



## The Syrian Network for Human Rights Receives a Letter From the UN Working Group on Enforced or Involuntary Disappearances About its Dispatch of Cases, Provided by the SNHR This Year, to the Syrian Regime

**At Least 568 Cases of Enforced Disappearance Have Been Reported by the Syrian Network for Human Rights to the UN Working Group on Enforced or Involuntary Disappearances**

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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. Several New Cases of Forcibly Disappeared Persons have been Referred by the UN Working Group on Enforced or Involuntary Disappearances to the Syrian Regime

On 30 August 2022, coinciding with the International Day of Victims of Enforced Disappearances, the Syrian Network for Human Rights (SNHR) received a formal letter [from the UN Working Group on Enforced or Involuntary Disappearances \(WGEID\)](#) stating that the WGEID has referred several cases of enforced disappearance, which had been provided by the SNHR this year, to the Syrian regime. The WGEID has called on the Syrian government to conduct appropriate inspections to indicate the fate and whereabouts and protect the rights of the persons mentioned. If the Syrian regime responds, the WGEID will inform us, and we will communicate this information to the families of the missing persons. Through our experiences with hundreds of previous cases, the Syrian regime's response is often to deny the existence of the forcibly disappeared persons, to assert that nothing is known about their fate, and, less commonly, to respond that these cases are under investigation.

In addition to communicating with and notifying the Syrian regime of these cases, the WGEID mentions them in the special annex to the report it prepares on enforced disappearances in Syria, and over the past years, the SNHR has received many similar responses from the WGEID.

This cooperation with the WGEID has been ongoing for many years. The SNHR team sends a weekly periodic correspondence about cases of forcibly disappeared persons that have been documented, whereupon the WGEID re-verifies these cases, selecting some to consult the Syrian regime about them. While cases that have occurred more recently are often treated as a priority over those from previous years, this does not mean that those earlier cases have not been addressed.

## II. At least 568 Cases of Enforced Disappearance have been Reported by the Syrian Network for Human Rights to the UN Working Group on Enforced or Involuntary Disappearances

According to SNHR's database at least 95,696 of the people detained by the Syrian regime between March 2011 and August 2022, including 2,316 children and 5,734 women (adult females), remain forcibly disappeared by the regime. This massive number of victims of enforced disappearance confirms that it is a systematic practice, recurring over the years, committed extensively against tens of thousands of detainees and thus constitutes crimes against humanity.

The documentation of arrests/detentions and enforced disappearances is very complicated. In its ongoing work on this issue from 2011 until now, the SNHR has faced many challenges, the most prominent of which are the victims' families' fear of cooperation, even if this is carried out confidentially, and their giving up hope for the usefulness of documentation, in addition to other difficulties. Hence, the documented cases are only the bare minimum that our team has been able to verify.

At the SNHR, we have made tremendous efforts in documenting and monitoring the cases of victims of arbitrary detention and enforced disappearance over the past eleven years, by building complex e-programs since March 2011 to archive and classify the data of detainees and forcibly disappeared persons, whose data is collected and verified by our team. This has thus enabled the SNHR to classify the arrests by sex and location of incident, the detainee's governorate of origin, to identify and compare the parties that carried out the arrest, and to indicate which governorates saw the largest percentage of the population arrested and disappeared. Furthermore, we issue annual and monthly reports, within the framework of the ongoing struggle to preserve the rights of victims of enforced disappearance and their families.

On our official website, we have created a [customized form](#) to be filled out by the families with completed forms automatically sent to our detainees and forcibly disappeared section team which follows up on each case and communicates with the families to complete the documentation and registration process. We have also made available all secure communication methods on media apps and secured phone numbers to enable our team's work in facilitating the process of communicating with the victims' families to carry out the documentation.

Up till early August 2022, we have been able to provide the WGEID with details of at least 568 cases of enforced disappearances by Syrian regime forces, including dozens of women and children, and we currently have hundreds of additional cases that we will submit to the WGEID over the next few months.

In this regard, the SNHR seeks further cooperation from the victims' families, with their consent considered a prerequisite for us to be able to refer the case. Cooperation with the victims' families is therefore vital in order to communicate as many cases as possible to the WGEID. Our team works unceasingly to build strong and extensive relationships with the families of the forcibly disappeared and to collect as much data as possible and store it in [our database](#) on the forcibly disappeared.

### III. The Syrian Network for Human Rights Supports the Establishment of an Independent Mechanism for Missing Persons and is Ready to Cooperate with it.

In December 2021, the UN General Assembly (UNGA) adopted [Resolution No. 76/228](#), in which it requested that the UN Secretary-General conduct a study on how to bolster efforts, including those made through existing measures and mechanisms, to clarify the fate and whereabouts of missing people, identify human remains, and provide support to the victims' families, in consultation with the Office of the United Nations High Commissioner for Human Rights (OHCHR) and based on the recommendations of the Independent International Commission of Inquiry on the Syrian Arab Republic.

On June 17, 2022, the Independent International Commission of Inquiry on the Syrian Arab Republic issued a paper entitled '[Syria's Missing and Disappeared: Is There a Way Forward?](#)' in which it made recommendations to the Secretary-General of the United Nations regarding the establishment of an independent international mechanism to clarify the fate and whereabouts of the missing people in Syria, including persons subjected to enforced disappearance. The paper states, "The evidence shows that the Government is aware of and meticulously registers information about those it has detained. However, rather than investigate the crimes committed in its detention facilities, it continues to withhold information from family members..." The paper added that incommunicado detention and disappearances still occur routinely, indicative of the absence of political will among the parties to the conflict to address the situation. The paper recommended the establishment of a mechanism with an international mandate, defining its precise terms of reference, working methods, and strategies... according to the mandate granted to it and with the participation of the families of the missing persons in Syria.

Since [its first report](#) dated 23 November 2011, the Independent International Commission of Inquiry has led the way in calling for the establishment of an independent mechanism with an international mandate to coordinate and consolidate claims relating to missing persons, including persons at risk of enforced disappearance, and reiterated the demand in its report "['Out of sight, out of mind: deaths in detention in Syria'](#)", issued on 8 February 2016.

Pursuant to UNGA's Resolution [No. 76/228](#), the UN Secretary-General submitted his report to the UNGA, stating that a new independent international entity specifically dedicated to the issue of missing persons in Syria should be established, with a broad mandate, and designed based on a victim- and survivor-centered approach, involving all families.

The SNHR has supported all the demands of the Independent International Commission of Inquiry on Syria regarding the need to establish an independent UN mechanism whose task is limited to the issue of missing persons, including the forcibly disappeared, given the large numbers of those affected in Syria. The data contained in this report have also shown merely the total documented number of the forcibly disappeared, which is horrific, making the need for such a mechanism an urgent requirement for all missing victims and their families. Furthermore, we have submitted a report on our vision for this mechanism to the OHCHR, and have asserted that we will cooperate with it once it is established, and are ready to provide it with the information and data that have been documented in our database over eleven years.

## IV. Conclusion and Recommendations

### Conclusion

- Enforced disappearance is a gross and cruel violation of human rights, as it subjects the victim to a series of violations, such as torture and other cruel or degrading treatment, deprivation of his liberty and right to defense, and cuts the victim off from legal protection, leaving him/her defenseless and helpless in the hands of the tormentors. It also exposes the victim to the denial of his/her full human rights and the violation of political and civil rights, which are interdependent and intertwined, such as the right of the individual to recognition of his/her legal personality, liberty, fair trial, and judicial guarantees. Enforced disappearance also generally violates the economic, social, and cultural rights of victims and their families alike, such as the right to protection and assistance to the family and the right to live with an adequate standard of living, since enforced disappearance often means that families lose their primary or sole breadwinner.
- The Syrian regime has committed enforced disappearances as part of a large-scale attack against all categories of the civilian population, having given, in full consciousness, orders for arrest and subsequently for enforced disappearance, which constitutes a crime against humanity under Article 7 of the [Rome Statute](#) of the International Criminal Court (ICC) and is therefore not subject to the statute of limitations. The same article gives the right to the victims' families to reparation and to know the fate of the disappeared persons. Enforced disappearance is also deemed a war crime under Article 8 of the same Rome Statute and has been practiced against opponents demanding political change.

## Recommendations

### UN Working Group on Enforced or Involuntary Disappearances:

- Increase the manpower available to work on the critical situation in Syria, which is suffering from a massive national catastrophe for the forcibly disappeared due to the huge numbers of people who have disappeared since March 2011, making Syria the worst country in the world in terms of this violation.
- Send as many forms as possible to the Syrian regime, as we believe that these forms contribute to the efforts to reveal the fate of these forcibly disappeared people, and are a form of deterrence, however slight, against this brutal regime that kills these innocent people under torture.

### Families of the Forcibly Disappeared:

- Cooperate with credible human rights organizations and provide them with the data on the forcibly disappeared members of their families, and accept their correspondence with the WGEID, as this notification is a form of warning the Syrian regime and may contribute to stopping the extermination of the forcibly disappeared individuals.
- The registration of the case of the forcibly disappeared with the WGEID and their inclusion in the annex to the WGEID's periodic report is an important document in the hands of the families proving the state of enforced disappearance through which accountability and reparations can be demanded in the subsequent transitional justice process and prove the continuation of the Syrian regime's use of this strategy in this case.

### UN Security Council and United Nations:

- Resort to Chapter VII of the UN Charter to protect detainees from dying in detention facilities, and to put an end to the plague of enforced disappearance that is spreading in Syria, as it threatens the security and stability of society.
- The UN Security Council should follow up on the implementation of and compel the parties to abide by the resolutions it has issued, most notably Resolution No. 2042 and Resolution No. 2139, and follow up its words with the requisite action.
- Support the establishment of a mechanism to deal with the issue of missing persons in Syria as a minimum of serious action in this critical matter.

## Gratitude and Solidarity

We would like to thank the families of the victims who had the courage to communicate with the SNHR team and agreed to involve the WGEID in demanding accountability, and we express our full and complete solidarity with all the forcibly disappeared people and their families.



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