



BETWEEN PRISON AND THE GRAVE

ENFORCED DISAPPEARANCES IN SYRIA

AMNESTY
INTERNATIONAL



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Tens of thousands of people in Syria have vanished without a trace. They are the victims of enforced disappearance – when a person is arrested, detained or abducted by a state or agents acting for the state, who then deny the person is being held or conceal their whereabouts, placing them outside the protection of the law. In Syria, the disappeared are cut off from the outside world, packed into overcrowded, secret cells where torture is routine, disease is rampant and death is commonplace. Their families are forced to live in desperation with few, if any, safe ways of finding their loved ones.

Amnesty International's research shows that the enforced disappearances carried out by the Syrian government since 2011 were perpetrated as part of an organized attack against the civilian population that has been widespread, as well as systematic, and therefore amount to crimes against humanity.

The Syrian government carried out this campaign in defiance of international law and in the face of widespread condemnation. In Resolution 2139 of February 2014, the UN Security Council demanded an immediate end to the practice of enforced disappearance in Syria. More than one year later, the Council's failure to uphold its own resolution threatens the core principle of human dignity on which the UN was founded.

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1. EXECUTIVE SUMMARY

“The person who is in prison, you know where he is. The person who is killed, you know that he is dead. But this – he is between prison and the grave. We have no idea where he is. This is the worst thing. This is injustice.”

Mother of disappeared detainee Akram (real name withheld)

Since the beginning of the crisis in 2011, a largely unseen but egregious human rights violation has been committed on a systematic and near-daily basis in Syria. Tens of thousands of people have been taken – snatched from their homes, offices, cars, and neighbourhood markets. Their families and loved ones are left only with questions: Where have they gone? Why were they taken? Are they still alive? And how could anyone commit such a cruel and inhuman act?

These people have been subjected to enforced disappearance – when a person is arrested, detained or abducted by a state or state agents, who then deny that the person is being held or conceal their whereabouts, placing them outside the protection of the law. Enforced disappearance is in itself a crime under international law and places individuals at grave risk of extrajudicial execution, torture and other gross human rights violations.

For this report, Amnesty International conducted research into enforced disappearances committed by the government in Syria from March 2011 to August 2015. Researchers interviewed 71 family members, friends or colleagues of people who have been forcibly disappeared; eight people who were released after having been forcibly disappeared; and 14 international and national experts on enforced disappearance, such as investigators, analysts, and monitors. Amnesty International researchers carried out these interviews in Turkey, Lebanon, the UK and Germany from June to September 2015; they did so either in person or by phone, email or other virtual means. Amnesty International has attempted to engage with the Syrian authorities on the issue of enforced disappearances through various means and is still awaiting a response.

Based on these interviews and prior research, as well as the documentation of other

international and national monitoring groups, Amnesty International considers that the enforced disappearances carried out since 2011 by the Syrian government were perpetrated as part of an organized attack against the civilian population that has been widespread, as well as systematic, and therefore amount to crimes against humanity.

Amnesty International's research indicates that enforced disappearances in Syria are carried out by a range of actors: all four branches of the security forces, namely Military Intelligence, Air Force Intelligence, Political Security and General Intelligence (sometimes referred to as State Security); the armed forces; and militias associated with the Syrian government, including the National Defence Forces and the *shabiha*. Those subjected to enforced disappearance are held in a network of detention facilities across the country, including detention centres run by the security forces, each of which has a central branch in Damascus as well as regional, city, and local branches; civil prisons; and unofficial detention centres.

Several non-state armed groups in Syria have engaged in abduction and hostage-taking. Such acts constitute war crimes. Some of these abductions share many of the elements of enforced disappearance; however, they are not covered in this report. Amnesty International will issue a report focused on detention-related abuses committed by non-state armed groups in the coming months.

The Syrian Network for Human Rights, a Syria-based monitoring group, has documented the names of 65,116 individuals, 58,148 of them civilians, who were forcibly disappeared between March 2011 and August 2015 and were still missing as of 30 August 2015. International and national monitors believe the actual number of enforced disappearances committed by the Syrian government to be even greater, as many Syrians are reluctant to discuss the issue publicly out of fear that doing so could further endanger detained relatives or put family members still in Syria at risk.

Since 2011 the Syrian government has carried out an orchestrated campaign of enforced disappearances. At the beginning of the crisis it arrested and forcibly disappeared large numbers of peaceful opponents of the government, including demonstrators, political activists, human rights defenders, media workers, doctors and humanitarian aid workers. As the conflict evolved, so too did the government's strategy. It forcibly disappeared those it considered to be disloyal, such as defectors as well as government employees or soldiers who were believed to be considering defection. The government also began forcibly disappearing family members of individuals wanted by the security forces, usually in an effort to dissuade these wanted individuals from continuing their political activism or military activities. Meanwhile, as the system of enforced disappearances in Syria has developed over the last four years, the number of actors seeking to use this system for their own personal gain has increased, which has led to even more enforced disappearances. Amnesty International's research suggests that two primary motivations driving these opportunistic actors are the pursuit of financial profit and the settling of personal grievances.

Those who are forcibly disappeared in Syria are subjected to extreme trauma, and in some

cases, death. They are placed outside of the protection of the law – flimsy as it is in Syria – and denied access to a lawyer or a fair trial. Detainees are squeezed into overcrowded, filthy cells where disease is rampant and medical treatment unavailable. They are regularly subjected to a catalogue of torture, which may include electric shocks, whipping, suspension, burning, rape and other forms of sexual violence. They are cut off from the outside world, as their family members have no idea where they are or whether they are even still alive. Those who survive enforced disappearance carry the scars of their experience – both psychological and physical – for the rest of their lives.

For instance, Salam Othman, who was forcibly disappeared from 2011 to 2014, told Amnesty International that he and other prisoners were tortured with instruments meant to cause maximum pain to the most “sensitive points” on their bodies. He described his experience in the notorious Saydnaya prison: “People would die and then be replaced... I did not leave the cell for the whole three years, not once... Many people became hysterical and lost their minds.”

The families of victims of enforced disappearance also face inordinate suffering. They endure anguish as they wait for months or even years to find out the fates of their relatives. Rami al-Attar, whose mother was forcibly disappeared in 2013, shared his experience: “Every morning, I forget. I will think to myself, ‘I didn’t call my mother’, and then I remember she is gone. Those are the worst moments. From two and a half years ago until now, I cannot comprehend it. It’s like each day she disappears again.”

Family members can also experience serious health problems as a result of an enforced disappearance, such as panic attacks and heart problems, and may be stigmatized by their extended families, friends and neighbours, who fear that associating with the family of a forcibly disappeared detainee might increase their own risks. They are beset with financial hardships, particularly when the breadwinner of their family is forcibly disappeared – a common occurrence in Syria. And because their relatives are neither officially dead nor alive, they face legal and administrative problems. In Syria, where it is estimated that 90% of those who have been forcibly disappeared are men, these legal and financial difficulties are especially acute for women.

In the midst of these difficulties, families’ options to find their disappeared relatives are few and dangerous. In fact, family members inquiring about their relatives at detention centres have been routinely arrested and subjected to enforced disappearance themselves. Because of the risks involved with making an official inquiry to the government, relatives are forced to enter an insidious black market that has emerged around the security apparatus in Syria. Almost every family interviewed for this report told Amnesty International they had been forced to make deals with “middlemen” or “brokers” – people with close ties to the authorities who buy and sell information on the whereabouts of disappeared detainees. The bribes demanded by these intermediaries range from hundreds to tens of thousands of US dollars. Families spoke of selling homes or property to come up with the money that was asked of them. One young man, whose three brothers were forcibly disappeared in 2012, reported to Amnesty International that he had moved to Turkey so that he could work to pay

back the loans he took to give various intermediaries the equivalent of US\$150,000. His brothers are still missing.

The Syrian government is fully aware of what it needs to do to end the practice of enforced disappearances. Amnesty International has been calling on it repeatedly to make clear to all government forces and government-affiliated militias that such violations will not be tolerated, to grant international monitors such as the UN-mandated Independent International Commission of Inquiry on the Syrian Arab Republic unimpeded access to all persons deprived of their liberty and to inform families of the whereabouts and legal status of all persons in their custody. States supporting the Syrian government, such as Russia and Iran, should press the Syrian government to carry out such measures. At the same time, Amnesty International urges the UN Security Council to ensure the effective implementation of the human rights and humanitarian provisions of its Resolution 2139 of February 2014, which strongly condemns and calls for the cessation of the practice of enforced disappearance. The Council should also refer the situation in Syria to the Prosecutor of the International Criminal Court as a matter of urgency. Finally, all states should accept a shared responsibility to investigate and prosecute enforced disappearances and other crimes under international law committed in Syria, in particular by seeking to exercise universal jurisdiction to bring suspected perpetrators to justice.

2. METHODOLOGY

Amnesty International conducted field research for this report in Turkey and Lebanon from June to September 2015. It carried out additional interviews in Germany and the UK in August and September 2015. Interviews were conducted either in person or by phone, email or other virtual means. Amnesty International researchers interviewed 71 family members, friends, or colleagues of men and women who have been forcibly disappeared by the Syrian government; three women and five men who were released after having been forcibly disappeared; and 14 international and national experts on enforced disappearance, such as investigators, analysts and monitors. Several witnesses in this report asked that their names or the name of the disappeared person be withheld, whether to protect their own safety, the safety of the disappeared person or the safety of family members living in Syria.

While Amnesty International conducted a field mission to Kurdish-controlled areas of north-eastern Syria from 27 July to 2 August 2015, this did not involve research on enforced disappearances. Due to heightened security concerns, Amnesty International has not visited other areas of Syria controlled by non-state armed groups since 2013. The Syrian authorities have never responded to Amnesty International's repeated requests to travel to areas they control since the start of the crisis in March 2011.

For this report, Amnesty International reviewed reports from UN agencies, international NGOs, local monitoring groups and the media. Amnesty International also co-operated with several monitoring groups and activists to gather information and establish contact with the family members of individuals who had been forcibly disappeared. These groups include the Syrian Network for Human Rights, the Violations Documentation Center in Syria, and the Syrian Institute for Justice and Accountability.

Amnesty International has attempted to engage with the Syrian authorities on the issue of enforced disappearance through various means since 2011, in particular by submitting to them cases, including many of those that feature in this report, via communications from its Urgent Action network. Amnesty International has never received a response from the Syrian authorities to the requests for information and clarifications contained in these communications. It is eager to receive such a response, which it would reflect in future publications.

3. BACKGROUND

The government has carried out enforced disappearances in the context of a widespread campaign of terror and collective punishment against the civilian population in Syria. Since peaceful protests broke out across the country in 2011, the government has arbitrarily arrested, tortured and otherwise mistreated a massive number of individuals, many of whom have died in detention.¹ Government forces and pro-government militias have launched both indiscriminate attacks and direct attacks on civilians and civilian objects – including hospitals, schools, public markets, and places of worship – using explosive weapons such as barrel bombs and prohibited chemical weapons.² The Syrian government has maintained sieges of civilian areas in and around Damascus and elsewhere in Syria, subjecting civilians there to starvation; a lack of medical care and basic services; as well as artillery shelling, air attacks and sniper fire.³

Non-state armed groups have also carried out violations of international humanitarian law, including war crimes, in Syria. They have launched indiscriminate attacks using mortars, tank and artillery shells; committed summary and unlawful killings; and besieged

¹ See Amnesty International, *Deadly detention: Deaths in custody amid popular protests in Syria* (Index: MDE 24/035/2011), available at <https://www.amnesty.org/en/documents/MDE24/035/2011/en/>; Amnesty International, *I wanted to die: Syria's torture survivors speak out* (Index: MDE 24/016/2012), available at <https://www.amnestyusa.org/sites/default/files/mde240162012en.pdf>; Human Rights Watch, *Torture archipelago: Arbitrary arrests, torture, and enforced disappearances in Syria's underground prisons since March 2011*, 3 July 2012, available at <https://www.hrw.org/report/2012/07/03/torture-archipelago/arbitrary-arrests-torture-and-enforced-disappearances-syrias>.

² See Amnesty International, *Syria: Government bombs rain on civilians* (Index: MDE 24/009/2013), available at <https://www.amnesty.org/en/documents/MDE24/009/2013/en/>; Human Rights Watch, *Attacks on Ghouta: Analysis of alleged use of chemical weapons in Syria*, 10 September 2013, available at <https://www.hrw.org/report/2013/09/10/attacks-ghouta/analysis-alleged-use-chemical-weapons-syria>; Amnesty International, *Al-Raqqa under attack: Syrian air force strikes against civilians* (Index: MDE 24/1029/2015), available at <https://www.amnesty.org/en/documents/mde24/1029/2015/en/>; Amnesty International, *Death everywhere: War crimes and human rights abuses in Aleppo* (Index: MDE 24/1370/2015), available at <https://www.amnesty.org/en/documents/mde24/1370/2015/en/>; Physicians for Human Rights, *Doctors in the crosshairs: Four years of attacks on health care in Syria*, March 2015, available at https://s3.amazonaws.com/PHR_Reports/doctors-in-the-crosshairs.pdf.

³ See Amnesty International, *Squeezing the life out of Yarmouk: War crimes against besieged civilians* (Index: MDE 24/008/2014), available at <https://www.amnesty.org/en/documents/MDE24/008/2014/en/>; Amnesty International, *Left to die under siege: War crimes and human rights abuses in Eastern Ghouta* (Index: MDE 24/2079/2015), available at <https://www.amnesty.org/en/documents/mde24/2079/2015/en/>.

government-held areas.⁴ Many non-state armed groups have also engaged in the arbitrary detention, torture and other mistreatment of detainees, as well as abductions and hostage-taking, albeit on a much smaller scale than the Syrian government.⁵

⁴ See Amnesty International, *Syria: Summary killings and other abuses by armed groups* (Index: MDE 24/008/2013), available at <https://www.amnesty.org/en/documents/MDE24/008/2013/en/>; Human Rights Watch, *"He didn't have to die": Indiscriminate attacks by opposition groups in Syria*, 22 March 2015, available at <https://www.hrw.org/report/2015/03/22/he-didnt-have-die/indiscriminate-attacks-opposition-groups-syria>.

⁵ See Amnesty International, *Rule of fear: ISIS abuses in detention in northern Syria* (Index: MDE 24/063/2013), available at <https://www.amnesty.org/en/documents/MDE24/063/2013/en/>. Some of these abductions share many of the elements of enforced disappearance; however, they are not covered in this report. Amnesty International will issue a report focused on detention-related abuses committed by non-state armed groups in the coming months.

4. OVERALL SITUATION OF ENFORCED DISAPPEARANCE IN SYRIA

WHAT IS AN ENFORCED DISAPPEARANCE?

The International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED) sets out three core elements for an enforced disappearance:

- There is an arrest, detention, abduction or any other form of deprivation of liberty.
- That conduct is carried out by agents of the state or by persons or groups of person acting with the authorization, support or acquiescence of the state.
- The conduct is followed either by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which places such a person outside the protection of the law.

Amnesty International distinguishes enforced disappearances – in which state agents are directly or indirectly involved – from abductions carried out by non-state armed groups.

Although the word “disappearance” might imply an innocuous or non-violent act, in reality, enforced disappearances are particularly cruel and violent human rights violations. Enforced disappearances affect not only the disappeared, who are cut off from the outside world and made vulnerable to human rights abuses such as torture, sexual violence and even murder, but also their families and friends, who are often forced to wait years before they find out the fate of their relative.

STATISTICS AND SCOPE

The Syrian government has forcibly disappeared a massive number of individuals since 2011. The Syrian Network for Human Rights (SNHR) has documented the names of 65,116 individuals – including 58,148 civilians and 6,968 fighters – who were subjected to enforced disappearance between March 2011 and August 2015 and were still missing as of 30 August 2015.⁶ Of the forcibly disappeared civilians documented by the SNHR, 52,124 are

⁶ To be categorized as forcibly disappeared by the SNHR, the individual must have been disappeared for at least one month in circumstances corresponding to the definition of enforced disappearance set out in the ICPPED. According to the SNHR, 8,455 individuals were forcibly disappeared in 2011, 25,276 in 2012, 19,570 in 2013, 9,500 in 2014, and 2,315 from January to August 2015. Syrian Network for Human Rights, *Forced disappearance in Syria: Gone without a trace*, 30 August 2015, available at <http://sn4hr.org/wp-content/pdf/english/Dahaya-EUROMID-english.pdf>.

men (90%), 2,145 are women (4%), and 3,879 are children (6%). The Violations Documentation Center in Syria has also documented the names of tens of thousands of individuals who were subjected to enforced disappearance between March 2011 and August 2015 and were still missing as of 30 August 2015.⁷

The SNHR classifies an individual as being forcibly disappeared if he or she is disappeared for at least one month in circumstances corresponding to the definition of enforced disappearance set out in the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED). Their figure for enforced disappearances is monitored on a daily basis by a team of researchers who exclude all persons who are no longer classified as disappeared, whether because they have been confirmed as dead or released, registered in a particular detention centre or for other reasons. The SNHR has removed 15,345 cases from its tally of enforced disappearances since 2011 for such reasons. Among the cases they documented, the SNHR has found that more than half of the victims were forcibly disappeared for two years or more, amounting to 53% of the total.⁸ Based on hundreds of interviews conducted with released detainees since 2011, Amnesty International has found that the vast majority of individuals detained by the Syrian government are subjected to enforced disappearance at some point in the course of their detention.⁹ In this report, Amnesty International has focused on cases of enforced disappearance lasting several months or more.

Although they have recorded tens of thousands of cases of enforced disappearance in Syria, monitoring groups face several challenges in documenting this abuse. First, relatives of disappeared detainees may refuse to speak publicly, as they fear that increased public attention could further endanger the person who has been disappeared. Second, relatives of disappeared detainees believe that if they are perceived to be complaining to the Syrian authorities, other family members might face punitive measures such as travel bans, arrests or being forcibly disappeared themselves. Finally, after more than four years since the beginning of the crisis in Syria, family members may be reluctant to speak with monitoring groups about their disappeared relatives, having witnessed that such efforts only rarely lead

⁷ The Violations Documentation Center in Syria (VDC) has documented the names of 20,000 individuals who had been subjected to enforced disappearance since 2011 and were still disappeared as of 30 August 2015. Of this total they estimate that at least 18,000 are civilians. To be categorized as forcibly disappeared by the VDC, the individual must have been disappeared for at least six months in circumstances corresponding to the definition of enforced disappearance set forth in the ICPPED. Email correspondence with VDC spokesperson, 25 September 2015.

⁸ The SNHR found that, of the cases they have documented, 16% of victims were forcibly disappeared for one month, 12% for two months, 10% for six months, 9% for one year, 11% for two years, 23% for three years, and 19% for four years. Email correspondence with SNHR director, 22 September 2015.

⁹ Amnesty International generally considers someone to be forcibly disappeared if the individual is subjected to enforced disappearance in circumstances corresponding to the definition set out in the ICPPED for a minimum of 14 days.

to positive results.

Given these challenges, many international and national monitors estimate the actual number of enforced disappearances in Syria to be higher than indicated by current figures. The true scope of the phenomenon of enforced disappearance in Syria will likely only be understood in the aftermath of the conflict – if ever.

QUALIFICATION OF THE CRIME

The enforced disappearance campaign carried out by the Syrian government since 2011 appears to have been perpetrated as part of an organized attack against the civilian population that has been widespread, as well as systematic. It therefore amounts to a crime against humanity. In 2013 the UN-mandated Independent International Commission of Inquiry on the Syrian Arab Republic made a similar assessment, finding reasonable grounds to believe that the Syrian government's campaign of enforced disappearance constituted a crime against humanity.¹⁰ Three months later, the UN Working Group on Enforced or Involuntary Disappearances observed that enforced disappearances in Syria were being perpetrated as a systematic and widespread attack on civilians, thereby qualifying as a crime against humanity, and called on the highest UN bodies to give immediate attention to the matter.¹¹

TRAJECTORIES OF ENFORCED DISAPPEARANCE

In Syria, enforced disappearance cases tend to follow three main trajectories. In the one involving the majority of victims in Syria, individuals are forcibly disappeared immediately or soon after their arrest. For example, Raneem Ma'touq, a fine arts student from Damascus, reported to Amnesty International that, after she was arrested on 17 February 2014, she was immediately taken to Military Intelligence Branch 227. From the time of her arrest until she reappeared when she was transferred to Adra prison two months later, the Syrian authorities refused to provide any information on her whereabouts to her family members.

In the second main trajectory, victims are forcibly disappeared at a later stage in their detention, such as when they are transferred from one detention centre to another or due to external events. For example, Marwan¹² was arrested in al-Raqqa on 20 April 2012. His

¹⁰ Independent International Commission of Inquiry on the Syrian Arab Republic, *Without a trace: Enforced disappearances in Syria*, 19 December 2013, available at <http://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/ThematicPaperEDInSyria.pdf>.

¹¹ Office of the UN High Commissioner for Human Rights, "Syria: Group of experts call for action into enforced disappearances as crime against humanity", 20 March 2014, available at <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14410&LangID=E>.

¹² Real name withheld.

family were initially aware of his whereabouts and were even able to visit him in Aleppo Central Prison. However, they lost contact with Marwan when a siege on the prison began in mid-2013 and have only heard of him through unofficial sources.¹³ Authorities have not responded to their requests for information on his whereabouts since that time.

In the third, victims are arrested and forcibly disappeared when they approach the Syrian authorities to inquire about the fate of a family member who has been subjected to enforced disappearance. For example, Khalid Hamoudi was arrested and forcibly disappeared in 2014, while en route to Damascus to seek information on the whereabouts of his son, who was disappeared in 2011. According to Khalid's other son, Mohammed, Khalid contacted his family after his arrest and told them he was "wanted" because of his disappeared son.

SEARCHING FOR THE DISAPPEARED

Families whose relatives have been forcibly disappeared have few options to find them, and those options can carry grave risks. Many Syrians have told Amnesty International that, as a result of the secondary arrests and enforced disappearances described above, they have felt it too risky to approach or even contact the authorities to seek information on the whereabouts of their family members. The mother of a detainee who was forcibly disappeared in 2011 explained: "I heard from a released detainee that he was in Saydnaya prison. They said I could go there and maybe they would let me see him. But I am afraid to go – they might arrest me, too."¹⁴

Other relatives of forcibly disappeared detainees said that, even if they were willing to take the risk of approaching or contacting the Syrian authorities, doing so would make no difference. For instance, the father of a man who was forcibly disappeared in February 2013 told Amnesty International: "A security official told us: 'You should go home. If he is with us, we would never tell you anyway.'"¹⁵ The brother of a man who was forcibly disappeared in 2012 echoed this, saying, "In Syria, even if he is in the next room, they will tell you he is not there."¹⁶

Despite the risks and apparent futility of doing so, several relatives of disappeared detainees

¹³ Aleppo Central Prison was the site of a battle between government and several non-state armed groups from March 2013 until May 2014. During this period, a part of the prison was made a base for government forces and in May 2013, the prison was besieged by non-state armed groups. See Office of the United Nations High Commissioner for Human Rights, *Surrounded by death: Former Inmates of Aleppo Central Prison*, 12 August 2014, available at <http://www.ohchr.org/Documents/Countries/SY/AleppoCentralPrison.pdf>.

¹⁴ Interview in Turkey, 21 July 2015.

¹⁵ Interview in Turkey, 16 July 2015.

¹⁶ Interview in Turkey, 14 July 2015.

reported that they had made official inquiries and approached detention centres. A few said they had relocated to the cities where they believed their relatives were being detained, because it took so much effort to navigate the bureaucracy of the various detention centres and judicial bodies. In doing so, they could devote their full efforts to the search. For example, the sister of Amal al-Saleh, arrested by the security forces in October 2012, told Amnesty International:

*The first time [Amal] was arrested, I searched in all the courts, all the branches [of security forces], until we found her... Now, I have lost her... Of course I am worried about my own safety here [in Damascus], and especially when I go to the branches, but there is nothing I can do. I will stay in Damascus until I find her again. I am living with friends and trying everything to find her.*¹⁷

THE BLACK MARKET FOR ENFORCED DISAPPEARANCES

Perhaps as a result of the obstacles put in place by the Syrian authorities for families searching for their relatives, a black market has emerged around enforced disappearances in Syria. The salespeople in this market – sometimes referred to by Syrians as “middlemen”, “brokers” or “mediators” – are individuals with close ties to the Syrian authorities. The reluctant customers are the relatives and friends of disappeared detainees. The market's currency is information on the whereabouts, health, or any other news on a disappeared detainee or, less commonly, an offer to release a disappeared detainee, to bring him or her to trial or to arrange a visit.

Family members have told Amnesty International that these intermediaries hold various positions in society: they could be prison guards, lawyers, former detainees, imams (religious clerics) or simply “whoever has a good relationship with the government”.¹⁸ Khalid¹⁹, a media activist from Palmyra, explained: “We have around 10 middlemen in our neighbourhood, and everyone knows who they are.”²⁰ Anwar al-Bunni, a Syrian human rights lawyer, added: “In each neighbourhood, there are several middlemen. It is the newest profession for Syrians... There are hundreds of famous ones, and thousands of people who are doing this.”²¹

The specific ways in which these intermediaries operate is opaque and context-specific. However, several Syrians told Amnesty International that the intermediaries will use a portion of the bribes they have been given by family members to pay government or prison officials to

¹⁷ Phone interview, 1 August 2015.

¹⁸ Interview in Turkey, 15 July 2015.

¹⁹ Last name withheld.

²⁰ Interview in Turkey, 15 July 2015.

²¹ Skype interview, 10 August 2015.

negotiate outcomes or information. Tarek Hokan, a Syrian human rights activist, described the system: "The bribes that are paid by family members are a kind of business for the government. They are now a big part of the Syrian economy."²² A defence lawyer working in Damascus added: "These bribes are a cash cow for the regime – they are a source of funding that they have come to rely on... Even the lawyers are taking bribes now. It's a disgrace."²³

Family members said they sometimes approached these intermediaries and, in other instances, the intermediaries approached them. Saeed Eido, the brother of a man who was forcibly disappeared in 2012, described his family's experience to Amnesty International: "We receive calls all the time from people we don't know. Each one says they can find him if we give him the money."²⁴ The amounts of the bribes that are asked of families vary widely, from hundreds to tens of thousands of dollars. Lawyer Anwar noted that the amount asked from the families "depends on what is offered – how important the person is... [and] how much the family can afford".²⁵ Salaam²⁶, the father of a forcibly disappeared detainee, told Amnesty International that his family had paid the equivalent of US\$3,000 to an intermediary who promised to tell them "just one word: alive or dead".²⁷

Several relatives emphasized that while they had paid one or several bribes to intermediaries, they did not receive accurate information or any change in outcome. For instance, according to the defence lawyer, "families will give up their life savings just to discover that their loved ones are dead".²⁸ Still, families feel they have no other choice. Ghada²⁹, the mother of two disappeared sons, explained: "When your son is gone and you hear something, you run to the news. You don't care where it comes from or whether it is true."³⁰ Hakim al-Saleh, the brother of a man who was forcibly disappeared in 2013, told Amnesty International:

²² Interview in Turkey, 1 July 2015.

²³ Interview in Lebanon, 10 September 2015.

²⁴ Interview in Turkey, 14 July 2015.

²⁵ Skype interview, 10 August 2015.

²⁶ Last name withheld.

²⁷ Interview in Turkey, 29 July 2015.

²⁸ Interview in Lebanon, 10 September 2015.

²⁹ Last name withheld.

³⁰ Interview in Turkey, 28 July 2015.

To find out where he was, we paid 2 million Syrian pounds [then the equivalent of roughly US\$30,000]. We sold our land so that we could pay this man... My grandfather didn't sell this land, my father didn't sell it, but I sold it, and for nothing in the end. But it was the right decision. If they find him, we would give everything we own.³¹

³¹ Interview in Turkey, 23 July 2015.

5. CONSEQUENCES OF ENFORCED DISAPPEARANCE

“We have been left behind with nothing to live our lives. Our family is zero now.”

Mohammed Hamoudi, whose brother and father have been forcibly disappeared³²

IMPACT ON THE DISAPPEARED

The disappeared in Syria are subjected to extreme suffering and, in some cases, death. Individuals who are forcibly disappeared have been subjected to torture, including rape and sexual violence, and other forms of ill-treatment. They are cut off from the outside world, left knowing that their loved ones have no idea where they are or whether they are dead or alive. They are placed outside of the protection of the law and denied their right to legal representation or a fair trial. They are also routinely denied medical treatment and kept in horrific detention conditions. Amnesty International and other international monitoring groups have documented in depth the abuses the Syrian government has committed against detainees.³³ These issues are also discussed in the chapter “Survivors of enforced disappearance”.

³² Interview in Turkey, 23 July 2015.

³³ For details on government abuses in detention, see Amnesty International, *Deadly detention: Deaths in custody amid popular protests in Syria* (Index: MDE 24/035/2011), available at <https://www.amnesty.org/en/documents/MDE24/035/2011/en/>; Amnesty International, *I wanted to die: Syria's torture survivors speak out* (Index: MDE 24/016/2012), available at <https://www.amnestyusa.org/sites/default/files/mde240162012en.pdf>; Human Rights Watch, *Torture archipelago: Arbitrary arrests, torture, and enforced disappearances in Syria's underground prisons since March 2011*, 3 July 2012, available at <https://www.hrw.org/report/2012/07/03/torture-archipelago/arbitrary-arrests-torture-and-enforced-disappearances-syrias>.

IMPACT ON THE VICTIMS' RELATIVES

Enforced disappearance has a profound effect on the family members and friends of the disappeared individuals. Relatives of disappeared detainees have told Amnesty International that they routinely experienced a deterioration of their mental and physical health, financial hardships, social stigma, legal and administrative difficulties and increased fear of the government.

MENTAL AND PHYSICAL HEALTH

Family members have described to Amnesty International the anguish they experienced as a result of the enforced disappearance of their relatives. Many have been waiting for weeks, months, and even years for news. When asked to describe the feeling caused by enforced disappearance, one mother said she was "desperate", another said she felt "always on edge", and a brother said he was "paralysed". Reem³⁴, whose son was forcibly disappeared in 2011, explains her experience: "If I knew he was alive, if he could just tell me, 'Mom, I'm ok', I could deal with him being in prison for many more years. But this feeling – how can I explain it... I just need to know what happened."³⁵

Several Syrians stated that their greatest suffering was caused by the uncertainty and conflicting reports they had received about their relatives. Fariza Bondek, whose husband was forcibly disappeared in 2014, told Amnesty International: "The most painful part is the uncertainty regarding his fate. One day we will hear from someone that he is long gone and that he was executed in 2014. Another day someone will tell us that he is still alive and doing well. I don't know what to believe. It is so painful."³⁶

Several other relatives and friends have spoken of the near-constant worry they experienced after the enforced disappearance. The mother of a man who was forcibly disappeared in 2011 explained: "If someone dies, you can grieve for them, you can try to deal with what happened. But with my son missing I am always wondering: Is he sleeping enough? Did he get enough to eat today? Is he hurt? But then again maybe none of this worry matters. Maybe he is dead."³⁷

Family members also spoke of remaining in denial that the enforced disappearance had happened. For instance, Maiss Zaghoul, the wife of a lawyer who was forcibly disappeared in 2012, told Amnesty International: "I survive by living in denial. I try to distract myself at all

³⁴ Last name withheld.

³⁵ Interview in Turkey, 21 July 2015.

³⁶ Phone interview, 11 August 2015.

³⁷ Interview in Turkey, 21 July 2015.

times. I can't sleep, so I play with computer games, read the Qur'an, watch TV, whatever I can do not to think. This way I can get through each day."³⁸ According to Rami al-Attar, whose mother was forcibly disappeared in 2013:

*Neither I nor my sister has feelings any more. We are numb. Every morning, I forget. I will think to myself, 'I didn't call my mother', and then I remember she is gone. Those are the worst moments. From two and a half years ago until now, I cannot comprehend it. It's like each day she disappears again.*³⁹

Several family members of forcibly disappeared detainees told Amnesty International that the disappearance of their relative had caused them to experience health problems, such as panic attacks, high blood pressure, diabetes or heart problems. For instance, Ghada⁴⁰, the mother of two young men who were forcibly disappeared in 2012, describes the toll this took on her husband's health: "He faints quite often now. He will throw up and then faint. In the hospital, they don't know what's wrong with him."⁴¹

FINANCIAL HARDSHIPS

Enforced disappearances can also lead to financial difficulties for the family members who are left behind. In Syria this problem has disproportionately impacted women, as the vast majority of people who have been forcibly disappeared are men, a large proportion of whom served as the primary breadwinner for their family. As a result of their disappearance, their wives can be forced to find employment to support the family, often while still being responsible for caring for young children. Mona⁴², whose husband was forcibly disappeared in 2012, said that she had to start working full-time to support their five children. "I have been the mother and the father to my children," she told Amnesty International.⁴³ Children can also be called upon to start working, which can force them to abandon their education. Mohammed Hamoudi, aged 17, told Amnesty International that his brother and father were forcibly disappeared in 2011 and 2014, respectively. He described his experience:

³⁸ Phone interview, 31 July 2015.

³⁹ Interview in Turkey, 31 July 2015.

⁴⁰ Last name withheld.

⁴¹ Interview in Turkey, 28 July 2015.

⁴² Last name withheld.

⁴³ Interview in Turkey, 1 July 2015.

*My dad was arrested, my oldest brother was killed in an air strike, and my second oldest brother was arrested, so now I am the oldest. We also have two girls and a younger brother in my family. I have come to Turkey to support my family. I am working in a steel factory and sending the money home.*⁴⁴

These financial hardships are exacerbated when the family is compelled to pay lawyers' fees or bribes in relation to the enforced disappearance of their relative.

SOCIAL STIGMA

Some relatives of disappeared detainees have told Amnesty International that they have been stigmatized as the result of an enforced disappearance, since extended family members, neighbours and other contacts fear being associated with the detainee or the family. This cuts them off from their social support network at the time when they need it most. Ali As'ad, whose father was forcibly disappeared in 2013, explained: "Because of [my father's] arrests, some of our relatives and neighbours don't want to talk to us. I know they love us and they care for us, but they are afraid."⁴⁵

The mother of a man who was forcibly disappeared in 2012 had a similar experience:

*All of my relatives cut relations with me. We are a complete, tight family... But they cut ties because they think our family brings risk to them. Now, I can't see my own mother. It's been two years since they spoke with me. My mother said they cannot forget me; they are praying for me, but we need to stop talking.*⁴⁶

In Syria, it is traditionally the role of men (usually a husband, but in his absence, an adult son) to be the "head of the household" and "protect" other family members. In cases where the man who is head of the household is forcibly disappeared, the remaining family members can be more likely to be a target of harassment or other abuse by members of the community because they are perceived to be lacking protection. Lamia⁴⁷, the mother of a man who was forcibly disappeared in 2011, described to Amnesty International the situation she and her daughters face in the absence of her son: "Now we are only women left, living in this apartment. We are alone in the world."⁴⁸ The sister of a man who was forcibly disappeared in 2012 described how she had to care for her brother's wife and family in the aftermath of the

⁴⁴ Interview in Turkey, 23 July 2015.

⁴⁵ Interview in Turkey, 22 June 2015.

⁴⁶ Interview in Turkey, 28 July 2015.

⁴⁷ Last name withheld.

⁴⁸ Interview in Turkey, 22 July 2015.

disappearance:

*The complete family is now our responsibility... His wife cannot live alone, so now she is living with us in the house with her six kids. She is afraid others will find out she does not have a husband and take advantage of her. She is afraid her kids will lose their mother and their father.*⁴⁹

LEGAL AND ADMINISTRATIVE DIFFICULTIES

Family members have reported experiencing legal and administrative difficulties as the result of an enforced disappearance.⁵⁰ For example, if a family cannot provide a death certificate for their forcibly disappeared relative, they may not be able to collect an inheritance. A man whose father was forcibly disappeared in 2013 explained this problem: "In Syria, we were unable to collect my grandfather's inheritance. If anyone but my father collected it, we would need an approval. But he's not officially dead and not officially alive, so we can do nothing... Only money and bribes can solve this kind of problem."⁵¹

These types of difficulties are compounded for the wives of disappeared men. Syria's Personal Status Law stipulates that the father can assume guardianship (*wilaya*) of their own or other people's children, which includes the exercise of disciplinary authority and the provision of medical treatment, education, marriage consent and all other matters involved in the care of a legal minor.⁵² The mother's role is to be the custodian (*hadena*), which allows her to fulfil only the basic needs of her children. Therefore even if the father is absent or disappeared, the mother has no legal right to assume the guardianship of her children, which can create numerous problems. For instance, relatives told Amnesty International that children of disappeared fathers can have difficulty marrying without the presence of their official guardian. Furthermore, under the Personal Status Law, a man has the right to a unilateral and unconditional divorce (*talaq*), from the age of 18. Women, however, have no

⁴⁹ Interview in Turkey, 22 July 2015.

⁵⁰ The 2006 International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED) anticipated such difficulties. Under Article 24(6) of the ICPPED, states are obliged to "take the appropriate steps with regard to the legal situation of disappeared persons whose fate has not been clarified and that of their relatives, in fields such as social welfare, financial matters, family law and property rights".

⁵¹ Interview in Turkey, 22 June 2015.

⁵² The Personal Status Law of 1953 (amended by Law 34 of 1975 and Law 18 of 2003) regulates the family affairs of the overwhelming majority of the population in Syria, namely Sunni, Shi'a and Alawite Muslims. For more details, see Amnesty International, Submission to the Committee on the Elimination of Discrimination against Women (CEDAW) in advance of its 58th pre-sessional meeting, 16 September 2013, available at http://www.refworld.org/topic,50ffbce51b1,50ffbce51c6,525bdcce4,0,AMNESTY_COMMENTARY_SYR.html.

such right, meaning that a wife left behind after an enforced disappearance may be forced to live in limbo, unable to divorce or remarry, for months or even years.⁵³ Women who have fled from Syria to neighbouring countries also reported to Amnesty International that without their husbands, legal and administrative tasks such as registering births or applying for resettlement is more complicated and burdensome.

GENERATING FEAR

Other Syrians have told Amnesty International that, as a result of an enforced disappearance, their immediate or extended family fled the country, out of fear that they too could be arrested or disappeared. Ahmed⁵⁴ explained that after the enforced disappearance of his brother, a prominent human rights activist, the entire family of around 2,000 members left Syria. "Our name was marked," he said.⁵⁵

Many of the people Amnesty International has spoken with have also reported that the government's campaign of arbitrary detention, torture and enforced disappearances had the effect of silencing those who might speak out against the Syrian government or participate in political activism against the government. According to Mahmoud Haj Hamad, whose brother was forcibly disappeared in 2012, "these disappearances make people afraid to do anything against the regime".⁵⁶ Maiss Zaghloul expressed a similar view: "The Syrian regime disappears people to make them scared, to quiet the voices of the civilians."⁵⁷

Finally, some Syrians have said that, in the aftermath of the enforced disappearance of their relative, their family halted any activities that could be perceived as opposing the government, out of fear that they might increase risks for their detained family member. Saeed Eido, whose brother was forcibly disappeared in 2012, reported that his entire family had halted its involvement with peaceful opposition activities since the disappearance. "Even now, our whole family stays away from anything to do with the opposition. We don't even let our brothers work in humanitarian aid," he explained.⁵⁸

⁵³ In accordance with Syria's Personal Status Law, Article 85. Amnesty International, Submission to CEDAW, 16 September 2013, p. 7.

⁵⁴ Real name withheld.

⁵⁵ Interview in Turkey, 26 June 2015.

⁵⁶ Interview in Turkey, 21 July 2015.

⁵⁷ Phone interview, 31 July 2015.

⁵⁸ Interview in Turkey, 14 July 2015.

6. ENFORCED DISAPPEARANCE IN SYRIA: AN EVOLVING CAMPAIGN

“In the beginning of the revolution, the government had a policy: whoever disagrees is never seen again.”

Mother of disappeared detainee Majdi al-Nassife⁵⁹

The Syrian government has a long record of forcibly disappearing its own citizens and others. Between 1980 to 2000, the government of former President Hafez al-Assad forcibly disappeared an estimated 17,000 individuals, many of whom were members of the Muslim Brotherhood, communist and other leftist parties, the Iraqi Ba'ath party, Nasserist parties and different Palestinian groups. Its forces are also suspected of forcibly disappearing Lebanese and other nationals during its military presence in Lebanon.⁶⁰ President Bashar al-Assad continued the practice after he succeeded his father in 2000, albeit in a less widespread manner in his first years in power.⁶¹

With the beginning of the crisis in Syria, the number of people subjected to enforced disappearance rose sharply. Amnesty International has identified three common profiles of individuals who have been targeted for enforced disappearance since 2011: peaceful opponents of the government, individuals considered disloyal to the government and family members of individuals wanted by the government. This chapter sets out each of these profiles and provides individual case examples. It then explores two forms of opportunism –

⁵⁹ Interview in Turkey, 23 July 2015.

⁶⁰ For more details, see Amnesty International, *Never forgotten: Lebanon's missing people* (Index: MDE 24/059/2011), available at <http://www.amnesty.eu/en/news/statements-reports/region/0510-0510/#.VgVQsMtVhHw>.

⁶¹ Human Rights Watch, *A wasted decade: Human rights in Syria during Bashar al-Asad's first ten years in power*, 16 July 2010, available at <http://www.hrw.org/report/2010/07/16/wasted-decade/human-rights-syria-during-bashar-al-asads-first-ten-years-power>.

the pursuit of financial profit and the settling of personal grievances – that have, particularly in recent years, increased the number of enforced disappearances in Syria.

TARGETS OF ENFORCED DISAPPEARANCE

PEACEFUL OPPONENTS OF THE GOVERNMENT

In response to the protests that broke out across the country in 2011, the government launched a co-ordinated campaign to arrest, detain and forcibly disappear peaceful opponents of the government. At the outset, its primary targets for arrest were peaceful demonstrators and long-standing political activists. According to the Independent International Commission of Inquiry on the Syrian Arab Republic, the vast majority of those forcibly disappeared at this stage in the crisis were young men, and the intent of the campaign was to suppress the protest moment and spread fear among relatives and friends of activists and demonstrators.⁶²

In the following months, the Syrian authorities began to target monitors of the government, such as human rights defenders, journalists and other media workers. Doctors and humanitarian aid workers were also arrested and forcibly disappeared as punishment for their provision of medical services and food aid to demonstrators, members of armed opposition groups or others aligned with the opposition.⁶³ Even wounded civilians were not immune; many were arrested and forcibly disappeared when they were forced to seek treatment at government-controlled hospitals due to the lack of medical facilities in opposition-controlled areas.⁶⁴

The following cases provide examples of individuals who were likely forcibly disappeared due to their peaceful opposition to the Syrian government.

⁶² Independent International Commission of Inquiry on the Syrian Arab Republic, *Without a trace: Enforced disappearances in Syria*, 19 December 2013, p. 3, available at <http://www.ohchr.org/Documents/HRBodies/HRCouncil/CoISyria/ThematicPaperEDInSyria.pdf>.

⁶³ Amnesty International, *Health crisis: Syrian government targets the wounded and health workers* (Index: MDE 24/059/2011), available at <https://www.amnesty.org/en/documents/MDE24/059/2011/en/>; Amnesty International, *Squeezing the life out of Yarmouk: War crimes against besieged civilians* (Index: MDE 24/008/2014), available at <https://www.amnesty.org/en/documents/MDE24/008/2014/en/>.

⁶⁴ Independent International Commission of Inquiry on the Syrian Arab Republic, *Assault on medical care in Syria*, 13 September 2013, available at <http://www.ohchr.org/EN/HRBodies/HRC/IIICISyria/Pages/Documentation.aspx>.

DEMONSTRATORS AND POLITICAL ACTIVISTS

ISLAM DABBAS



Islam Dabbas © Private

Islam Dabbas is a student and political activist from Daraya. At the time of his arrest on 22 July 2011, he was organizing and leading peaceful protests in his neighbourhood. According to Islam's cousin, who was arrested with him and released two months later, he and Islam were taken from their neighbourhood by members of Air Force Intelligence. Islam was transferred from a branch of Air Force Intelligence to Saydnaya prison several months later. His family was able to visit him twice at Saydnaya, in June and November 2012. Since their last visit, Islam's

family have made several requests to the authorities at Saydnaya to visit him again. The authorities responded on more than one occasion that Islam is no longer in their custody and they have no knowledge of his whereabouts.

Before his arrest, Islam was an architecture student. Abdul Rahman, Islam's brother, describes him as bright, good-humoured and always calm under pressure. "He would tell me about his studies and explain to me what was happening at the protests. We used to talk for hours," he said.⁶⁵ Islam's father, who was also active in peaceful demonstrations in Daraya, was arrested 20 days before Islam and is now serving a 15-year sentence at Adra for "inciting terrorism". Abdul Rahman explained how his family had been affected by these events: "The family was destroyed. You have to understand – Islam disappeared just after my father was arrested. Suddenly our home lost two vibrant people. Our house felt empty. My mother stopped cooking. It just stopped feeling like a home."

MOHAMMED, NA'IM, AND AS'AD DURGHAM

Three brothers from Palmyra, all of whom were active in organizing peaceful demonstrations, were arrested over four weeks in 2012. Mohammed Durgham worked as a veterinarian before the Syrian crisis began. At the time of his arrest on 27 February 2012, he was hiding at the home of a friend in the al-Zahira neighbourhood in Damascus with four other friends who were also involved in peaceful political activism. Neighbours who witnessed the arrest told

⁶⁵ Phone interview, 15 September 2015. Other quotes relating to this case are from the same interview.

his family that he was arrested by uniformed members of the Air Force Intelligence, which controlled the al-Zahira neighbourhood at that time. When family members approached a branch of Air Force Intelligence in the neighbourhood soon after his arrest, officials denied that he was in their custody. Mohammed was last seen by a released detainee in Saydnaya prison in January 2015. His family has heard no news of his whereabouts since then. Na'im Durgham worked as a plumber before his arrest. He was arrested on 10 March 2012 at his home in Palmyra. Family members who witnessed his arrest said that he was badly beaten before being taken away in a truck. As'ad Durgham was arrested on 23 March 2012 at an outbuilding on the family's property, where he was in hiding. Before the crisis, he had managed the family's farm. According to witnesses, both Na'im and As'ad were arrested by personnel from Military Intelligence. The brothers' family members have had no news of their whereabouts since their arrests, despite making several official and unofficial inquiries.

According to Khaled, his brother, Mohammed is a sociable man and a devoted football fan. He is the most politically active of the brothers and played an important role in leading the protests in his community. "He didn't need a revolution," Khaled explains. "He was living his life, and he was extremely happy without it. But he ended up a leader."⁶⁶ As'ad, on the other hand, is the "calm and responsible" one in the family, and Na'im is open, friendly and "makes friends immediately". When asked how the enforced disappearance of his brothers had affected him, Khaled responded: "Of course I feel so lonely. Because our ages were close, we were all best friends, not only brothers... A lot of people told me that my brothers are dead, but I will never, ever lose the hope to see them again."

When he spoke with Amnesty International, Khaled was in Turkey, working to pay off loans he had taken to pay various intermediaries to research the whereabouts of his brothers. He now owes the equivalent of US\$150,000 to various friends and contacts. Still, he does not regret the money he spent. "When your brothers have been taken, and someone says he has information about them, you will follow him, even to find out a shred of information," he explained.

HASSAN JWEYD

Hassan Jweyd was arrested in Anadan, a northern suburb of Aleppo, on 5 April 2012. His brother, who witnessed the arrest, reported that members of the Syrian army took him from his home and that he was shot in the leg during the arrest. Before his arrest, Hassan was working as a baker and a swimming coach at the Anadan pool. He was known in his neighbourhood as the leader of chants and songs during demonstrations in Anadan.

Following his arrest, Hassan was taken to the University Hospital in Aleppo, where he was treated for his leg wound. Ahmed, his brother, followed him there and pleaded for his release.

⁶⁶ Interview in Turkey, 29 July 2015. Other quotes relating to this case are from the same interview.

"I told them, 'My brother was not a terrorist, he is only a baker,'" he said.⁶⁷ After Hassan was transferred from the hospital, his family tried to contact the local authorities to determine his whereabouts, but they denied that he was in government custody. However, the family received reports from released detainees that Hassan had been sighted at Military Intelligence Branch 215 in Damascus and at the military hospital in the Mezze neighbourhood. In January 2014, his brother was told by a military officer that Hassan had been taken to an underground prison in Damascus. Since that time, the family has received no information on Hassan's whereabouts.

Ahmed told Amnesty International:

My brother's bakery was in the middle of Anadan, in the square, right where the demonstrations started. He was singing in the demonstrations. He just wanted to share his energy... We are six brothers and six sisters in my family. He was the youngest of us all. We cannot forget him.

He expressed his frustration at not being able to help his brother: "Nobody is released for nothing. You have to have money to do it. I don't have the connections, and I don't have the 2 million Syrian pounds [the equivalent of roughly US\$10,500] I need to pay the bribe to find him and get him out."

AMAL AL-SALEH



Amal al-Saleh © Private

Amal al-Saleh is a political activist from Yarmouk in southern Damascus. At the time of her arrest, she was organizing peaceful demonstrations in her neighbourhood and working as a hairdresser. On 23 October 2012, she was arrested at her friend's house in Yarmouk. She was first taken to a branch of Air Force Intelligence in Damascus, where she was held until she was transferred to Adra prison in September 2013. Her family knew nothing of her whereabouts until then. Her sister told Amnesty International that she learned when visiting Amal at Adra that she had been tortured and was suffering from post-traumatic stress disorder after being held in solitary confinement for several months. Amal told her sister that she had been

accused of providing weapons to armed opposition groups. In February 2014, Amal was transferred from Adra to another detention centre. Although the family has made several

⁶⁷ Skype interview, 29 July 2015. Other quotes relating to this case are from the same interview.

official and unofficial inquiries into her current whereabouts, they have not received any updates.

When Amal was arrested in 2012, her sister relocated from Idlib, where their family is now based, to Damascus, so that she could devote her full efforts to tracking Amal's case. "I am still trying to get the permission to visit Saydnaya prison," she told Amnesty International. "This is the only place I didn't visit yet. I pray to God she is there."⁶⁸ Her sister continued: "She was like a mother to me. She was always taking care of me and my sisters. She was always busy with her work, but she took the time to teach us and guide us... I don't know why they don't tell us where she is. This is a kind of torture for the prisoner and the family."

FA'EQ AL-MIR

Fa'eq al-Mir (also known as Fa'eq Ali As'ad) is a long-term political activist and a leading member of the Syrian Democratic People's Party. Fa'eq has been detained by the authorities several times since 1979 for his political activities. He went missing on 7 October 2013 after leaving his house in the government-controlled al-Khoussour neighbourhood of Damascus. About an hour after Fa'eq left, 20 men in civilian clothes who were believed to be members of the



Fa'eq al-Mir with his wife, Samar © Private

security forces entered the house and told his family that Fa'eq had been arrested. They seized his laptop and demanded access to "all things related to his political activities", according to his son, Ali.⁶⁹ Since that day, Fa'eq's whereabouts have been unknown.

Fa'eq's family made two official requests to the Syrian authorities, in November 2013 and mid-2014. They have also made several efforts to locate him through informal channels, but the information they have received so far is conflicting and inconclusive. His family is particularly concerned about Fa'eq's health, as he suffers from hydronephrosis (a kidney disease) and frequent kidney stones, for which he requires medical intervention and regular

⁶⁸ Phone interview, 1 August 2015. Other quotes relating to this case are from the same interview.

⁶⁹ Interview in Turkey, 22 June 2015. Other quotes relating to this case are from the same interview.

monitoring.

His wife, Samar, described how she had been affected by Fa'eq's enforced disappearance: "I live in constant fear. I am always worried about how they are torturing him, whether he has had enough to eat. His disappearance is unbearable for the family. We don't know where he is, whether he is dead or alive. We don't know. They are taking revenge on all of us." His son, Ali, added: "It's not like my father wanted anything very huge or impossible. He just wanted freedom and the chance to vote. For this, he spends his life in prison. For this, he has disappeared. All for something so simple."

NASSER SABER BONDEK



Nasser Saber Bondek © Private

Nasser Saber Bondek, an employee of the Ministry of Information, was arrested on 17 February 2014. He was arrested from his home in Sahnaya, in the suburbs of Damascus. Human rights lawyer Jihan Amin, who was arrested in the same neighbourhood raid and later released in April 2014, told Nasser's family that she had spotted him in Military Intelligence Branch 227 in Damascus. Apart from this, his family has received no information on Nasser's whereabouts from the Syrian authorities, despite making several official requests. His wife, Fariza, told Amnesty International she had heard so many rumours about her husband that

she no longer knows what to believe. The reasons behind Nasser's arrest and enforced disappearance are still unclear. Family members believe he may have been arrested as a result of his involvement in protests at the beginning of the crisis. Fariza explained: "We did not think Nasser was in danger of being arrested. He had taken part in some peaceful protests, but when he was arrested they had died down. Also he was doing well in his job [with the Ministry of Information], and we thought that would protect him."⁷⁰

According to Fariza, Nasser is an accomplished poet and writer and a loyal father. She told Amnesty International:

Nasser was very loved, even by people who would not always agree with him... For me, he was my best friend. He was my husband, but my best friend first and foremost... His absence has created a pain we cannot describe. But we have to continue, because that

⁷⁰ Phone interview, 11 August 2015. Other quotes relating to this case are from the same interview.

is what he would want.

In addition to the cases detailed above, Amnesty International has documented the cases of the following peaceful demonstrators and political activists who were forcibly disappeared by the Syrian government in the period since 2011 and were still missing as of 6 October 2015, when this report was finalized:

- Faten Rajab Fawaz, arrested on 24 December 2011 in Damascus by members of Air Force Intelligence;
- Anas al-Shoghre, arrested on 14 May 2011 in Banyas by the security forces;
- Abd al-Satter al-Kholani, arrested on 22 July 2011 in Daraya by members of Air Force Intelligence;
- Majd al-Din al-Kholani, arrested on 8 August 2011 in Daraya by members of Air Force Intelligence;
- Ma'an Shurbaji and Yahya Shurbaji, arrested on 6 September 2011 in Daraya by members of Air Force Intelligence;
- Mohammed Tayseer al-Khoulani, arrested on 6 September 2011 in Daraya by members of Air Force Intelligence;
- Abd al-Aziz al-Khayyir, Iyas Ayash and Maher Tahan, arrested on 20 September 2012 at an Air Force Intelligence checkpoint at Damascus Airport by members of Air Force Intelligence;
- Sameeh Bahra and Bassam Bahra, arrested on 30 April 2013 in Mezze, Damascus, by the security forces.

HUMAN RIGHTS DEFENDERS

KHALIL MA'TOUQ

Khalil Ma'touq, a human rights lawyer, went missing on the morning of 2 October 2012, as he was driving to work from his home in Sahnaya, in the suburbs of Damascus. Given Khalil's work as a human rights lawyer and the fact that there are several government-controlled checkpoints on his usual route to his office in the city, his family was immediately concerned that he had been arrested by the security forces. Since then, Khalil has been sighted by unofficial sources in several different security branches, including State Security Branch 285 in Kafr Soussa, Damascus and a branch of Air Force Intelligence in Damascus. He was last seen in September 2013 at the notorious Palestine Branch 235 of Military Intelligence in Damascus. Since then, Khalil's family has received no updates on his whereabouts. The Syrian authorities have not responded to the family's repeated requests for



Khalil Ma'touq © Amnesty International

information on Khalil and, in February 2013, they denied they were holding him after an official inquiry by a group of fellow lawyers. Khalil's family is particularly concerned about his health, as he suffers from advanced lung disease.

His daughter, Raneem, described how she was affected by her father's enforced disappearance: "He left a huge hole in our life... It is like hell living without him. He always defended my freedoms and raised me to be a strong, independent woman, but suddenly, without his protection, I was facing a hostile community."⁷¹ One of Khalil's close friends was also strongly affected by his enforced disappearance. "It left me terrified for my family's safety and my own safety," he explained. "I became very careful about my movements, the people I spoke to, and what I spoke about. All of his friends were impacted by this... For us, watching our friends disappear, it feels like a grand strategy by the government to terrorize the people of Syria."⁷²

MOHAMMED ISSAM ZAGHLOUL



Mohammed Issam Zaghoul with his two sons © Private

Mohammed Issam Zaghoul is a lawyer and human rights defender from the al-Midan neighbourhood in Damascus. He was first arrested on 23 August 2011 after leading a peaceful protest at the Damascus Bar Association, which demanded the release of all prisoners who were arbitrarily detained in Syria. As a condition of his release, he was forced to sign a statement saying he would not be active in protests or "instigate the public against the government" again. He was later abducted on 10 October 2012 by a group of men believed to be affiliated with the

government while driving home from work on the Mezze highway in Damascus. After his abduction, he was able to contact his wife, Maiss, to inform her what had happened. When the family refused to pay the ransom money that was asked of them, he was transferred to a branch of Air Force Intelligence in Damascus. His presence there was confirmed by several released detainees. Since then, his family has made official and unofficial inquiries into Mohammed's whereabouts, none of which has been successful. Maiss told Amnesty International: "I wanted to go there [to the branch] myself, but I was afraid I would be

⁷¹ Interview in Germany, 27 August 2015.

⁷² Phone interview, 5 August 2015.

arrested.”⁷³ The most recent news received by Mohammed’s family came on 2 February 2014, when they were told that he had been transferred to a military field court in Damascus. They have received no updates since that date.

Mohammed is the father of three children, the youngest of whom was born after he was taken on 10 October 2012. Maiss described her experience after her husband’s enforced disappearance: “I am stuck in the middle, unable to look back or move forward. I can’t build any future without him. I am in despair, but I can’t give up. I have to keep going for the kids. Being a mother is the only thing gives my life meaning now.”

In addition to the cases detailed above, Amnesty International has documented or received reports on the cases of the following human rights defenders, who were forcibly disappeared by the Syrian government in the period since 2011 and were still missing as of 6 October 2015, when this report was finalized:

- Samer Idris, arrested on 11 June 2012 in Damascus by the security forces;
- Mohammed Thatha, arrested on 2 October 2012 in or near Damascus by the security forces;
- Imad Droubi, arrested on 22 May 2013 in Homs by the security forces.

MEDIA WORKERS

YAHIA KA’AKE

Yahia Ka’ake, a citizen journalist from Aleppo city, was arrested on 29 September 2012. He was driving with his brother, Ahmad, on his way to cover events in Aleppo, when they were stopped at a checkpoint. A member of the security forces at the checkpoint called his mother after her sons’ arrest and told her that they had been arrested and that Yahia’s laptop had been confiscated. She told Amnesty International:



A family photo of Yahia Ka’ake (far left) with his brothers, Abdullah (middle) and Abdul Ghani (far right) © Private

He said they were terrorists, and that Yahia had close ties with all the foreign journalists.

⁷³ Phone interview, 31 July 2015. Other quotes relating to this case are from the same interview.

That was it; he hung up the phone. I didn't sleep all night. I was going crazy. Then a message came from my son's phone. They asked me for 400 units to recharge the phone. I ran to the market – I felt so happy: they were alive! – and I sent the units. But after that, nobody answered. After four days, one of our friends found Ahmad's body in the University Hospital [in Aleppo]. It was in a horrible state, the summer heat completely decomposed it.⁷⁴

Yahia's parents were initially reluctant to ask the local authorities about him. His father explained: "Anyone from our family who goes to a branch might be detained. We have a lot of relatives in the FSA [Free Syrian Army]." Still, a few months after the arrest, his father visited a branch of Military Intelligence in Aleppo to inquire about his son. The officials there denied that Yahia was in their custody and told him to leave immediately. The latest news the family received on Yahia was from a released detainee, who informed them that he had seen him at a branch of Military Intelligence in Damascus in June 2014.

Yahia's mother explained that her other three sons were "wiped out" by the war: Abdullah died in government custody in November 2011, Abd al-Ghani was killed by a sniper at a peaceful demonstration on 4 May 2012, and Badr was arrested and forcibly disappeared on 27 August 2012, after defecting from the Syrian army. The only brother left at home has been devastated by the loss of his brothers. "He is like a dead person," his mother said. "He stopped talking after Yahia and Ahmad were taken. He stayed in bed for two days. I told him, 'You are the only one left – stand up with me, help me.' He started talking again after a while, but he is still so tired all the time." The health of Yahia's father has also deteriorated after his sons' enforced disappearances. Doctors have been so far unable to diagnose his symptoms, which include chronic fainting and vomiting. Yahia's mother told Amnesty International:

I don't understand this. Why don't the international organizations go to the branch and find out where our sons are? Is this so much to ask? How can this be, that no one can enter? We are poor people – I can understand why we can't go to the branches. But the biggest international organizations should be able to enter and find out where they are.

MUHANNAD AL-JASM

Muhannad al-Jasm was working as a citizen journalist in Damascus when he was arrested at his home on 16 October 2012. Muhannad, originally from Deir al-Zour, was studying journalism at Damascus University at the time of his arrest. His father, Adnan, described the events that led to his son's arrest:

⁷⁴ Interview in Turkey, 28 July 2015. Other quotes relating to this case are from the same interview.

*The president of the Student Union came to him and said he should co-operate with the regime by going on state TV and asking people to stay at home and not go to the demonstrations. He refused. I am sure this is the reason he was arrested and why they still have him in custody.*⁷⁵

Adnan was away from home when Muhannad was arrested; however, his neighbours called him soon after to tell him that members of the Syrian army had carried out the arrest. A few weeks later, Muhannad sent messages to his family through released detainees saying he was being detained at Military Intelligence Branch 291 in Damascus. His father described his experience when he visited Branch 291: "I went there and asked about him, but they said he was not there. I was *certain* he was there. I felt I would explode when they told me that."



Adnan, father of Muhannad al-Jasm © Amnesty International

Muhannad's dream is to be a television correspondent, says Adnan. "He was strong and handsome. He looked after himself... He was already on TV and radio in Damascus, even as a student. He was the top student in his class, in a very selective programme." Adnan told Amnesty International that his enforced disappearance has had a profound impact on the family:

His brothers are so angry. I had to move to Turkey because they all want to join any group and fight the regime. They want their revenge on [President Bashir al-Assad] for what happened to Muhannad. They know how he is being treated, and so do I... I put so much time and energy into raising my son in the right way. And then, after my work was almost done, in the first year of university, he disappeared. Imagine how that would feel... With my son, I am always, always wondering. The abuse never ends. Even if he is dead, I know that I will never see the evidence of this. They will never give me his body.

In addition to the cases detailed above, Amnesty International has documented or received reports on the cases of the following media workers, who were forcibly disappeared by the Syrian government in the period since 2011 and were still missing as of 6 October 2015, when this report was finalized:

- Adnan al-Zeraei, arrested on 26 February 2012 in Damascus by the security forces;
- Ali Mahmoud Othman, arrested in March 2012 in Homs by the security forces;

⁷⁵ Interview in Turkey, 23 July 2015. Other quotes relating to this case are from the same interview.

- Jihad Jamal, arrested on 7 March 2013 in Nainar Café in Damascus by the security forces;
- Jihad As'ad Mohammed, arrested on 10 August 2013 on al-Thawra Street in Damascus by members of General Intelligence.

DOCTORS

LOUAY AL-KHATTAB



Louay al-Khattab © Private

Louay al-Khattab is a doctor from Tebet al-Imam, a village in the governorate of Hama. At the time of his arrest at the Tishrin Military Hospital on 4 March 2012, Louay was in the fifth year of training to be an ear, nose and throat doctor. Colleagues who witnessed the arrest told his family that Louay was arrested by a group of men from Branch 291 of Military Intelligence in Damascus. The family has not approached the security forces to determine Louay's whereabouts, out of fear of being arrested and detained themselves. However, they did hear from a released detainee in February 2015 that Louay had been detained for one year in Palestine Branch 235 of Military Intelligence, before being transferred to

Saydnaya prison. The former detainee told the family that Louay had been accused of providing medical services to members of armed opposition groups. He also mentioned that, when he saw him, Louay was malnourished and suffering from an acute skin disease.

According to Amer, Louay's brother, Louay is "very sporty" and loves to play soccer and basketball.⁷⁶ His mother describes him as hard-working and respectful of everyone, regardless of their background. Amer explained how he has been affected by Louay's enforced disappearance:

I was shocked when I heard the news that he was arrested. Now I need to take care of all my brothers because I am the oldest one, with Louay gone. I am always sad. There is never a time when I don't feel sad. Because of the stress of it, I developed diabetes and my blood pressure has shot up.

As for his mother, Amer said, "she never stops thinking about [Louay], wondering out loud

⁷⁶ Phone interview, 14 July 2015. Other quotes from relating to this case, except the last, are from the same interview.

about what he is wearing, what is he eating, how is he sleeping". His mother also described her ordeal to Amnesty International: "What can I tell you, I am a mother. Put yourself in my place. I cannot forget him for even a second... I watched him grow up metre by metre, and now he is gone."

According to Mazen⁷⁷, Louay's close friend and colleague, many of his other colleagues left Tishrin hospital after Louay's arrest, as they feared they might also be arrested or forcibly disappeared.⁷⁸

In addition to the case detailed above, Amnesty International has documented or received reports on the cases of the following doctors or other medical personnel, who were forcibly disappeared by the Syrian government in the period since 2011 and were still missing as of 6 October 2015, when this report was finalized:

- Mohamed Bachir Arab, arrested on 2 November 2011 in Aleppo city by the security forces;
- Aladdin Youssef, arrested on or around 18 December 2012 at a Syrian military checkpoint in Yarmouk by the security forces;
- Nizar Jawdet Kassab, arrested on or around 19 December 2012 in Yarmouk by the security forces;
- Hussam Mou'ad, arrested on 30 December 2012 in Yarmouk by the security forces;
- Hail Hamid, arrested on 11 August 2012 at his clinic in Yarmouk by the security forces;
- Abd al-Rahman Salameh, arrested on 1 September 2013 in Yarmouk by the security forces.

HUMANITARIAN AID WORKERS

YUSEF EIDO

Yusef Eido is a 25-year-old humanitarian worker from the al-Khalidiya neighbourhood in Aleppo city. At the time of his arrest, he was working with a local humanitarian aid group to co-ordinate the delivery of food baskets to members of his community. One month prior to his arrest, he was hit in the eye by a sniper bullet in his local marketplace and told that he would need to travel to Germany for surgery. On 26 December 2012, he went to the local authorities to arrange his visa and never returned.

Ahmed, his father, told Amnesty International:

When he didn't come home soon after his call, we knew something was wrong immediately. We went to all the prison branches, the police offices, the checkpoints, and

⁷⁷ Last name withheld.

⁷⁸ Phone interview, 12 August 2015.

we asked one by one. They each said the same thing: 'He's not with us'... We later heard from a released detainee that Yusef was in a branch of the Political Security in Damascus, so we went to the judge to submit the documents about the case. When we got to the reception desk, he just threw the papers back in our faces.⁷⁹



Ahmed Eido, holding a photo of his disappeared son, Yusef
© Amnesty International

At the end of 2014, Yusef's mother visited Damascus to look for her son. She was told by an official there that he was being held in Military Intelligence Branch 215 and would soon be transferred to Adra prison. When she returned several days later, she found that the official with whom she had spoken earlier was no longer employed. His replacement denied that Yusef was in custody. Since then, the family heard from a released detainee that Yusef was still in Branch 215 and had been tortured; they are, however, unsure whether this news is reliable.

Saeed, Yusef's brother, explained how the family has been affected by Yusef's enforced disappearance: "My father wanted to go with my brother to pick up the visa, but my brother insisted that he should travel alone. He feels responsible now. He has aged 20 years since my brother was taken." Yusef's father added:

"It seems my wife never stops crying now. Sometimes in the night I wake up and she is awake, looking at his picture and crying."

MAJD

Majd⁸⁰ is a carpenter, imam (religious cleric) and father of five from the city of Latakia. At the time of his arrest, he was co-ordinating humanitarian aid for internally displaced Syrians in his neighbourhood. According to Majd's son, the Military Intelligence called Majd into their branch for questioning 15 days prior to his arrest. After they contacted him, Majd went into hiding at his father's home. According to Majd's children and wife, who were present at the time of his arrest on 21 March 2012, a group of men from the security forces entered the home where he was hiding, beat him severely, and took him away.

Majd's son, who had been detained for two months in 2011 due to his involvement in

⁷⁹ Interview in Turkey, 15 July 2015. Other quotes relating to this case are from the same interview.

⁸⁰ Real name withheld.

peaceful protests, was reluctant to approach any of the branches of the security forces himself. Furthermore, his uncles felt it was safer to avoid any contact with the local authorities. "They thought that if we asked about him, they might execute him. They said we should keep quiet and bring no extra attention to his case," he explained.⁸¹ However, since Majd's arrest, his family has received several reports from intermediaries and released detainees; the vast majority place Majd at Military Intelligence Branch 215 in Damascus.

When asked how his family has been affected by his father's enforced disappearance, Majd's son responded:

Life has completely changed. Everything has changed. We had to leave Latakia after my father was arrested and come here to Turkey. I didn't finish my high school because we had to leave just before I finished. All of the kids in the family had to stop our education... My mother is sick now. Sometimes she cannot breathe, and she has panic attacks. We have to throw water on her head to make her wake up... The bill for this revolution is very expensive, and we are paying it.

RANIA AL-ABBASI

On 9 March 2013 members of the Military Intelligence arrived at the home of dentist Rania al-Abbasi, her husband Abdul Rahman Yasin and their six children, Dima, Entisar, Najah, Alaa, Ahmed and Layan. On the security forces' first visit to the home, which is located in the Damascus suburb of Mashroua Dummer, they arrested Abdul Rahman. The same security forces came back the next day and looted money, jewellery, the family cars, and the paperwork for their properties and Rania's clinic. The following day, they returned again and arrested Rania, the six children, and Rania's secretary. At the time of their arrest, Dima, Entisar, Najah, Alaa, Ahmed and Layan were respectively 14, 13, 11, eight, six and two years old.



Rania al-Abbasi © Private

The entire family has not been heard of since that day, and the reason for their arrest is still unknown. However, family members believe Rania and her husband may have been targeted because they had provided humanitarian assistance to people in need. The Syrian authorities have not provided any information to their family nor other bodies, such as the UN Working Group on Enforced or Involuntary Disappearances. Unofficial information sought by the

⁸¹ Interview in Turkey, 31 July 2015. Other quotes relating to this case are from the same interview.

family remains inconclusive, though there are rumours that Rania may have been held at Military Intelligence Branches 215 and 284 and that she is in poor health. She was not known to have had any health concerns prior to her arrest. Rania's sister, Naila, told Amnesty International:

Rania and the whole family had visas to leave the country whenever they wanted, but when the uprising started, she did not want to leave. She thought she and her family were safe because they had not participated in any political activities or belonged to any opposition party... Rania played chess competitively and for many years represented Syria in international and regional competitions. She raised the profile of the game in Syria and was honoured by Basel al-Assad [older brother of current Syrian President Bashar al-Assad]... She was very popular among her patients and colleagues because she is energetic and very good at her job.⁸²

Naila describes how she has been affected by the family's enforced disappearance: "I cannot sleep at night. My thoughts do not leave me: is she ok or not? Are the children hungry? Are they calm? Or are they screaming and crying? I have these thoughts the whole night."

SALAHEDDIN AL-TABBAA



Salaheddin al-Tabbaa © Private

Salaheddin al-Tabbaa, a student and humanitarian aid worker, was travelling by taxi from Damascus to the Syrian-Lebanese border on 5 September 2014 for a planned visit to Beirut. His relatives were informed by a witness that he was stopped by Syrian officials at the border. The officials told him that he was wanted by the Syrian government and asked him to wait at the border crossing until security forces arrived. The following day, the security forces returned with him to Damascus, and he was taken to Military Intelligence Branch 227.

The security forces did not give any reasons for his arrest, but his family members believe it was related to his activities with the Syrian Arab Red Crescent, with whom he had been volunteering since his early teens. Prior to his arrest, he had been

⁸² Phone interview, 9 September 2014.

providing humanitarian support to people displaced by the fighting in Syria.

Following his arrest, his family tried to find out from the Syrian authorities where he was being held. Military Intelligence officials told them they did not know anything about Salaheddin, and other security forces and judicial authorities failed to provide them with any information. Relatives also tried to locate him through informal channels. However, according to one of his relatives: "We never knew what news was correct. Everything was contradictory: one person would tell us one thing and the same day another person would say something completely different."⁸³

On 25 July 2015 one of Salaheddin's relatives went to the Military Police in Qaboun to ask about his whereabouts. The relative was given a death certificate and told that Salaheddin had died of a heart attack in detention on 5 April 2015. According to the official, his body had been taken to Tishrin Military hospital and was then buried the following day in a mass grave. He did not provide any information on the location of the grave. One of Salaheddin's close friends, who himself had been detained and tortured, is convinced that Salaheddin's death, if it did in fact occur, was the result of torture. He told Amnesty International:

*Salah never had any heart problems; he was always athletic and robust – he did a lot of hiking and camping in his spare time. He played basketball and made an effort to keep fit... We kept thinking he was with us, he would come back really soon and finish his degree. He only had one subject left before graduating. It's too hard for us to believe he is not coming back.*⁸⁴

In addition to the cases detailed above, Amnesty International has documented or received reports on the cases of the following humanitarian aid workers, who were forcibly disappeared by the Syrian government in the period since 2011 and were still missing as of 6 October 2015, when this report was finalized:

- Hassan Mohammed Khodor, arrested on 17 December 2012 near Daraya by members of the Syrian army;
- Salma Abulrazaq, arrested on 30 December 2012 at a military checkpoint in Yarmouk by members of Military Intelligence;
- Khaled Youssef, arrested on 27 April 2012 from his home in the Naher Aisha neighbourhood of the Damascus suburbs by members of the security forces;
- Housam Mohammed Deeb al-Dhayni, arrested on 16 September 2012 by the National Defence Forces in Latakia city;
- Ahmed al-Koudaymi, arrested on 1 January 2014 at his home in al-Qunaytra city by the security forces.

⁸³ Phone interview, 24 August 2015.

⁸⁴ Skype interview, 25 June 2015.

INDIVIDUALS CONSIDERED TO BE DISLOYAL TO THE GOVERNMENT

As the crisis in Syria escalated into an armed conflict, the Syrian authorities began arresting and forcibly disappearing individuals they considered to be disloyal. For instance, civilians in neighbourhoods or cities populated by armed opposition groups were arrested en masse soon after government forces established control.⁸⁵ Meanwhile, government soldiers and civilian employees who were believed to be considering desertion or defection or were otherwise perceived to be insufficiently loyal were also forcibly disappeared in large numbers. Finally, the government forcibly disappeared individuals who crossed into government-controlled areas from areas controlled by the opposition, particularly since 2013. This pattern of arrest and enforced disappearance seems especially prevalent among government workers, such as teachers or nurses, who were compelled to enter government-held areas to collect their salaries or pensions.

The following cases provide examples of individuals who were likely forcibly disappeared because they were considered disloyal to the Syrian government.

SOLDIERS AND GOVERNMENT EMPLOYEES

AKRAM

In May 2011 Akram⁸⁶ was fulfilling his compulsory military service as a cafeteria worker at a military academy in Tartus. Earlier that month he had travelled to his hometown⁸⁷, which had been partially destroyed in an attack by government forces. According to relatives, the trip made him want to desert from the military immediately. However, he only had 11 days left to serve, so he decided to return to Tartus. His mother pleaded with him not to return to his post: "I told him to just leave his job, to come home, to not go back to his brigade. He said, 'I am only serving food. I'm not a fighter, so why would they arrest me?'"⁸⁸ On 25 May he called his family, worried that his superiors had noticed his change of heart and expressed concern for his own safety. According to Akram's immediate supervisor, who later contacted the family, Akram was called in for questioning that day and transferred into the custody of a branch of Military Intelligence in Tartus.

⁸⁵ This practice was exemplified in Baba Amr in Homs in March 2013 and in Hama in May 2013. Independent International Commission of Inquiry on the Syrian Arab Republic, *Without a trace: Enforced disappearances in Syria*, 19 December 2013, p. 4, available at <http://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/ThematicPaperEDInSyria.pdf>.

⁸⁶ Real name withheld.

⁸⁷ Location withheld.

⁸⁸ Interview in Turkey, 21 July 2015. Other quotes relating to this case are from the same interview.

In November 2013, Ghaith⁸⁹, Akram's brother, travelled to Tartus to attempt to determine Akram's whereabouts and negotiate his release. The authorities at the military academy told him to return home and denied any knowledge of Akram; however, one official noted privately that Akram was being held at the Central Prison in Palmyra. Upon his arrival at the Central Prison, Ghaith was arrested and detained for three months. During his time in prison, Ghaith was tortured and put into solitary confinement for several weeks. When he emerged from prison, he suffered extreme psychological trauma. His father told Amnesty International: "His entire leg was burned with cigarettes, he was starved, and he was crazy." After Ghaith's experience, his father explained, "there is no way someone from our family will go to find out about Akram now".

Akram was engaged when he was arrested; but last year, his father said, his fiancée lost hope and broke off the engagement. When asked how Akram's enforced disappearance has impacted him, his father responded: "We are so affected. There aren't words for this feeling." His mother added: "We are thinking of him all the time. If he is guilty, and the court decides to execute him, that would be one thing. But he is not guilty, and he has not had a trial. This is not right."

SULEIMAN HAMOUDI

Suleiman Hamoudi, a soldier in the Syrian army from Deir al-Zour, was arrested in Damascus in November 2011. His family was informed by one of the soldiers who served with Suleiman that he had been arrested at his barracks with nine other soldiers. All 10 had made a plan to desert, but one of their fellow soldiers informed their superiors. After Suleiman's arrest, the family received reports from released detainees and intermediaries that he was being held in Saydnaya prison in Damascus. Mohammed, his brother, told Amnesty International: "We spent lots of money to get him out through bribes, but nothing was working."⁹⁰

In February 2014, Khalid, Suleiman's father, went to Damascus to look for his son. Khalid was arrested en route, at a military checkpoint in Palmyra. He called the family hours after his arrest, saying that he had been wanted due to his son's desertion. He has not been heard from since. "Since then, we don't know anything about either of them," said Mohammed. "No one can go to find them, because we are sure that we would be arrested, too."

Mohammed's oldest brother was killed in an air strike, so he now feels responsible to support his mother, two sisters, and younger brother. Mohammed is now based in Istanbul, where he works in a steel factory and sends the money he earns to his family in Deir al-Zour. He is 17 years old. "There is so much sadness in my family now," he said.

⁸⁹ Real name withheld.

⁹⁰ Interview in Turkey, 23 July 2015. Other quotes relating to this case are from the same interview.

INDIVIDUALS WHO CROSSED INTO GOVERNMENT AREAS FROM OPPOSITION AREAS

TURKE ALI AL-SALEH

Turke Ali al-Saleh is an administrative officer and accountant for a large primary school in Deir al-Zour. At the time of his arrest, he had fled Deir al-Zour and was living in Hajin, a town in the south-eastern corner of Deir al-Zour governorate. On 31 December 2013 he travelled to the Education Department in Deir al-Zour to pick up his salary and distribute the teachers' salaries at the school. A witness told the family that, while he was doing so, officers from a branch of Military Intelligence in Deir al-Zour arrived, took his ID and brought him to their branch for questioning. According to a released detainee, Turke was detained at that branch for 40 days, during which time he was kept in solitary confinement and tortured for the first 30 days. The detainee said that when he last saw him in the Military Intelligence branch, Turke's feet had been so severely cut and broken from routine whipping and beating that he could no longer walk. He was allegedly then transferred by airplane to Palestine Branch 235 of Military Intelligence in Damascus.



Hakim, brother of Turke Ali al-Saleh © Amnesty International

His family has since received a report from a released detainee that Turke was killed after being tortured at Branch 235; however, they remain hopeful that he is still detained in Branch 235 or has been transferred to Adra prison. According to his Hakim, his brother, "we are praying that he was transferred to Adra. The saying goes that those who stay in Palestine [Branch] will die, but whoever goes to Adra is brought back to life."⁹¹ Hakim told Amnesty International:

He [the released detainee] said Turke had been accused of fighting with rebel groups. He was an accountant.

That could never be true. Why would he go into a government area if he was a fighter? He was against both sides, actually... He has four sons and two daughters. I am so worried for them; they are living alone, on the grace of their neighbours and charity... Where is the international community? They know that our loved ones are being taken from us, and they do nothing. You are free, and you understand what it is to be free. We are people, we are like you, and this is happening to us. Why do you do nothing?

⁹¹ Interview in Turkey, 23 July 2015. Other quotes relating to this case are from the same interview.

MUSTAFA ABDELSALEM ZALT

Mustafa Abdelsalem Zalt is a tailor from the neighbourhood of Sheikh Maqsoud in Aleppo. He went missing on 17 February 2013, when travelling from the Kurdish-controlled neighbourhood of Sheikh Maqsoud to the government-controlled neighbourhood of al-Jamaliya to repair a set of mobile phones. His mother told Amnesty International: "He knew it was a risky trip, but he thought he would sell [the phones] to get money so that he could get married."⁹² The family is uncertain about the circumstances of his arrest; however, in his last phone call to his mother, he said that he was approaching a government checkpoint.



Mustafa Abdelsalem Zalt's father holds a photo of his disappeared son
© Amnesty International

After their son went missing, Mustafa's parents were reluctant to approach the security forces to ask about their son's whereabouts. "We were told that the mother should go to the branch, but I was afraid to go," his mother explained. "I was sure they would arrest me." However, they received news from a released detainee that their son was first taken to the police station in al-Jamaliya, then transferred to the Air Force Intelligence branch in Aleppo, and finally transferred to an unspecified detention centre in Damascus. They have received no reliable information on his whereabouts since he went missing in 2013. His father told Amnesty International:

We lost our house in an air attack, but that was nothing compared to this. I can rebuild that house, but I cannot get my son back. We are holding our breath together, holding our hope. We need to believe that he is alive. After my son was taken, our lives are completely different. I cannot sleep. I cannot work. He is my only son. For two years, we know nothing about him.... I cannot move on. I always keep his photo with me, in case someone might have seen him. I can't ever be without his photo.

⁹² Interview in Turkey, 16 July 2015. Other quotes relating to this case are from the same interview.

FAMILY MEMBERS OF WANTED INDIVIDUALS

Since the beginning of the crisis in 2011, the Syrian government has also arrested and forcibly disappeared the family members of individuals who were wanted by the Syrian authorities.⁹³ Relatives of these disappeared detainees have said to Amnesty International that they believe the abductions were usually aimed at either dissuading the wanted individuals from continuing their political activism or military activities, or at attempting to force those who were wanted to surrender themselves to the security forces. On some occasions, these family members were arrested during home or office raids.

The following cases provide examples of individuals who were likely forcibly disappeared because they were the family members of individuals who were wanted by the Syrian government.

FAMILY MEMBERS OF DEFECTORS OR OPPOSITION FIGHTERS

MOUSA SULEIMAN HAJ HAMAD

Mousa Suleiman Haj Hamad is a farmer from a village north of al-Raqqa city. At the time of his arrest, on 10 April 2012, he was also a peaceful political activist. He was arrested at the house of a friend in Damascus, where he had travelled to meet with fellow activists. According to detainees who were with Mousa in prison and then released, he was first brought to the al-Khateeb branch of General Intelligence in Damascus and later transferred to Palestine Branch 235 of Military Intelligence in Damascus.

Mahmoud, Mousa's brother, a former official in the Syrian Defence Ministry, defected from the government three months before his brother's arrest. He told Amnesty International that the security forces used his brother as a way to pressure him to return to his former post. "They were sending threats to me," he explains. "They sent me lots of messages, on Skype, Facebook and on my phone. They said the UN and even the embassies of the whole world would not protect my brother. But if I came back, there would be no problems."⁹⁴ Mousa says the family worked through several unofficial channels to locate his brother. According to the last report his family received from a released detainee in March 2015, Mousa was detained at Branch 248 of Military Intelligence in Damascus. The detainee told Mahmoud that Mousa was suffering from a stomach infection as well as an infection that covered his skin in sores.

⁹³ Independent International Commission of Inquiry on the Syrian Arab Republic, *Without a trace: Enforced disappearances in Syria*, 19 December 2013, available at <http://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/ThematicPaperEDInSyria.pdf>.

⁹⁴ Interview in Turkey, 28 July 2015. Other quotes relating to this case are from the same interview.

Mousa is the father of two boys and a daughter who was born after his arrest. When asked how the family been affected by Mousa's enforced disappearance, Mahmoud responded:

My life was turned upside down, and his family's lives as well. His wife is homeless now. She is moving between houses in al-Raqqa. The pain is different for me. I feel responsible for his arrest. Every day I am free, I know that my brother is paying for this in detention. I am living my life on his account. Guilt is the worst of all emotions. It's very difficult to describe how terrible I feel... They keep my brother hidden just to get their revenge on me.



Mahmoud, brother of Mousa Suleiman Haj Hamad
© Amnesty International

AMIN AND FARES

Amin and Fares⁹⁵ were arrested in January 2013 at their home in Deir al-Zour. A neighbour who witnessed the arrest reported to the family that around 15 men from Military Intelligence carried it out. Amin and Fares's brother and uncle told Amnesty International that they were unable to visit any branches to inquire about their relatives' whereabouts, as they feared they would be arrested. "They will finish off the entire family, no question, if we had gone there," said the brothers' uncle.⁹⁶ As a result, the family tried to locate the brothers through intermediaries or other unofficial means. However, the uncle explained, "We didn't have enough money to find them. We tried so many things, but nothing worked."

According to their uncle, the brothers were targeted because their father was a leading figure in an opposition brigade. "They wanted to take revenge on their father... They arrested the sons to get to him. He was a sheikh and a big supporter of the opposition in Deir al-Zour." Their brother left Syria after their arrest, out of fear that he too would be arrested. He told Amnesty International: "The problem is that they have vanished. They have completely disappeared. God knows, I think they have been killed. We tried so hard to find them, but

⁹⁵ Real names withheld.

⁹⁶ Interview in Turkey, 1 August 2015. Other quotes relating to this case are from the same interview.

nobody found any information about them after their arrest.”

FAMILY MEMBERS OF PEACEFUL OPPONENTS OF THE GOVERNMENT

YAMEN HASAN

Yamen Hasan is a computer specialist from Jdaidet al-Fadl, a town in the suburbs of Damascus. He was arrested at his home on 29 June 2013. His brother, Amer, is a journalist who is wanted by the government for his media activism. “They showed up at the house, looking for me, but they didn’t find me. Instead, they found my brother,” he explained.⁹⁷ His brother’s family, who witnessed the arrest, said it was carried out by around 20 men from the government-affiliated National Defence Forces.⁹⁸

A released detainee informed the family soon after the arrest that he had spotted Yamen in Military Intelligence Branch 215. When his mother arrived at Branch 215, the authorities gave her Yamen’s identification card and informed her that her son had died of a heart attack while in prison. However, the authorities refused to hand over Yamen’s remains, and the family does not believe he is actually dead. Amer explained: “If you go ask you about a detainee, they give the ID, just to get rid of you... We have seen so many cases where the family is given an ID and death certificate, and after two years their son comes home... So we are surviving on hope. He is probably dead, but we still hope.” Amer described how his family was affected by Yamen’s enforced disappearance: “My family has collapsed. If there was a grave, I could go visit him. Even a grave would be better than this, never knowing where he is or what happened to him.”

AMIRA

Amira⁹⁹, a 60-year-old woman, went missing on 9 November 2014. Prior to her arrest, her daughters had all been arrested and detained as a result of their peaceful political activities in 2013 and 2014, one for her work as a media activist, the second for providing medical assistance to demonstrators and the third for organizing protests. All three have now been released. Amira went missing on the road as she was returning to her hometown¹⁰⁰ after visiting one of her daughters in Adra prison. Given the fact that the area where her mother went missing is controlled by the government, her daughter Faten¹⁰¹ is confident that she is

⁹⁷ Interview in Turkey, 23 July 2015. Other quotes relating to this case are from the same interview.

⁹⁸ The National Defence Forces are a branch of the Syrian armed forces, formed from mid-2012 onwards by the government from locally based militias.

⁹⁹ Real name withheld.

¹⁰⁰ Location withheld.

¹⁰¹ Real name withheld.

now in the custody of the security forces.

Amira's children have sought information on her whereabouts through official and unofficial channels, but they have been unsuccessful so far. Faten told Amnesty International: "We immediately started searching, using a lot of different people. But one month ago we lost hope. There is no information. Just nothing."¹⁰² She added: "Because my father was active, and we kids were active, all of the eyes were on our family. My mother knew it was risky to cross through the checkpoints, but she had to visit my sister. That's my mother." Faten feels her mother has been targeted because of her children's activism. "Of course I feel guilty. I believe she was arrested because of us," she said.

SYSTEM EXPANSION: ENFORCED DISAPPEARANCES DRIVEN BY OPPORTUNISM

The section above illustrates three common profiles of individuals who have been targeted for enforced disappearance since 2011 in Syria: peaceful opponents of the government, individuals the government considers to be disloyal and family members of wanted individuals.

As the infrastructure around enforced disappearances has been expanded and entrenched over the last four years, the number of actors seeking to use the system for their own personal gain or advantage has increased. As a result of this opportunism by state security officers, local officials and even ordinary citizens, an even greater number of individuals have been subjected to enforced disappearance in Syria. Amnesty International's research suggests that those who exploit the system are driven by two primary motivations: first, the pursuit of financial profit, and second, the settling of personal grievances.

The cases in this section provide examples of cases where the individual was likely forcibly disappeared as a result of one of these two factors.

PURSUIT OF FINANCIAL PROFIT

FAROUQ

Farouq¹⁰³, a student from the region of Qalamoun, was arrested on 14 April 2014. Prior to his arrest, he had been summoned to his compulsory military service but was two months late to report, as fighting nearby kept him from travelling. A then-trusted family friend with connections to the government offered to help Farouq solve the problem. The family friend accompanied him to a branch of Military Intelligence in al-Nabk city. The family later learned from a lawyer working on Farouq's case that their friend had delivered him to the authorities,

¹⁰² Interview in Turkey, 31 July 2015. Other quotes relating to this case are from the same interview.

¹⁰³ Real name withheld.

along with a report that he had killed two government soldiers and was “co-operating with terrorists”. According to the lawyer, the former family friend had been given a sizable sum of money in return for turning Farouq over to the authorities.

With the help of the lawyer, the family members inquired about Farouq’s whereabouts at the same branch where he was arrested. After initially telling the family that Farouq was in their custody, the authorities later denied any knowledge of his whereabouts. At that point, the lawyer discontinued his work on the case. Since then, his family has searched “here, there, and everywhere”, according to his brother.¹⁰⁴ In March 2015 they approached a military court in Damascus, where they were told that Farouq was dead and that they should go to Tishrin Military Hospital to collect his remains. His brother described their experience: “My entire family went to the hospital and sat for four hours. But in the end, there were no results. They did not have his remains. The official told us, ‘Don’t take any document, don’t sign any paper. Just go home. He is not here.’”

Later that month, the family heard from a released detainee that Farouq was being held at a military court in Qaboun and that he would be released soon. Since then, they have had no updates. His brother told Amnesty International:

Put yourself in my mother’s place: you are given a paper that allows you to collect your son’s remains, and then he is not there. She fainted at the hospital. The family is collapsed now... Just for one fake report, for money, they destroyed our whole family... Farouq’s disappearance caused huge damage emotionally for the brothers and the sisters especially. We feel we are lost. We are paralysed. We cannot smile, we cannot cry. We are just waiting.

AMMAR

Ammar¹⁰⁵, a man from al-Azamiyah, Aleppo city, defected from the Syrian border guard in June 2014 and fled to Turkey. Six months later he was crossing into Syria for a visit to see his family. Just after he did so, a group of men from the *shabiha* (pro-government, state-armed militias) recognized Ammar and immediately abducted him. His brother told Amnesty International: “They [the kidnappers] knew him. They live in our neighbourhood. They were our neighbours. We didn’t suspect they would do it. They did it for the money, 100%.”¹⁰⁶

In 2015, the family received a report from a released detainee that Ammar was being held at Palestine Branch 235 of Military Intelligence in Damascus. His family has not made an official inquiry into his whereabouts. His brother explained: “We are afraid to ask about him because he has defected.” Nor have they pursued unofficial channels: “I am a refugee in

¹⁰⁴ Phone interview, 3 July 2013. Other quotes relating to this case are from the same interview.

¹⁰⁵ Real name withheld.

¹⁰⁶ Phone interview, 1 August 2015. Other quotes relating to this case are from the same interview.

Turkey, and my financial situation is very bad, so I cannot pay money to a 'broker'. But I heard from a lot of people that these brokers are cheaters, so it probably wouldn't make a difference even if I did have the money."

SETTLING OF PERSONAL GRIEVANCES

MAJDI AL-NASSIFE

Majdi al-Nassife, a grocer, was arrested on 25 July 2011 at his home in Jisr al-Shughur, in Idlib governorate. According to his younger brother, who witnessed the arrest, it was carried out by uniformed members of the security forces. The reasons for Majdi's arrest are still unknown, but the family believes his business partner turned him over to the authorities. The family never received a response to their official inquiries into Majdi's whereabouts; however, a lawyer who is helping the



The mother of Majdi al-Nassife holds a photo of her disappeared son
© Amnesty International

family was told by an intermediary that he is currently detained at Saydnaya prison. The lawyer advised the family not to visit the prison themselves, because they would never admit that Majdi is in custody. His sisters have now started searching for Majdi online. "We have started chatting with people on Facebook, trying to find him," his sister said. "I spend at least an hour each day looking for him on the computer."¹⁰⁷

Majdi's mother told Amnesty International: "We never stop thinking about him... The first information was that he had died. After that, my heart became cold. I can't feel hope again. I have hope in my head, but not in my heart." His sister added: "If my brother is alive, we know that he has been through terrible things." When asked why the Syrian government commits enforced disappearances, his sister responded: "They want to take away our dignity, to make us suffer. By making us desperate to see our relatives, they control us."

¹⁰⁷ Interview in Turkey, 21 July 2015. Other quotes relating to this case are from the same interview.

SAFAA LALA

Safaa Lala, a 61-year-old woman from the al-Midan neighbourhood in Damascus, was arrested at her brother's apartment on 7 March 2013. According to neighbours who witnessed the arrest, around 10 men in military uniform arrested Safaa and six other members of the family at two apartments in the same building. The men were believed to be members of the security forces or the National Defence Forces. The apartment building was located in an area controlled by the government, and a small National Defence Forces barracks was located on the roof of the apartment building.

According to Rami, Safaa's son, a member of the family had an altercation with the local head of the National Defence Forces two days prior to the arrest, and the arrests could have been an act of retribution.¹⁰⁸ Still, he has been unable to determine conclusively why his mother and family members were arrested. At the time of her arrest, Safaa was visiting her brother to say goodbye, as she was planning to leave the next day to join Rami in Egypt.



Rami, the son of Safaa Lala, holds a photo of his disappeared mother and his niece © Amnesty International

In May 2015 Rami sent an official request to the military court in Damascus. The officials denied that Safaa and her six family members were in custody. Rami has also pursued informal channels, working with intermediaries in the Military Intelligence, General Intelligence, and Air Force Intelligence, but he has received no information on the whereabouts of his mother or his other family members. Rami told Amnesty International:

She loved Damascus so much. I was pushing her to come to Egypt until things calmed down, and she refused. I finally convinced her just before she was arrested. She is the most important person for me, and I am the most important person for her. I don't have anyone else... A lot of things happened in the two and a half years since she was taken.

My sister had a son, I got a new job, and I have so many stories to share with her. I had hair before, and now I'm losing it. I don't want to grow older. I don't want her to see that I am any different than I was before [she was arrested].¹⁰⁹

¹⁰⁸ Interview in Turkey, 23 July 2015. Other quotes relating to this case are from the same interview.

¹⁰⁹ Interview in Turkey, 31 July 2015.

FIRAS

Firas¹¹⁰ was arrested on 19 May 2013. At the time of his arrest, he was living in al-Moadamiya, a government-controlled town in the southern suburbs of Damascus, and washing the cars of military officers from the neighbourhood. According to his family, who witnessed the arrest, he was taken from his home in the afternoon by an officer from the security forces. "The officer told me, 'Don't worry, he will be back very soon,'" explained his father.¹¹¹ Since that day, his family has had no news about Firas's whereabouts, although they have approached the local authorities and made several unofficial inquiries. The reasons for Mohammed's arrest are still unclear; however, his father believes Firas could have been turned in by one of the officers in his neighbourhood as a result of an earlier dispute between the two men.

Firas is a father of two: a daughter, aged six, and a son, aged three. According to his wife, the children are continually asking after their father. "His son used to bring his father's shoes from the cupboard and ask where he had gone. I am always telling him, 'He is in the war. He will come back.'" Firas's father told Amnesty International: "I am a broken man now... He is with the masses of other prisoners. He is lost. And what's going on in those prisons – I don't want to think about it. But I try to remember that there are people in a worse situation than me. I know some who have had three or four sons disappeared."

¹¹⁰ Real name withheld.

¹¹¹ Interview in Turkey, 28 July 2015. Other quotes relating to this case are from the same interview.

7. SURVIVORS OF ENFORCED DISAPPEARANCE

“We lived in perpetual fear that we would be next.”

Salam Othman, who was forcibly disappeared from September 2011 to May 2014¹¹²

Those who make it back to their families after being subjected to enforced disappearance in Syria are left with enduring physical and psychological scars. The cases below illustrate their experiences.

SALAM OTHMAN

Salam Othman is a lawyer and human rights activist from Aleppo.¹¹³ He was arrested in September 2011 in Aleppo by Military Intelligence in Aleppo. In the following months, he was moved to and from several detention centres including Military Intelligence Branches 291 and 284 in Damascus. He was finally transferred to Saydnaya prison in December 2011. Throughout his detention, officials at a branch of Military Intelligence in Aleppo repeatedly denied knowledge of his whereabouts when his family members and colleagues approached them. Salam told Amnesty International that he was tortured during his investigation in Branch 291, but his experience in Saydnaya was even worse:

¹¹² Skype interview, 5 March 2015.

¹¹³ Amnesty International previously highlighted the case of Salam Othman in *All-out repression: Purging dissent in Aleppo, Syria* (Index: MDE 24/061/2012), p. 25, available at <https://www.amnesty.org/en/documents/MDE24/061/2012/en/>. Salam also shared with Amnesty International information on Abdalsalam al-Atrash, whose enforced disappearance was highlighted in the same report. Salam was with his friend and colleague Abdalsalam al-Atrash at every stage of their journey from Aleppo to Saydnaya prison. Upon arrival, however, they were placed in different cells, and Othman did not see his friend again. Salam was later informed by another detainee that al-Atrash had died after being severely beaten and placed in solitary confinement.

We were tortured on a daily basis... The torture was random: they would pick people and beat them in front of everyone. I was with around 30 people in one cell. People would die and then be replaced. We would be punished every time the opposition hurt government forces outside. They beat us with the most painful instruments: they used metal pipes instead of sticks, and they would aim at sensitive points on the body, like the spine and the head. I was subjected to this three times, and each time I would not be able to walk or do anything for a few months afterward... I did not leave the cell for the whole three years, not once. I did not see the sun for three years. Many people became hysterical and lost their minds. It is not easy being away from daylight for years at a time.¹¹⁴

He was released in May 2014, for reasons that are still unclear to him. "People don't usually leave Saydnaya," he explained.

OMAR

Omar¹¹⁵, another survivor of enforced disappearance, was a student in Aleppo prior to his arrest. He was taken from his home on 9 August 2013 and brought to the Air Force Intelligence branch in Aleppo. He was charged with violating the anti-terrorism law of 2012 by engaging in media activism and relief work. During his time in detention he was repeatedly tortured, including being beaten with "anything the warden had on hand", such as iron rods, stones, and silicone whips. He also described being put into the *shabah* position (being suspended, often by manacled wrists with the hands placed behind the back), on one occasion for four hours. He describes the prison conditions:

There were around 100 men in my cell. The room was less than eight by five metres, and it shouldn't fit more than 20 men. It was an underground room with one light bulb, one fan, and a few blankets... We were not given enough water, so most of the detainees drank water from the toilet. This caused diarrhoea and dehydration. Some prisoners defecated inside the cell, and scabies and other diseases spread. We were not allowed to shower.¹¹⁶

He was released on 8 November 2013, after a one-minute trial. "From the judge's chambers, they told me to just leave," he explains. "One of the officers whispered to me, 'Your case was big. You must have had some *wasta* [an Arabic word that loosely translates to "influence" or "clout"]. I suggest you leave the country.'" During his time in detention, Omar was not allowed to contact a lawyer or his family. He told Amnesty International:

¹¹⁴ Skype interview, 5 March 2015. Salam Othman's other quotes are from the same interview.

¹¹⁵ Real name withheld.

¹¹⁶ Phone interview, 4 September 2015. Omar's other quotes are from the same interview.

My family didn't know where I was, and Air Force Intelligence wanted to keep it that way. If anyone was released, without a trial, and they were caught passing along information about another prisoner, it was almost certain that they would end up back in detention. When a prisoner is released, they are only given a minute or two to collect their things and leave, so that other prisoners don't have time to send any messages to the outside world. It was difficult for my family not knowing where I was. They were so worried. They tried to come up with enough money to pay bribes to the authorities to get information about me and get me out.

Omar said that he still does not know how to feel about his experience in detention. "It hasn't registered," he explained. "While I was detained, I couldn't make sense of what was going on around me. You feel like you're going mad. You learn to accept it with time, though never fully."

RANEEM MA'TOUQ



Raneem Ma'touq © Private

Raneem Ma'touq, a fine arts student, was forcibly disappeared for two months in 2014. Khalil Ma'touq, her father, is a human rights lawyer who was subjected to enforced disappearance by the Syrian authorities in October 2012.¹¹⁷ On 17 February 2014 she was arrested at her home in Damascus by a group of about 30 men from the security forces. She was taken to Military Intelligence Branch 227, where she was detained for two months before being transferred to Adra prison, where she was detained for another two months until her release. She later found out that she had been charged with inciting terrorism. During her first two months of detention in Branch 227, her family had no idea where she was or whether she was alive. She described this time to Amnesty International:

When we arrived, I was beaten by the guards on the head, mostly on the nose. We called that the 'welcome party'. We were also beaten a lot during interrogation... In the corridor where my cell was, there were other cells for men and for women. We heard screaming from the other detainees who were being interrogated all the time. That alone was torture. Our cell door had a small window and we could see [dead] bodies lying in the

¹¹⁷ The enforced disappearance of Khalil Ma'touq is documented above.

corridors and in the bathrooms. Every morning, the guards would come and take some of the bodies out of the cells, but usually only after they had been dead for some days. They would write numbers on the bodies... It was mostly men, but children, too. The children looked like they were between 10 and 15 years old... One of the worst methods of torture I saw was the 'German chair.' The person is tied to the chair and then the back is pushed backwards. Some people just broke into two. Their spines couldn't take the pressure.¹¹⁸

Raneem said the conditions of her cell were appalling:

My cell was about two metres long and one metre wide. There were 10 of us in that cell. It was full of insects. Sometimes they gave us bed sheets to cover ourselves with, and they were full of blood and more insects. They used some of the same sheets for the [dead] bodies. The food was disgusting, but after a few days, it was the least of our worries.

Raneem also discussed the rape and other forms of sexual violence endured by her fellow detainees:

I tried to go on a hunger strike to protest what was happening to me. The man who ran the branch heard about it. He took me to his office and then brought another girl in, who apparently had also attempted to go on hunger strike. He said to me: 'You want to stop eating? I'll show you!' He then sexually assaulted her in front of me with a bottle... There was one investigator who raped at least three of the girls that he was responsible for, those who were young and pretty. One of those girls was in prison with her mother... Her mother told her to go with the guard. I think the mother hoped that they would get released if her daughter agreed to be with him. Of course, they didn't get released.

Raneem was released on 11 June 2014 as part of the 2014 presidential amnesty. When she was told she would be released, she did not initially inform her family. "I didn't believe that I would actually be released," she explained. "I thought maybe they were taking us to another prison – you never know. I didn't want to raise their hopes." When she arrived in Damascus, a police officer noticed that she had no money, so he helped her get in contact with her mother and transported her to her house. When she arrived home, her mother was waiting for her in the street. "I started shouting, 'This is my mother, this is my mother!' and just ran to her," she said. "When I saw my brother at home, we did not recognize each other at first. We just stood there for a while. Then we understood the situation and he lifted me up in the air."

¹¹⁸ Interview in Germany, 27 August 2015. Raneem Ma'touq's other quotes are from the same interview.

HUSSEIN GHRER



Hussein Ghrer © Private

Hussein Ghrer, a blogger and an employee of the Damascus-based Syrian Centre for Media and Freedom of Expression, was arrested on 16 February 2012, when members of Air Force Intelligence raided his office. He was first taken to the Air Force Intelligence branch in Mezze, Damascus, where he was detained for three months. He was then transferred to another branch of Air Force Intelligence in the Bab Touma area of Damascus for another six months. Finally, he was moved to the Military Police branch in Qaboun, where he stayed 12 days before being taken to Adra prison, where he was held until his release on 17 July 2015. For the first nine months of his detention, he was subjected to enforced disappearance.

Hussein says that at the Air Force Intelligence branch in Mezze, he was not tortured. He explained: “The security forces were careful with me because they knew I was a human rights activist.”¹¹⁹ However, he witnessed others being tortured on a routine basis. He told Amnesty International:

One day I saw four people hung in the yard in the shabah position. They were being beaten with a green water pipe that the security forces called Lakhdar Brahimi.¹²⁰ Sometimes these pipes would be filled with iron or wood to make them harder. One of the men was over 100kg – you cannot imagine the pressure on his wrists in this position. I could see one of the men’s wrist bones sticking out.

During his detention at the Air Force Intelligence branch in the Bab Touma area, Hussein’s preferential treatment came to an end. When Hussein and others tried to improve the unfair distribution of food in their cell, he was taken to another cell that was around two by one metres, which was packed with five other people. “Just being in these cells is torture,” he said. He described some of the other torture methods that were used in this branch:

There were daily beatings – at least once a day. The guards also enforced what they

¹¹⁹ Phone interview, 16 September 2015. Hussein Ghrer’s other quotes are from the same interview.

¹²⁰ In Arabic “lakhdar” means “the green one”; at that time, Lakhdar Brahimi was the Joint Special Envoy of the UN and League of Arab States for Syria.

allowed about two hours of sleep every 48 hours, the rest of the time we had to stand up or kneel. The guards would keep looking through the windows in our cells and if they saw us sleeping, they would beat us. I passed out once, so the guard started beating my head until I started bleeding... I saw prisoners who were whipped [up to] 300 times... I have a mild heart problem and I'm supposed to take daily medication for it. While I was in the small cell, I didn't receive any medication and when I asked for it, I was beaten... The guards in the detention facilities – they don't even look human anymore.

During the first six months of Hussein's detention, his family had no idea where he was. He says that he also felt extremely worried about his family while he was forcibly disappeared:

The detainees knew that they themselves were OK, but what about their families? The war continued outside, so what was happening to them? My mother has heart problems, too, so I kept thinking, what if the news of my arrest and not knowing about me has given her a heart attack? How are my children? Are they well? This worrying about my family was the worst part of my detention.

He told Amnesty International that when he saw his wife for the first time after he was arrested, in December 2012, he could barely stand, nor could he speak for the first two or three minutes. "I can't describe the feeling," he said. "The first time, my wife didn't bring the children. She just brought me pictures. I didn't recognize them." He continued: "Now I know they were very worried about me, and sometimes they lost hope and thought I would be disappeared forever. I sometimes thought the same thing."

8. COMPLIANCE WITH INTERNATIONAL LAW

INTERNATIONAL HUMAN RIGHTS LAW

Article 1 of the 2006 International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED) absolutely prohibits enforced disappearances and specifies that “no exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as justification for enforced disappearance”.¹²¹

Article 2 contains the definitive definition of enforced disappearance: the “arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law”.¹²²

The prohibition of enforced disappearance in the ICPPED confirmed existing prohibitions in various instruments including the 1978 General Assembly Resolution on Disappeared Persons, the 1992 Declaration on the Protection of all Persons from Enforced Disappearance, the 1994 Inter-American Convention on the Forced Disappearance of Persons and the Rome Statute of the International Criminal Court. While the definitions vary slightly, all include the key elements of this violation: deprivation of liberty undertaken by state agents (or with their complicity); refusal to acknowledge or disclose the disappeared person’s detention, whereabouts or fate; and the removal of the disappeared person from the protection of the law.

Every enforced disappearance violates a range of human rights, many of which are non-derogable. Treaty bodies, human rights courts and other human rights bodies have repeatedly found that enforced disappearances violate – including during armed conflicts – the right to liberty and security of person¹²³, the right not to be subjected to torture or other cruel,

¹²¹ ICPPED, Article 1.

¹²² ICPPED, Article 2.

¹²³ European Court of Human Rights (ECtHR), *Kurt v Turkey* Judgment, 25 May 1998; Inter-American Court of Human Rights (IACtHR), *Velasquez Rodriguez v Honduras* Judgment, 29 July 1988.

inhuman or degrading treatment or punishment¹²⁴, the right to a remedy¹²⁵, and the right to life¹²⁶. Thus the fact that Syria is not a party to the ICPPED does not release it from the obligation not to subject anyone to enforced disappearance. Because enforced disappearances can violate several human rights simultaneously, they are referred to as “multiple” or “cumulative” human rights violations. An enforced disappearance is also a “continuing crime”, which takes place so long as the disappeared person remains missing and information about his or her fate or whereabouts has not been provided by the state.

The ICPPED codifies the right of each victim to know “the truth regarding the circumstances of the enforced disappearance, the progress and results of the investigation and the fate of the disappeared person”.¹²⁷ This includes measures “to search for, locate and release disappeared persons and, in the event of death, to locate, respect and return their remains”. The ICPPED also provides that that state shall ensure victims have the right “to obtain reparation and prompt, fair and adequate compensation”.¹²⁸ The ICPPED defines victims as “any individual who has suffered harm as the direct result of an enforced disappearance”.¹²⁹ And it is settled jurisprudence that an enforced disappearance may cause such severe mental distress as to breach the family members’ right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment.¹³⁰

¹²⁴ African Commission on Human and Peoples Rights, *Amnesty International and others v Sudan*, Communications 48/90, 50/91, 52/91 and 89/93, 15 November 1999; UN Human Rights Committee, *Mojica v Dominican Republic*, Communication 449/1991, Views, 10 August 1994.

¹²⁵ IACtHR, *Blake v Guatemala* Judgment, 24 January 1998; ECtHR, *Tas v Turkey* Judgment, 14 November 2000.

¹²⁶ ECtHR, *Demiray v Turkey* Judgment, 21 November 2000; IACtHR, *Bamaca Velasquez v Guatemala* Judgment, 25 November 2000.

¹²⁷ ICPPED, Article 24(2).

¹²⁸ ICPPED, Article 25(2) and Article 24(4).

¹²⁹ ICPPED, Article 24(1).

¹³⁰ See ECtHR, *Ashlakhanova v Russia*, 18 December 2012, *Orhan v Turkey*, 18 June 2002, and *Imakayeva v Russia*, no. 7615/02, ECHR 2006-XIII, *Kurt v Turkey*, 25 May 1998; IACtHR, *Godonez Cruz Case*, Compensatory Damages (Article 63(1) American Convention on Human Rights), Judgment of 21 July 1989, IACtHR (Ser. C) No. 8 (1990), paras 48-9; UN Human Rights Committee, *Celis Laureano v. Peru*, Communication 540/1993, Views, 25 March 1996, para. 8.5, *Katombe L. Tshishimbi v Zaire*, Communication 542/1993, Views, 26 March 1996, para. 5.5, *Youssef El-Megreisi v the Libyan Arab Jamahiriya*, Communication 440/1990, para. 5.4, *Mojica v Dominican Republic*, Communication 449/1991, para. 5.7.

INTERNATIONAL HUMANITARIAN LAW

The prohibition on enforced disappearances is recognized as part of customary international humanitarian law applicable in both international and non-international conflicts.¹³¹ Enforced disappearance violates, or threatens to violate, a range of customary rules of international humanitarian law, most notably: the prohibition of arbitrary deprivation of liberty, the prohibition of torture and other cruel or inhuman treatment and the prohibition of murder. Violations of these rules constitute war crimes for which there is individual criminal responsibility.¹³²

According to Rule 117 of the study of the International Committee for the Red Cross (ICRC) on customary international law: "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."¹³³

In addition, parties to an armed conflict are required to take steps to prevent disappearances, including through the recording and notification of the personal details of persons deprived of their liberty, who must be allowed to correspond with their families, and, to the degree practicable, to receive visits from near relatives.¹³⁴ International humanitarian law also requires the parties to respect family life, which entails each party taking all feasible measures to account for persons reported missing as a result of armed conflict and to provide their family members with information it has on their fate.¹³⁵

INTERNATIONAL CRIMINAL LAW

Certain human rights violations, including enforced disappearances, amount to crimes under international law, and states are required to make such violations a criminal offence in domestic legislation. States are also obliged to bring to justice those responsible for these and other serious violations. Individuals – whether civilians or military – can be held criminally responsible for certain violations of international humanitarian law and of human rights law.

All states have an obligation to investigate and, where enough admissible evidence is gathered, prosecute genocide, crimes against humanity and war crimes, as well as other crimes under international law. According to the Rome Statute of the International Criminal

¹³¹ Customary International Humanitarian Law, ICRC, Rule 98.

¹³² Customary International Humanitarian Law, ICRC, Rule 156.

¹³³ Customary International Humanitarian Law, ICRC, Rule 117.

¹³⁴ Customary International Humanitarian Law, ICRC, Rules 123, 125 and 126.

¹³⁵ Customary International Humanitarian Law, ICRC, Rule 105.

Court, certain acts, if directed against a civilian population as part of a widespread or systematic attack, and as part of a state or organizational policy, amount to crimes against humanity. Such acts include, among others, the deliberate targeting of civilians, murder, enslavement, deportation or forcible transfer of population, torture, rape and other sexual crimes, and enforced disappearances. All governments have a duty to investigate and prosecute crimes against humanity including by exercising universal jurisdiction over the crimes.

Under the ICCPED, enforced disappearances are crimes under international law in themselves and state parties must exercise universal jurisdiction for this crime.¹³⁶

¹³⁶ ICCPED, Article 10.

9. CONCLUSION AND RECOMMENDATIONS

“[The Syrian government] got a green light from the international community to do whatever they want. Hundreds were disappeared, and they did nothing. Then thousands, and tens of thousands. Still there is no response.”

Amer, brother of Louay al-Khattab, forcibly disappeared on 4 March 2012¹³⁷

Since 2011 the Syrian government has forcibly disappeared tens of thousands of people. As a result of this campaign, the fundamental human rights of disappeared detainees have been violated, and countless victims have been extrajudicially executed. The family members of disappeared detainees have been left in desperation, paralysed between fear that their relative is dead and hope they might still be alive.

Based on the evidence presented in this report, as well as prior research and the documentation of national and international monitoring groups, Amnesty International considers that the enforced disappearances carried out by the Syrian government since 2011 have been perpetrated as part of an organized attack against the civilian population that has been widespread, as well as systematic, and therefore amount to crimes against humanity. The UN-mandated Independent International Commission of Inquiry on the Syrian Arab Republic and the UN Working Group on Enforced or Involuntary Disappearances have reached the same finding.¹³⁸ In Resolution 2139 of February 2014, the UN Security Council

¹³⁷ Phone interview, 14 July 2015.

¹³⁸ Independent International Commission of Inquiry on the Syrian Arab Republic, *10th report*, 13 August 2015, para. 168, available at http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session30/Documents/A.HRC.30.48_AEV.pdf. Office of the UN High Commissioner for Human Rights, “Syria: Group of experts call for action into enforced disappearances as crime against humanity”, 20 March 2014, available at

strongly condemned the practice of enforced disappearance and called for an “immediate end” to the practice.¹³⁹ One month later, the UN Working Group on Enforced or Involuntary Disappearances called for action by the highest UN bodies to tackle the issue of enforced disappearances in Syria.¹⁴⁰ These condemnations and calls to action must now be followed by concrete steps to bring the Syrian government’s campaign of enforced disappearance to an end.

TO THE SYRIAN AUTHORITIES

The Syrian government is fully aware of what it needs to do to stop the practice of enforced disappearance. Amnesty International has been calling on it repeatedly to undertake the following:

- End enforced disappearances, arbitrary arrests, torture and other ill-treatment and extrajudicial executions and make clear to all government forces and militias that such violations will not be tolerated;
- Grant independent international monitors, such as the UN-mandated Independent International Commission of Inquiry on the Syrian Arab Republic, unhindered access to all persons deprived of their liberty and allow them to investigate and monitor conditions in all detention facilities;
- Ensure that all those detained are registered, have access to a lawyer, can challenge the legality of their detention before an independent court, are provided access to medical care, are held in recognized places of detention and are allowed regular visits by their families;
- Immediately and unconditionally release all persons imprisoned solely for the peaceful exercise of human rights, or because of their identity;
- Inform families of the fate, whereabouts and legal status of all persons in their custody and respond to all outstanding requests;

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14410&LangID=E>.

¹³⁹ UN Security Council, Resolution 2139, 22 February 2014, available at [http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2139\(2014\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2139(2014)).

¹⁴⁰ Office of the UN High Commissioner for Human Rights, “Syria: Group of experts call for action into enforced disappearances as crime against humanity”, 20 March 2014, available at <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14410&LangID=E>.

- Ensure that those involved in the search for victims of enforced disappearance, notably the relatives of disappeared detainees, are protected against ill-treatment, intimidation, reprisal, arrests and enforced disappearance;
- Ensure that all cases of enforced disappearance are investigated, that those suspected of responsibility are prosecuted in civilian courts in proceedings that conform to international fair trial standards and that victims receive full reparation;
- Provide full co-operation and unimpeded access to the Independent International Commission of Inquiry on the Syrian Arab Republic, to investigate all alleged crimes under international law and violations and abuses of international human rights law and international humanitarian law;
- Ratify the International Convention for the Protection of All Persons from Enforced Disappearance.

TO THE UN SECURITY COUNCIL

In the apparent absence of measures being taken by the Syrian authorities to tackle the phenomenon of enforced disappearance, the UN Security Council should follow up on the condemnation it expressed in Resolution 2139 of February 2014 by taking further action as a matter of urgency. In particular, Amnesty International urges it to do the following:

- Fully acknowledge and condemn the massive and systematic campaign of enforced disappearances being carried out by the Syrian government;
- Ensure that all parties to the conflict in Syria effectively implement the human rights and humanitarian provisions of Security Council Resolution 2139, including by ending the practice of enforced disappearance, and impose targeted sanctions, including asset freezes, on Syrian officials responsible for enforced disappearances and other crimes under international law;
- Demand prompt and unfettered access to Syria for the Independent International Commission of Inquiry, humanitarian and human rights organizations and international journalists;
- Refer the situation in Syria to the Prosecutor of the International Criminal Court.

TO THE INTERNATIONAL COMMUNITY

States supporting the Syrian government, such as Russia and Iran, have generally failed to speak out against its practice of enforced disappearances. They should, as a minimum, press the Syrian government to carry out the measures listed above.

Other states in the international community have condemned the Syrian government's

practice of enforced disappearances, as well as its perpetration of arbitrary detention, torture and ill-treatment, and extrajudicial executions. In addition to using their influence to push for action at the level of the UN Security Council, they should take measures such as the following to work towards accountability for those responsible for enforced disappearances in Syria:

- Support and build the capacity of Syrian human rights organizations that are documenting violations of international human rights and humanitarian law in the Syrian conflict to gather and share objective and impartial information, and encourage the UN and other international actors to ensure that such support and training is made available to them;
- Accept a shared responsibility to investigate and prosecute enforced disappearances and other crimes under international law committed in Syria, in particular by seeking to exercise universal jurisdiction to bring suspected perpetrators to justice.

TO THE UN SPECIAL ENVOY FOR SYRIA

The UN Special Envoy for Syria can play an important role in addressing the practice of enforced disappearances in Syria. Amnesty International urges the Special Envoy to do the following:

- Prioritize the issue of enforced disappearances and detention conditions in discussions with the Syrian authorities and other parties relevant to the situation in Syria;
- Call on the Syrian government to immediately reveal the whereabouts of all detainees who have been subjected to enforced disappearance, to ensure they have unrestricted access to their family and lawyers and to guarantee that they will be protected from any torture or other ill-treatment;
- Call on all parties to provide immediate and unhindered access for recognized international detention monitors to all persons deprived of their liberty, without prior notification;
- Call on all parties to the conflict to immediately and unconditionally release all those who are currently arbitrarily detained as a result of their peaceful activism, promotion and protection of human rights and humanitarian and media work.

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Cover photo: Samar Dakhil holds a family photo. Her husband, Fa'eq al-Mir (far left), was forcibly disappeared in 2013. © Amnesty International (Photo: Mark Esplin)

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