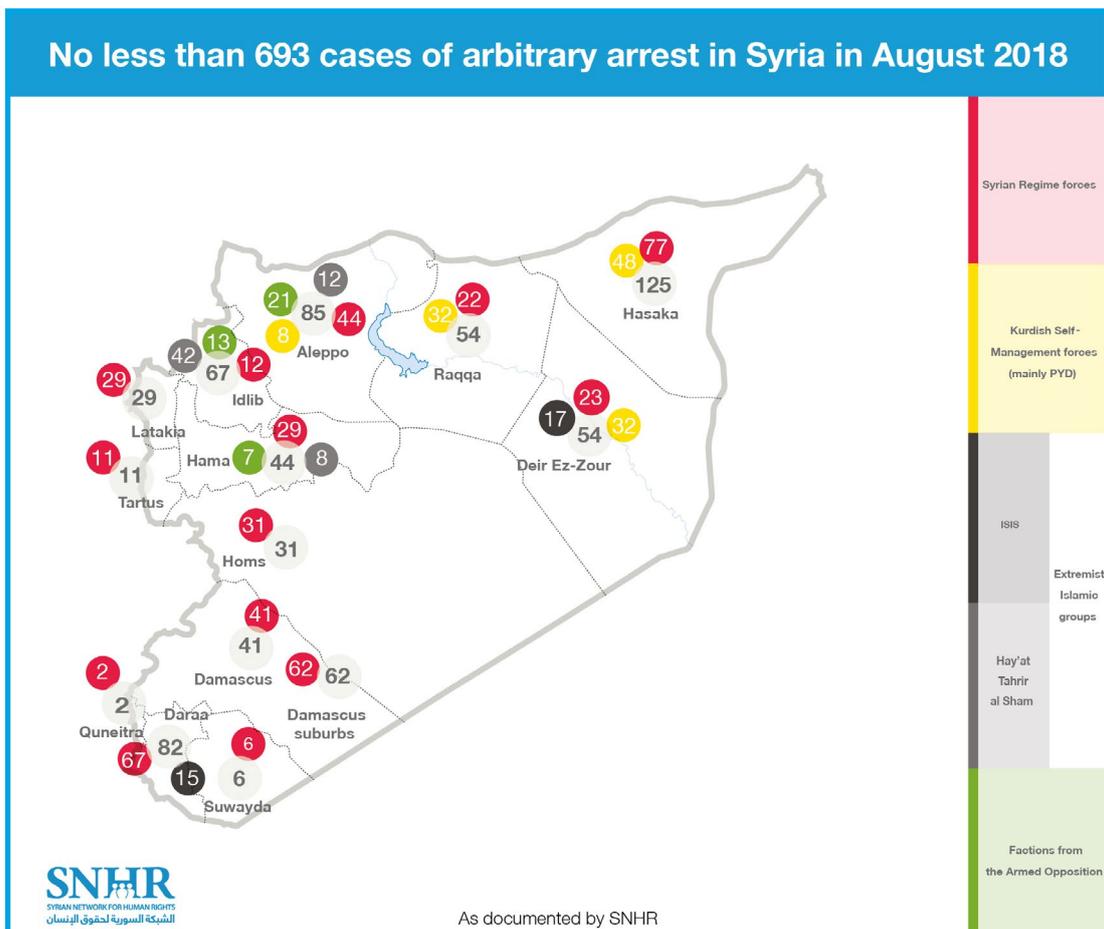
SNHR has documented no less than 693 arbitrary arrests in Syria in August, which were distributed by the parties to the conflict as follows:



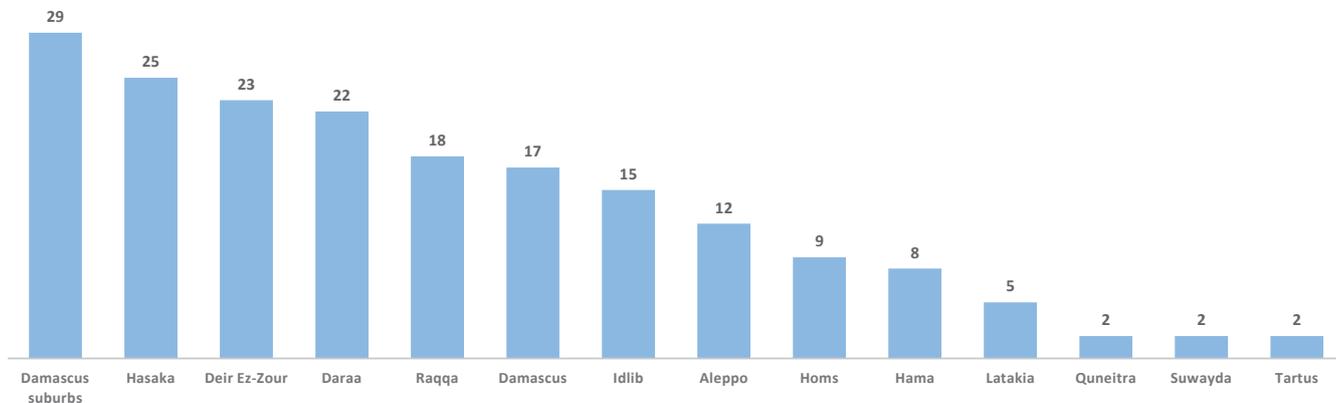
No less than 693 cases for arbitrary arrest in Syria in August 2018



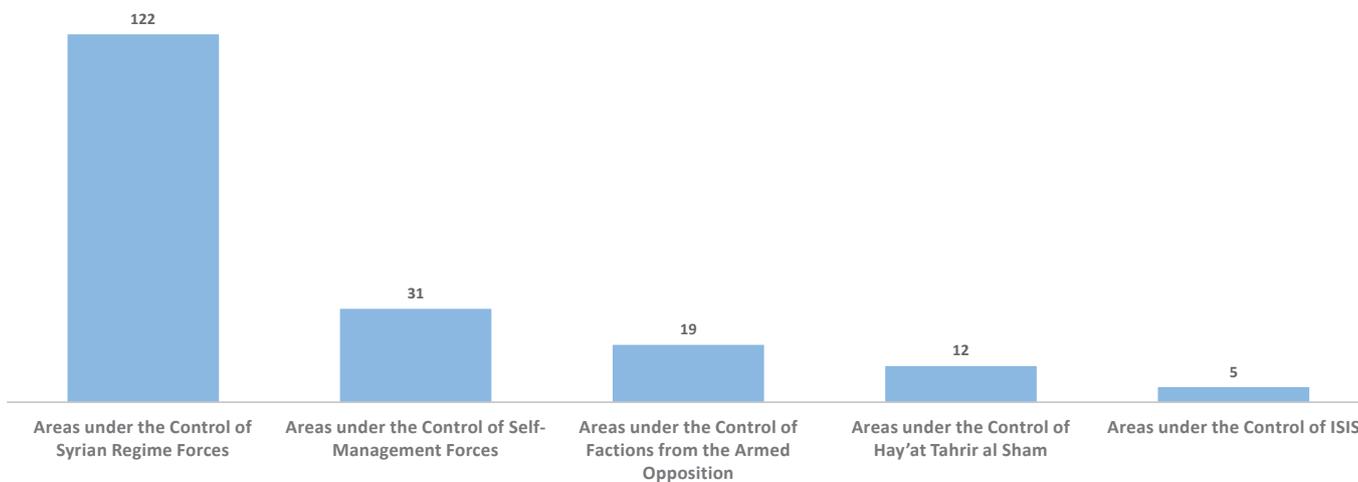
The following map shows the distribution of arbitrary arrests in August across Syrian governorates by the parties to the conflict:



We've also documented no less than 189 inspection points that resulted in detention in the month of August. 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 August

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

Most notable incidents

Thursday, August 23, 2018, Syrian regime forces carried out a raid and arrest campaign in al Houna village, eastern suburbs of Daraa governorate. We've documented that four civilians were arrested. They were taken to an undisclosed location.



Sunday, August 19, 2018, Syrian regime forces carried out a raid and arrest campaign in Kafr Batna town, eastern Damascus suburbs governorate. We've documented that 10 civilians were arrested. They were taken to an undisclosed location.

Saturday, August 11, 2018, Syrian regime forces carried out a raid and arrest campaign in Dael city, northern suburbs of Daraa governorate. We've documented that six civilians were arrested. They were taken to an undisclosed location.

Saturday, August 14, 2018, Syrian regime forces carried out a raid and arrest campaign in al Lajat area, eastern suburbs of Daraa governorate. We've documented that 80 civilians were arrested. They were taken to an undisclosed location.

Most notable cases

Mohammad Abdul Hamid, Arabic teacher, from al Qosour neighborhood, eastern Hama city, born in 1984. On Saturday, August 4, 2018, he was arrested by Syrian regime forces at a checkpoint on Hama – Homs road. He was taken to the Military Security Intelligence in the city. His fate is still unknown to SNHR as well as his family.

Name was concealed for security concerns, woman, from al Mu'alimeen neighborhood, eastern Homs city, born in 1988. On Monday, August 20, 2018, she was arrested by Syrian regime forces who raided her place of residence in the neighborhood. She was taken to an undisclosed location. Her fate is still unknown to SNHR as well as her 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 cases

Ibrahim Khatib, a defected captain (a parachute officer) from government forces, from Mar'yan village, southern suburbs of Idlib governorate. On Friday, August 3, 2018, he was arrested by gunmen from Hay'at Tahrir al Sham from Mer'yeen village. His fate is still unknown to SNHR as well as his family.



Ahmad Khaled al Qnatri, defected captain from government forces, from Hazarin village, southern suburbs of Idlib governorate. On Thursday, August 2, 2018, he was arrested by gunmen from Hay'at Tahrir al Sham at a checkpoint on the road between Kafranbel and Hazarin village, southern suburbs of Idlib governorate. His fate is still unknown to SNHR as well as his family



Ahmad Khaled al Qnatri

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



Emad Qattini

C. Factions from the armed opposition

Most notable cases

Naziya Na'san, woman, from Afrin city, northern suburbs of Aleppo governorate, 36-year-old. On Friday, August 12, 2018, she was arrested by affiliates from armed opposition factions in al Zebdiya neighborhood, Afrin city. Her fate is still unknown to SNHR as well as her family.

Feryal Na'san, from Afrin city, northern suburbs of Aleppo governorate, 34-year-old. On Friday, August 12, 2018, she was arrested by affiliates from armed opposition factions in al Zebdiya neighborhood, Afrin city. Her fate is still unknown to SNHR as well as her family.



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

Most notable incidents

Wednesday, August 29, 2018, Self-Management forces arrested eight civilians, including four women, from Manazel al Mu'alimeen neighborhood, Raqqa city. They were taken to an undisclosed location.

Tuesday, August 28, 2018, Self-Management forces carried out a raid and arrest campaign in al Alwa al Janoubiya village, northern suburbs of Raqqa city. We've documented that six civilians were arrested. They were taken to an undisclosed location.

Saturday, August 25, 2018, Self-Management forces carried out a raid and arrest campaign in al Sandliya village, eastern suburbs of Aleppo governorate. We've documented that 24 civilians were arrested. They were taken to an undisclosed location.

Most notable cases

Eid Jasim al Rahil, member of Hasaka City Council, from Hasaka city, 60-year-old. On Monday, August 6, 2018, he was arrested by Self-Management forces at a checkpoint in Hasaka city. His fate is still unknown to SNHR as well as his family.



Eid Jasim al Rahil

Khalil Ismail al Hasan, anesthesia nurse, from Raqqa city, 25-year-old. On Friday, August 17, 2018, he was arrested by Self-Management forces at a checkpoint in Raqqa city. His fate is still unknown to SNHR as well as his family.



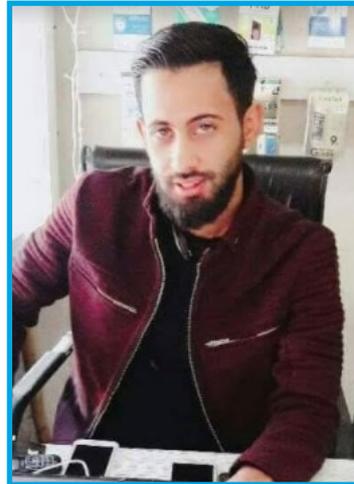
Khalil Ismail al Hasan



Brothers Bashar and Osama al Assaf, from Tal Abyad city, western suburbs of Raqqa governorate. On Sunday, August 25, 2018, they were arrested by Self-Management forces from Tal Abyad city. Their fate is still unknown to SNHR as well as their families.



Bashar al Assaf



Osama al Assaf

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 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)

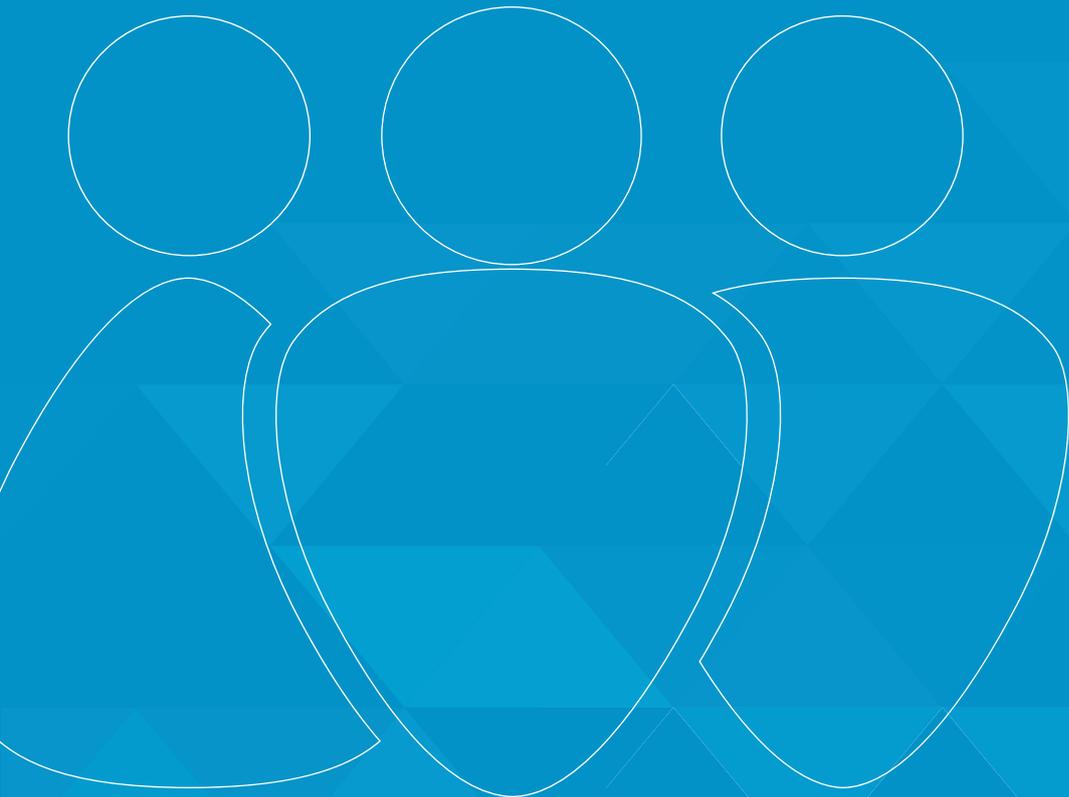
Address the cases mentioned in this report and past reports. SNHR is willing to cooperate and provide more evidences and data.



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 whom 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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