# At Least 14,227 Individuals, Including 177 Children and 62 Women, Killed as a Result of Torture in Syria

The Systematic and Widespread Brutal Torture in the Syrian Regime's Detention Centers Constitutes a Crime of Extermination; Civilized States Must Bear Responsibility for Protecting Detainees



Thursday, June 27, 2019

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



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## I. Introduction and Methodology

Syria's government ratified the Convention against Torture in 2004, and Paragraph 2 of Article 53 of the Syrian Constitution prohibits the ruling authority from practicing torture. Moreover, the prohibition of torture is a customary rule which is not allowed to be altered or balanced against other rights or values by any state, not even in an emergency, while any violation of the prohibition of torture is an international crime under international criminal law. Those who have ordered or assisted in the perpetration of torture are criminally responsible for such practices. While it is true that all parties to the conflict in Syria have committed the crime of torture in one form or another, the Syrian regime, which controls the country's military, security and judicial apparatus, is by far the most prolific offender, arresting at least 1.2 million Syrian citizens, who have been subjected in one way or another to torture and humiliation, with the regime still detaining the largest number. According to the following chart, which is based on the Syrian Network for Human Rights' (SNHR) database, and in view of this massive number of detainees, 85 percent of whom have been forcibly disappeared, in addition to the existence of four security services along with their branches in all Syria's governorates employing tens of thousands of staff members, with all of the branches under their control practicing similar methods of torture and neglect of health care, this makes the toll of regime torture victims far higher than those inflicted by all other parties to the conflict. The main cause of death due to torture is negligence in providing health care for wounds and illness, leaving the person suffering untreated until he or she dies.

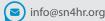






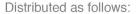


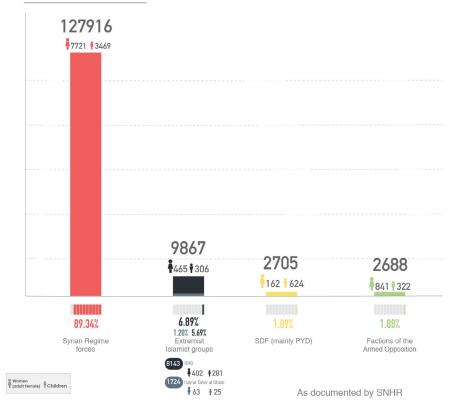












At least 143176 individuals are still detained or forcibly disappeared at the hands of the main parties to the conflict in Syria

from March 2011 to March 2019

## Fadel Abdul Ghany, Chairman of SNHR, says:

"Despite all the data that confirm the brutal torture practiced by the Syrian regime, which amount to genocide, no one has intervened to protect civilians and to save the reputation of international law. The Syrian situation constitutes a blatant failure of the Security Council's response to conflict resolution, with the only solution remaining being through international intervention outside the Security Council to save the lives of 128,000 Syrian citizens who are still in detention, subjected to torture and deprived of health care, making them vulnerable to death due to torture."

## Methodology:

The report is based on the SNHR's archive, compiled by ongoing daily monitoring and documentation of cases of arbitrary arrests, enforced disappearances and torture since 2011. All statistics included in it are documented with each victim's name, photograph, location and time of detention and of death, and with any other details and information that we have been able to access, while we also provide regular and ongoing updates on individuals' cases whenever these are available. We have allocated an electronic link to facilitate documentation and provide access to the victims' families. We have also devoted an archive

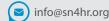














of pictures, videos and documents related to torture that we have verified. In view of the exceptional difficulties and the scale of violations, the cases cited in this report represent the bare minimum of violations that we have been able to document, which are themselves a fraction of the total; there is no doubt that the real number of victims is far higher. We have outlined the most notable incidents and cases related to torture that occurred since we published our previous annual report on this issue, which we issue every year to coincide with the International Day in Support of Victims of Torture on June 26, with this year's report covering the period from June 2018 to June 2019.

The definition of torture which we adopt in our methodology is the one cited in Article 1 of the United Nations' 1984 Convention against Torture, which states: "The term "torture" means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity."

The report also relied on our interviews which we conducted with survivors of torture and families of victims from different Syrian governorates who died due to torture, with these interviews carried out either via Skype or telephone or through visits to the survivors' or family members' places of residence inside and outside Syria. We selected 14 such accounts to include in this report, using aliases in some cases in order to preserve the privacy of witnesses, to prevent them from being harassed or persecuted if identified, and to protect their surviving family members in Syria. We also forwarded cases of victims of torture after meeting with their family members to the UN Special Rapporteur on extrajudicial killings. We informed all those we interviewed beforehand about the aim of the report, and they received no kind of material assistance or inducement in return for their information. We obtained their consent to use the information they provided to benefit the purposes of this report and the purposes of documentation.

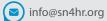














## II. The Record of Victims Killed as a Result of Torture According to the Syrian Network for **Human Rights' Database**

The toll of documented victims who died due to torture between March 2011 and June 2019 has reached nearly 14,227 individuals to date, including 177 children and 62 women (adult female), according to the SNHR's database. These cases are distributed according to the four perpetrator parties as follows:

Primarily: The Syrian regime 98 percent

Syrian Regime forces: 14,070, including 173 children and 45 women

Secondly: Extremist Islamist groups: 56, including two children and 14 women

- ISIS: 32, including one child and 14 women
- Hay'at Tahrir al Sham: 24, including one child

Thirdly: Armed Opposition factions: 43, including one child and one woman Fourthly: Syrian Democratic Forces: 43, including one child and two women Finally: Parties we were unable to identify: 15 individuals

















## **III. Torture by the Four Main Parties in Syria**

#### A. Syrian Regime forces (army, security, local militias, and Shiite foreign militias):

#### 1. Neglect of healthcare is the main reason for the death of detainees due to torture:

Detainees suffer unspeakably as a result of the squalid conditions in the Syrian regime's detention centers, particularly the headquarters of the four security branches and the military prisons, which lack the most basic sanitary facilities. Dozens of survivors told us that they were held in cells of different sizes with an average cell size of 4 square meters by 6 square meters, each containing some 50 detainees, lacking any ventilation or cleanliness. The clothes of the detainee are often worn, soiled, ragged and torn as a result of beatings and other torture. This is a primary contributor to the spread of illness, disease epidemics and infections, especially respiratory and dermatological conditions due to the lack of oxygen and of exposure to daylight. These unimaginably squalid conditions are very deliberately maintained throughout the Syrian regime's prison network with the aim of inflicting the worst possible suffering and debasement on detainees, causing them to suffer various kinds of diseases, and calculatingly neglecting their treatment in order to ensure the maximum agony for detainees until they simply die.

Detainees are also deliberately starved and deprived of food and water, being given only minimal, often polluted and largely inadequate supplies of both, which causes multiple illnesses; with detainees' healthcare also being purposely neglected, suffering is guaranteed and deaths are routine.

#### Separation phenomenon:

Some detainees, due to the terrible conditions of their detention, beatings, torture, humiliation, deprivation of sleep, food, and water, reach a state of intense delirium, followed by amnesia or retrograde episodic memory loss, remembering only the past, becoming delusional, hallucinating and seeing objects or people that are not present, and breaking down in hysterical fits of weeping. Thereafter, such detainees often lose all control of their mental and physical faculties, ultimately slipping into a coma. The Syrian regime deliberately leaves these broken and psychologically traumatized people in overcrowded cells along with fellow, still rational detainees, increasing their existing suffering when they see a fellow detainee losing their mind and fearing that they may undergo the same traumas. This terrible phenomenon is known as 'separation', with a number of survivors telling us that watching their separated fellow prisoners was worse than the physical torture inflicted on them by the Syrian regime. Those who suffer separation often end up dying, with around 8 percent of the total death toll among detainees due to torture attributed to this phenomenon, which is concentrated particularly in the regime's infamous security branches and military prisons, and may occur within central prisons but much more rarely.















In order to sleep in the overcrowded cells, detainees take turns to sit, stand up or lie down to sleep since there is not enough room for all to lie down simultaneously. We have reported since 2012 on the most notable methods of torture practiced by the Syrian regime in its detention centers, which are still widely and routinely used, with the regime even adding new methods of torture during this period, which we will detail in a report due to be released in the next few weeks.

Based on the information gathered by SNHR, detainees imprisoned by the Syrian regime are subjected to two forms of barbaric persecution:

First: Methods of physical torture whose deliberate and unparalleled barbarism is an affront to every notion of humanity and civilization, which are inflicted by the most depraved sadists who work for a sadistic regime.

Second: Psychological torture inflicted through deliberate medical negligence in failing to provide any kind of medical care. Here it must be made clear that detainees do not dare to ask for medical attention, to see a doctor or t be taken to hospital, since they know from former or fellow detainees that, rather than helping them, the medical staff at the regime's military hospitals are no less sadistic than the prison staff. Dozens of surviving former detainees told us that the torture they endured at the hands of doctors and nurses in the military hospitals was even more cruel than that inflicted on them in the security branches, with many adding that, despite still being ill or in pain from their injuries, they had requested to be returned to the regime's security branches, pretending to have recovered, than remaining in these hospitals. Their accounts further confirm the involvement of several regime-affiliated medical institutions in torture and deaths resulting from torture.

## 2. The Syrian regime convicted itself by issuing death certificates for forcibly disappeared individuals who were in good health when it arrested them:

The Syrian regime deliberately keeps the fate of tens of thousands of detainees unknown, aiming to inflict the greatest possible pain and humiliation on their families. Many of those classified as disappeared have been missing for many years now. On the SNHR's database, we have documented the cases of at least 82,000 individuals forcibly disappeared by the Syrian regime. The years 2012 and 2013 saw the highest numbers of arrests documented since the start of the uprising in 2011, with this wave of enforced disappearances clearly aiming to break and destroy the popular movement and terrorize those supporting freedom into silence and submission.















These detainees and forcibly disappeared individuals are subjected to brutal and sadistic methods of torture throughout their detention, with hardly a week passing in which the SNHR doesn't record a few cases of deaths due to torture among detainees held by the Syrian regime. At the beginning of 2018, the Syrian regime revealed the fate of a few of the forcibly disappeared, whose whereabouts it had denied any knowledge of for years. We documented the first reports of these disappeared individuals' deaths being officially registered by the regime at the state civil registry departments in May 2018, and detailed in two separate reports the mechanism used by the regime in these civil registry departments to register detainees' deaths, and were able to document at least 916 cases which the Syrian regime revealed their demise. In registering these deaths, the Syrian regime provided no details of the cause of death in any of the cases, and did not hand over the detainees' bodies to their families. The regime also failed to provide any notification of the deaths when they took place, often years before they were registered, having previously denied the existence of these or any other forcibly disappeared individuals in its detention centers. Among the cases we documented, two were women, while 13 were children at the time of their arrest. On checking the deaths registered by the regime, we conducted a search of the names of disappeared individuals in our database to cross-check the information, and contacted at least 350 victims' families who had received death certificates for their disappeared loved ones and who provided us with information about the details of the arrest and copies of the death certificates. All of these family members confirmed to us that the victims were in good health at the time of their arrest. Some of those we spoke with had been able to visit their family members in detention centers during the period of their detention before their loved ones disappeared again. Up to the end of 2018, the civil registry departments continued to issue death certificates for families inquiring about the fate of disappeared family members (if the names of the disappeared individuals were included in the list of deaths registered by the regime) or in the 'family extracts' - the civil registry record for each family - to determine his or her fate. After the end of 2018, we began to notice a change in the civil registries' policy on this issue, with families asked to return later in order to prevent families from gathering in front of the Civil Registry offices, as well as to reduce the amount of media coverage that coincided with this process. The lists received by civil registry departments are the same, and we did not record new lists. This means that up to the present moment, we have not yet received a death certificate which the date of the incident was registered in 2019. Although the civil registry is still using its customary slow bureaucratic process of issuing data to families on their disappeared loved ones, and the date of receipt of the death registration documents are stamped as being issued in 2019, the death registration dates given in the Civil Register are all from 2018.















The SNHR believes that all of these disappeared died due to torture, with the only cases exempted from torture being those killed more immediately by death sentences issued by the al Midan Military Court, which account for as little as 5 percent of the total, according to what we have documented.

As the SNHR has made clear in all of its reports, the Syrian regime no longer provides any physical evidence to any of the families which regime officials call to inform them of their loved ones' deaths in regime detention, or when the regime discloses the fate of those forcibly disappeared through the Civil Registry departments as more recently, with the regime failing in all cases to provide any physical evidence providing that the grieving families' disappeared relatives are dead. Other than a peremptory telephone call notifying them or a certificate from the Civil Registry departments, the regime has failed to definitively disclose the fate of the disappeared. Based on all these factors, the SNHR confirms that the regime is still practicing the crime of enforced disappearance, with these disappeared individuals not being physically accounted for, whether alive or dead. In accordance with international law in this regard, we will, therefore, continue to consider all of them as forcibly disappeared, with the main party held responsible for their disappearance being the Syrian regime.

## The most notable incidents of torture by Syrian Regime forces:

Samhan Azzam, from Suwayda city, was arrested by Syrian Regime forces in December 2018 while he was working on settlement procedures. He was taken to Sydnaya Military Prison in Damascus Suburbs governorate, before being released on Monday, January 28, 2019, with signs of torture on his body.





The signs of torture on Samhan Azzam's body, who was arrested by Syrian Regime forces in December 2018













Shahhoud al Ahmad, a refugee in Lebanon, has been living in Tripoli city since 2012. He was arrested and taken to the military security branch in Homs where he was tortured during a visit to Syria in December 2018.

The SNHR met with Shahhoud, who told us that he was arrested from al Masna' border crossing point: "[Soldiers at] a military checkpoint stopped me and took me to the military security branch. Immediately after I entered, I was hit on my back with an iron door. Two days after my detention, I learned that the reason for my detention was a security report written by one of the informants while I was abroad. During the interrogation, I was subjected to insults and humiliation. They cut off a section of my hair and half my mustache. They also confiscated all the money I had with me, and after about 15 days, I was released and stayed only two days with my family. Then I returned to Lebanon. I regretted my trip to Syria. There's no safe place we can go back to."

Fadia Bahlawan, from Hama city, was arrested along with her infant daughter by Syrian Regime forces on Wednesday, January 23, 2019, as she was passing through a Syrian Regime forces' checkpoint near Hama city, while traveling from Idlib to Hama to get medical treatment for her daughter, who suffered from congenital heart disease. She was released on Wednesday, February 27, 2019.

The SNHR met with Fadia at the place of her displacement in the Idlib city. She told us:

"I was arrested by [staff at] a military security checkpoint and taken with my baby daughter to the military security branch, where I begged the officers to contact one of my relatives in the city to take my daughter because she was sick and couldn't bear the prison's conditions, but they refused, and my child was with me for two days, during which she was suffocated several times. There were no children' supplies in the prison. The situation was very poor. I used to put her in the clothes they gave me instead of healthy baby diapers. Then her health deteriorated and they finally responded to my request and agreed to hand over my daughter to one of my relatives who took her to the hospital. I stayed at the branch, where I was beaten and electrocuted, and they pulled off my veil and pulled me by my hair. I am still suffering from pain in my head because of that until today. The security agents arrested me to force my husband to surrender, but after many mediations I was released. Then I went back to Idlib and kept my daughter in Hama for treatment, but she died less than a month after she was released from prison because of her deteriorating health and delayed treatment."











Abdul Hadi Omran, a university student from Homs city, was arrested by elements affiliated with Syrian Regime forces' Air Security Branch in Homs city on February 3, 2019. He was taken to the Air Security Branch in the city and was released on May 5, 2019.

The SNHR spoke to Abdul Hadi<sup>1</sup>, who told us that a patrol of Air Intelligence Branch personnel stopped him and asked for papers to prove that his military service has been postponed. He said: "They took me to the branch and confiscated my phone. They stripped me of my clothes and put me in a solitary cell for about two hours. They took me out after that and asked me about a relative of mine who is a refugee in Germany and they showed me conversations between me and him on the Facebook application they got from my phone. The detective put me in the tire [one of the well-known methods of torture in Syria] and beat me on the feet until I couldn't feel them. The detective stubbed out a cigarette on the soles of my feet, then he put me back in the cell. I was hearing the screams of detainees being tortured in front of my cell all the time. Two days later, a detective called Abo Suleiman called for me to guestion me, and beat me on the nose with a wooden board that was on his desk. Then they left me in a solitary cell where I remained until the day I was released."

### The most notable victims of death due to torture by Syrian Regime forces:

Ehab Talal Abu Sa'eb, from al Qrayya town in the southern suburbs of Suwayda governorate, born in 1989, was arrested by elements of Syrian Regime forces' Military Security forces on Friday, March 22, 2013, while he was passing through one of their temporary checkpoints to the north of al Qrayya town. On Tuesday, August 7, 2018, we received information confirming his death due to torture inside a Syrian Regime forces' detention center on Monday, February 10, 2014.



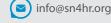
The SNHR spoke with Ihab's brother, Mr. Kefah2, who told us: "On Friday afternoon, Ihab left his home in al Qrayya town, heading to Suwayda city with his aunt and her husband. They were stopped at a temporary military checkpoint to the north of Qrayya town. At the checkpoint, there were personnel belonging to the military security and the police of the district, who made Ihab get out of the car and arrested him. In early August 2018, we went to extract a family register statement from the personal status department in in al Qrayya town. The shock was that we read the word "dead" next to Ihab's name, and next to it was the date of death February 10, 2014, and we never knew of his death. Ihab was blind in his right eye before his arrest and his enforced disappearance by the Syrian regime. "













<sup>&</sup>lt;sup>1</sup> Via phone

<sup>&</sup>lt;sup>2</sup> We contacted him via phone



Layla Mohammad Ali Shwekani, who graduated in 2012 with a degree in Information Architecture from the Arab International University, formerly known as the Arab European University, in Syria, was a humanitarian activist in support of the uprising by doing humanitarian aid work, a Syrian citizen who has US citizenship. Layla, who was originally from the Dummar neighborhood of Damascus city, was born in 1990. She was arrested by Syrian Regime Air Security forces on Friday, February 19, 2016, in a raid on her home in the Dummar neighborhood. On Sunday, November 18, 2018, we received information confirming that she died ten months after her arrest on Wednesday, December 28, 2016.



We spoke by phone with a relative of Layla, who asked for her name to be kept confidential. She told us that four members of the Air Security forces at al Mazza Military Airport raided Layla's home and arrested her. She added: "On November 18, 2018, Layla's father went to the personal status department in Damascus, where he obtained a death certificate for Layla, with the date of death given as of December 28, 2016, meaning only two days after she was transferred from the Adra Central Prison to an unknown place we do not know. "The SNHR maintains in its archive a copy of the death certificate of the victim, Layla Shwekani.







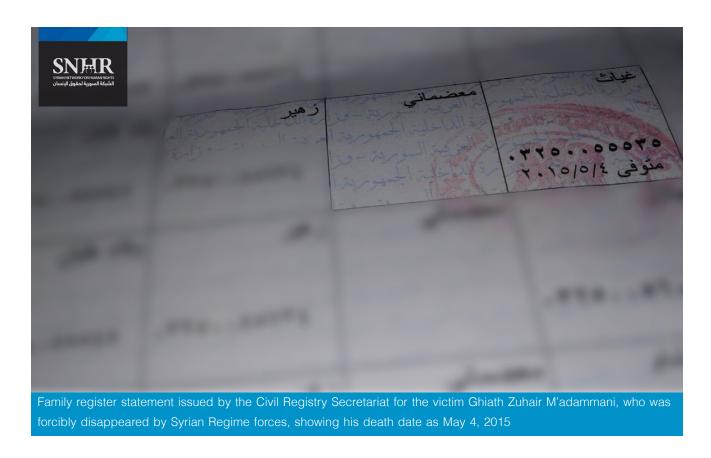




Ghiath Zuhair M'adammani, a media activist and member of the Daraya Media Council Office, from Daraya city, west of Damascus Suburbs governorate, was arrested by Syrian Regime forces on Wednesday, August 20, 2014, while he was passing through one of their checkpoints as he was trying to leave his city Daraya during the siege imposed by Syrian Regime forces on the city. On Tuesday, January 1, 2019, we received information confirming his death due to torture in one of the Syrian Regime forces' detention centers on May 4, 2015.



The SNHR spoke by phone with one of Ghiath' relatives, who preferred not to be named in the report for safety reasons. She told us: "Ghiath told us of his intention to go out of Daraya. Immediately after his departure, he was arrested by personnel at one of the checkpoints besieging the city. There was no news about him whatsoever, until we extracted a family register statement from the personal status department in Damascus, revealing that Ghiath died on May 4, 2015. We do not know the place of his death or any other information. "















Ibrahim Ismail Badran, a civil engineer and owner of a printing shop, from Douma city in the Eastern Ghouta, east of Damascus Suburbs governorate, was born in 1967. He was arrested by Syrian Regime forces on Sunday, August 25, 2013, while he was passing through one of their checkpoints near al Wafdin Camp near Douma city on his way back from Damascus city to Douma city. On Monday, February 4, 2019, we received information confirming his death due to torture inside a Syrian Regime forces' detention center on July 8, 2014.



We spoke with Ibrahim's son, Mohannad<sup>3</sup>, who told us that his father had been arrested at a Syrian Regime forces' checkpoint near al Wafdin Camp in Douma city, and that his family had received no information about him since that day. Mohannad said: "Despite our attempts to enquire about him, we did not find out any information, then we were shocked by the news of his death when we extracted a family statement from the personal status department, in which was written "dead."



Family register statement issued by the civil registry secretariat for the victim Ibrahim Ismail Badran, who was forcibly disappeared by Syrian Regime forces, showing that Ibrahim died on July 8, 2014















Via phone

Born in 1957, Mahmoud Ali al Mer'e, from al Rastan city in the north of Homs governorate, was a lawyer and graduate of Damascus University's Faculty of Law. He was arrested by Syrian Regime Air Security forces on Thursday, October 13, 2011, in Homs city. His family was able to visit him in March 2012 in Sydnaya Military Prison in Damascus Suburbs governorate. On Tuesday, February 12, 2019, we received information confirming his death due to torture inside Sydnaya Military Prison on February 13, 2019.

We spoke by phone with Mahmoud's son, Hekmat al Mer'e 4, who told us about the circumstances of his father's arrest. "On October 13, 2011, my father was arrested while driving his car on his way to work in Homs city. I learned that it was the Air Intelligence that arrested him before he was transferred to Sydnaya Military Prison" Hekmat stated that, with a great deal of effort, he had finally received permission to visit his father and was able to see him in March 2012: "After that visit, we could not find his whereabouts or any information indicating his fate, and on February 11, 2019, lists of detainees who were registered as dead in the personal status department in al Rastan city began to arrive, and my father's name was among them. In the family statement, it was mentioned that my father died on February 13, 2013. His death was concealed for the entire period. We did not receive any of his possessions, his identity documents or even his body. We don't know where he was buried. All we have is a paper bearing the date of death. "



















<sup>4</sup> Via phone

### **Legal Conclusions:**

Syrian Regime forces have systematically and extensively practiced the crime of torture, often to the extent of killing victims, violating the right to life, as well as constituting a flagrant violation of international human rights law. It has been proved beyond doubt that the Syrian regime is fully aware of this and of the certainty that the inhuman conditions of detention routinely and inevitably lead to death. Yet, it has done nothing to stop this. Killings as a result of torture constitute crimes against humanity, flagrant violations of international humanitarian law, which amount to war crimes, forming a systematic and repetitive pattern, and can thus be classified as extermination.

### B. Extremist Islamist groups:

#### - ISIS:

The areas under the control of the ISIS in Syria have largely declined or disappeared. As of the beginning of 2019, ISIS has been confined to small enclaves in eastern Syria. The physical and psychological methods of torture used by ISIS in its detention centers were very similar to those used in the Syrian regime's detention centers. Since the announcement of its existence in April 2013, the organization has practiced vicious methods of torture and ill-treatment, exhibiting a pattern of sadism against its detainees, with the aim of spreading terror and fear and intimidating the people in areas under its control with the dire consequences of violating its extremist doctrine, using methods such as waterboarding, gas asphyxiation, shooting bullets around detainees' bodies, gruesome maiming and executions of detainees, and forcing other detainees to watch footage and recordings of their peers' execution by barbaric methods such as beheading and immolation, as a form of psychological torture. SNHR previously issued an expanded report, "The Black Bottom", on the most notable detention centers and methods of torture used by ISIS.

The levels of torture used by ISIS vary according to the charges against the detainee and are most severe against media and military activists and foreign abductees, who are often held in secret prisons. The group often tortures them to death or films its members carrying out brutal executions while detainees accused of violating the group's extremist doctrine are subjected to various forms of torture, including methods, such as severe beating, flogging, use of the 'tire' and the Shabeh or 'Ghost, with this torture lasting for several hours or days.

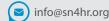














Although ISIS has declined, it has left a terrible lasting impact on the families of victims of torture and enforced disappearances; many of those who we spoke with told us that ISIS had informed them of the death of their disappeared family members through the centers of their al Hesba security forces, but failed to hand over the bodies or to inform the grieving families of their loved ones' burial place. Some 8,350 individuals previously arrested by ISIS are still missing.

## The most notable victims of death due to torture by ISIS:

Sixty-year-old Zahia Fawwaz al Jba'i, a woman from Shbeki village east of Suwayda governorate, was abducted in the village by gunmen affiliated with ISIS on Wednesday, July 25, 2018. On Thursday, August 9, 2018, we received information conforming her death due to negligence in healthcare in a detention center.



- Hay'at Tahrir al Sham (an alliance composed of a number of factions of the Armed Opposition, Fateh al Sham Front organization, formerly al Jabhat al Nusra):

In the areas under Hay'at Tahrir al Sham's control, the group has persecuted those criticizing its policy, along with activists, especially media workers and personnel with humanitarian organizations, in particular those who refuse to coordinate with the institutions it established, and those affiliated with the Armed Opposition factions that Hay'at Tahrir al Sham is fighting against. Hay'at Tahrir al Sham has maintained a network of private and secret prisons and prevented the judiciary of the Salvation Government's Ministry of Justice from intervening in them, despite the Salvation Government establishing its own prisons with the approval of the group. In Hay'at Tahrir al Sham's prisons, the group detains many of those which its members have forcibly disappeared and practices various cruel forms of torture















such as electrocution and flogging, pulling out of fingernails, starvation and sleep deprivation. Dozens of survivors of these prisons confirmed to us that the group's security forces used to practice mock executions against them for the purpose of intimidating them, with many detainees released in return for bribes involving large sums of money.

## The most notable incidents of torture by Hay'at Tahrir al Sham:

Abu Khaled al Ahmad, an imam and preacher at the Ahl al Sunna Mosque in Atma village in the northern suburbs of Idlib governorate, was arrested by gunmen affiliated with Hay'at Tahrir al Sham on Sunday, September 16, 2018, in Atma village, before being released the next day with sign of torture on his body.



## The most notable victims of death due to torture by Hay'at Tahrir al Sham:

Marwan Ahmad Amgi, nicknamed Hanteer, from Idlib city, one of the former detainees in Hay'at Tahrir al Sham's Idlib Central Prison, managed to escape from the group's prison after the Russian strikes on it in March 2019. However, his family convinced him to surrender to the group after it issued a circular claiming that they would alleviate the punishment for those fugitives from the prison who surrendered themselves. After he was returned to Hay'at Tahrir al Sham's custody, members of the group tortured him to death, then delivered his body to his family on April 10, 2019, with signs of torture on it.

















## حكومة الإنقاذ السورية وزارة العدل Syrian Salvation Government Ministry of Justice



# بسم الله الرحمن الرحيم بيان حول حادثة وفاة السجين: مروان عمقي

الحمد لله رب العالمين والصلاة والسلام على سيد المرسلين وآله وصحبه أجمعين: قَالَ تَعَالَى: يَا أَيُّهَا الَّذِينَ آمَنُوا كُونُوا قَوَّامِينَ بِالْقِسْطِ شُهَدَاءَ لِلَّهِ وَلَوْ عَلَىٰ أَنفُسِكُمْ

لقد ألمنا ما حصل في الحادثة الأخيرة بوفاة الشاب: مروان عمقي رحمه الله تعالى، وإنا في وزارة العدل إذ نقدَم العزاء لأهله الكرام فإننا وقياماً بمسؤوليتنا الشرعية الملقاة على عاتقناً. وصيانةً للدماء المعصومة التي أمرنا الله تعالى بتعظيمها وحفظها. تعاملنا مع هذه الحادثة بشفافية من خلال قيام النيابة العامة بتحقيقاتها الأولية وعرض جثة المرحوم على الطبابة الشرعية، ووضحنا ذلك عبر تصريح إعلامي سابق وبينا فيه عدم ممانعتنا لقيام لجنة طبية مستقلة بإعادة فحص الجثة.

وأمام المعطيات الجديدة للتقرير الطبي للجنة الخماسية فقد قررنا التوسع في التحقيقات وتوقيف كل من يثبت بحقه أي اتهام وإحالة القضية مباشرة إلى محكمة الجنايات للقيام بواجبها الشرعي في محاكمة من يثبت تورطه ومحاسبته وفق أحكام القضاء الشرعي العادل دون أي محاباة، مع استعدادنا لتنفيذ حكم المحكمة ومحاسبة المسؤولين.

وندعو أولياء دم المتوفى إلى مراجعة القضاء لتقديم ادعائهم أصولاً. وتوكيل من يرغبون بمتابعة القضية أمام المحكمة المختصة.

والله يقول الحق وهو يهدى السبيل

التاريخ: ٦ / شعبان / ١٤٤٠ هـ الموافق: ١١ / ١١ / ٢٠١٩ م

A statement issued by the Ministry of Justice of the Salvation Government in Idlib governorate on the death of

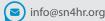






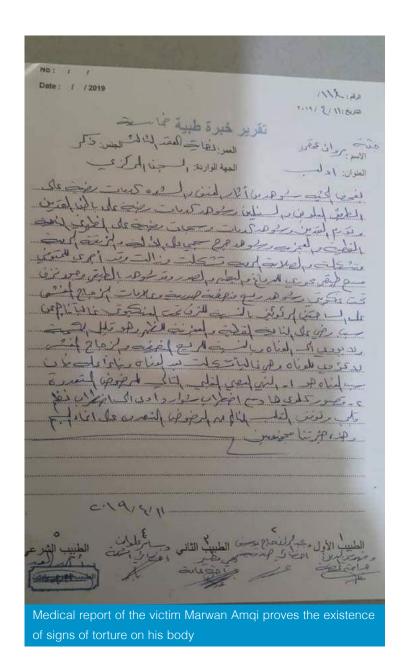








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The SNHR spoke by telephone with one of the relatives of the victim, Marwan Amgi who told us: "Marwan was able to escape from prison after the air attacks that targeted it. He hid in the house of one of our relatives. Then the group issued a circular through the observatories and announced that it would alleviate the punishment of anyone who surrenders himself and would issue an amnesty for him; then we persuaded Marwan to surrender himself, especially after one of the figures who has strong relations with the group gave us promises that no one would harm Marwan - but what happened was exactly the opposite. After Marwan surrendering himself, he came back to us as a dead body, and forensic pathologists confirmed that he was subjected to torture. Those who tortured him are well known to us."

Mohammad al Hussein al Jnaid, from Jazraya village in the southern suburbs of Aleppo governorate, was arrested by gunmen affiliated with Hay'at Tahrir al Sham in January 2019. On Friday, April 12, 2019, we received information confirming his death due to torture in one of its detention centers.



## **Legal Conclusions:**

ISIS organized formal trials of detainees in accordance with its system of laws that ended with their deaths due to torture or by field executions and murder in an innovative brutal manner, failing to respect any of the principles of international human rights law or international humanitarian law, constituting war crimes. Hay'at Tahrir al Sham, similarly, carried out torture, denied arrests and took hostages, and flagrantly violated international humanitarian law.

## C. Kurdish-led Syrian Democratic Forces (the Democratic Union Party):

Syrian Democratic Forces have practiced arbitrary arrests, forced disappearances and torture in a widespread manner. At the beginning of 2019, we recorded a remarkable increase in the frequency of these operations, some of which are of an ethnic nature. In their detention centers, these forces routinely resort to the use of severe beatings causing bone fractures, most commonly during the interrogation of detainees and abductees. We also recorded an escalation in the intensity of torture methods and a high toll of torture victims











by the Syrian Democratic Forces since the beginning of 2016. These forces use methods of torture similar to those practiced by the Syrian regime such as the Shabeh, tire, electrocution, starvation and deprivation of healthcare, especially against those accused of belonging to Armed Opposition factions and their relatives or those accused of belonging to ISIS, preventing them from contacting their families or appointing a lawyer and submitting them to the judiciary in areas under their control.

## The most notable incidents of torture by Syrian Democratic Forces:

Emad M, a 24-year-old worker from the northern suburbs of Deir Ez-Zour governorate, was arrested by Syrian Democratic Forces in September 2018. He was placed in al A'laaf Prison in al Sour city in the northern suburbs of Deir Ez-Zour governorate, before releasing him on November 17, 2018.

The SNHR spoke with Imad via phone. He told us: "They confiscated my phone and searched its contents. When they found one of ISIS' videos, they arrested me. I was transferred to al A'laaf Prison in al Sour city. We were 13 prisoners in the room. All of us were civilians. There was only one prisoner of ISIS, who was injured. The room was small - three meters wide by four in length - and very wet because of low temperatures. They hit me with a plastic hose all over my body, I screamed hysterically because of the cruel torture. They gave us two meals a day; the food was not cooked well, and was always causing food poisoning among the prisoners. My family paid half a million Syrian pounds to one of the leaders SDF, and was released. And now, I still suffer from the effects of blows and punches in my body."

Ahmad T, aged 24, was arrested by Syrian Democratic Forces at his home in Zyban city in the eastern suburbs of Deir Ez-Zour governorate in early 2019. He was released at the end of April 2019.

We talked to Ahmad<sup>5</sup>, who told us, "A patrol of four vehicles belonging to SDF raided my family's house, searched the house and then took me, after covering my eyes with a black blindfold, to one of the vehicles. " Ahmad added that the journey to the prison took about fifteen minutes, adding that he later discovered it was located in al Omar Oil Field. Ahmad continued: "They took me into the cell where there were more than twenty detainees in a very small room. The smell of the room was unpleasant and its area was not enough for everyone to sit. Some of those I met had been arrested on criminal charges, some others were prisoners of ISIS, who were transferred later to special cells. All the detainees were tortured with beatings. They beat me almost daily with a plastic hose used in the sanitary installations. They forced me to lie on my stomach

<sup>&</sup>lt;sup>5</sup> Via phone

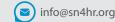














and throw my hands behind me. Sometimes they put a damp cloth around my neck and they tightened it so that I could not breathe well. The methods of torture were ugly, and the signs of beatings on my back are still present."

## The most notable victims of death due to torture by Syrian Democratic Forces:

Hussein Mohammad al Mustafa al Hamada, from al Karama town in the eastern suburbs of Ragga governorate, was arrested by Syrian Democratic Forces in October 2018 in a raid on his home in al Karama town. He was taken to one of their centers, where he was tortured to death. His body was delivered to his family December 29, 2018, with signs of torture on it.



Mahmoud Benyamin Ibrahim, from Ein al Arab city in the northern suburbs of Aleppo governorate, was arrested by Syrian Democratic Forces in a raid on his home in the city. On Sunday January 27, 2019, we received information confirming his death due to torture in one of SDF's detention centers.



Twenty-seven-year-old Ahmad Omar al Dahhou, from al Sfira city in the suburbs of Aleppo governorate, was arrested by Syrian Democratic Forces on Wednesday, May 1, 2019, in al Shnan village in the suburbs of Deir Ez-Zour. He was taken to one of the group's detention centers and tortured before being released him the next day, with signs of torture on his body. He was then taken by his family to the field hospital (al Kendi) in Tayyana town in the suburbs of Deir Ez-Zour, where he died, with medical staff confirming that his death was a result of the torture he had been subjected to.





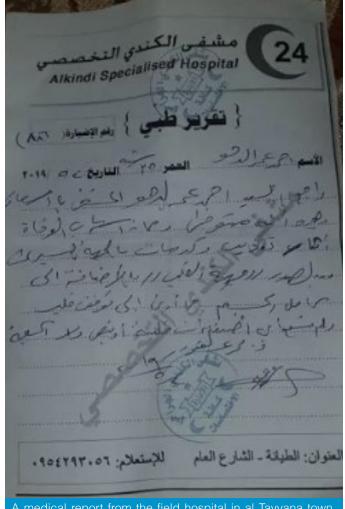








Signs of torture on the body of the victim Ahmad Omar al Dahhou, who was arrested by Syrian



Ahmad Omar al Dahhou due to torture











Sixty-four-year-old Adnan Haswa, from Manbej city in the northeast of Aleppo governorate was arrested by Syrian Democratic Forces on Thursday, May 16, 2019, in Manbej city, and taken to a detention center in the city where he was tortured to death. Six days after his arrest on Wednesday, May 22, 2019, SDF personnel delivered his body to his family with signs of torture on it.

### **Legal Conclusions:**

In this regard, Syrian Democratic Forces did not respect the principles of international human rights law or international humanitarian law. The practices of torture against its opponents against the background of non-international armed conflict constitute war crimes.

#### D. Factions of the Armed Opposition:

The Armed Opposition forces resorted to severe beatings with tools such as wooden sticks, metal and electric wire during the interrogation of detainees, in addition to using torture techniques such as the tire and al Shabeh (tire: a car tire into which the detainee is forced to curl up in a fetal position with his knees bent before being beaten. Al Shabeh: the detainee is hanged from the ceiling by his hands or feet, not touching the ground, often being left for hours and falling unconscious) As we detailed extensively in a previous report about the Armed Opposition factions' detention centers entitled 'Awaiting Justice' since 2017, we have recorded an increase in the use of torture methods by the Armed Opposition factions, and a corresponding increase in the death toll. These groups also practiced torture against critics of their policies, mainly against local media activists. In a large number of incidents, we documented the arrest and torture of local activists who were subsequently released a few days later without any charge. Armed Opposition factions have also used more severe levels of torture against Syrian regime personnel detained in the opposition prisons.

## The most notable incidents of torture by factions of the Armed Opposition:

Omar al Keif, from al Kurdiya village east of al Bab city in the eastern suburbs of Aleppo governorate, was tortured by gunmen affiliated with the Samarkand Brigade of the Euphrates Shield - one of the factions of the Armed Opposition –following a personal dispute between him and one of the other members of the brigade in al Kurdiya village on Thursday, August 16, 2018, before being released later the same day.

















## The most notable victims of death due to torture by factions of the Armed Opposition:

Ahmad Mohammad Sheikho, the 53-year-old deputy head of the district's Sheikh Hadid local council, a native of the town in the northern suburbs of Aleppo governorate, who holds a bachelor degree in geography, was arrested on Thursday June 7, 2018, by gunmen affiliated with the faction of Major General Suleiman Shah - one of the factions of the Armed Opposition. Although he was released four days later on June 11, he died the following day as a result of the torture he had been subjected to during his detention.



We spoke with M SH<sup>6</sup>, one of Ahmad Sheikho's relatives, who told us: "Ahmad was arrested in a kidnapping-style incident with more than ten other people from Sheikh Hadid by the Amashat<sup>7</sup>, who also stole money belonging to the local council that was in Ahmad's possession and accused him of working with the Self-Management. Upon his release, he had been brutally tortured and died hours after he was released, while the Amshat threatened his family if they filmed him or made a fuss at his funeral. "

A title given by local people to the faction of the brigade of Sultan Suleiman Shah after the title of the commander of Major General Mohammad Jasem, nicknamed Ab Amsha

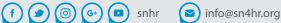














Twenty-two-year-old Mohammad Hasan Ihsan al Eter, a fighter with Failag al Sham, one of the factions of the Armed Opposition, originally came from al Qsair city in the western suburbs of Homs governorate. He was arrested by gunmen affiliated with Failag al Sham on Sunday, January 13, 2019, in Afrin city in the northern suburbs of Aleppo governorate, and was tortured to death. His body was delivered to his family on Monday, January 21, 2019.



Mohammad Hasan Ihsan al Ete

## بيان أولياء الدم بقضية مقتل المغدور محمد إحسان العتر

نحن الموقعون أدناه ويصفاتنا الاعتبارية والشخصية.

وبعد الانتهاء من التحقيق بالقضية وصدور قرار الحكم فيا والتي قامت عليها لجنة متابعة للقضية بقرار من قيادة فيلق الشام واشراف ومتابعة من قبل الشيخ عمر حذيفة ومشاركة فاعلة وموافقة منا حول عضوبتها بشقيها في التحقيق والحكم.

بات لزاماً علينا أن نتوجه لأهلنا الذين تفاعلوا إيجابياً مع قضية مقتل المغدور محمد العتر شاكرين لهم تفاعلهم وحرصهم على كشف الحقيقة ومحاسبة الجناة.

أهلنا جميعاً وأبناء القصير خاصة.

منذ إعلان نعى المغدور توجب علينا. كواجب أولى القيام بما يلزم من إجراءات قانونية تحسبية وموارته الثرى بعد ذلك وبعدها قمنا بالتواصل مع قيادة فيلق الشام ووضعها أمام مسؤولياتها والتي أبدت كل الحرض لكشف الحقيقة ومحاسبة الجناة واستعدادها لتقديم كل ما يطلب منها أصولاً لتحقيق ذلك.

وكان لا بد لنا وفق الشرع والقانون من الحصول على تفويض من ورثة المغدور لنتمكن من متابعة القضية أصولاً.

وبهذه الصفة وبالتنسيق والتعاون مع الشيخ عمر حذيفة كان لنا دوراً بارزاً في لجنة التحقيق والحكم إضافة لأخوتنا من أبناء القصير الذين تم تكليفهم وفق اختصاصهم من قيادة فيلق الشام بهذه القضية.

وبمشاركة مباركة من فضيلة الشيخ عبد الرزاق المهدي الذي منح الصوت المرجح بلجنة الحكم.

بعد انتهاء التحقيق وصدور قرار الحكم وبعد أن أطلعنا كأولياء الدم على المراجع البحثية والاستنارة بفتاوى علماء الدين المشهود لهم بالكفاءة والاستقلالية ومطابقتها مع حيثيات التحقيق والتوصيف الجرمي الذي يتطابق معها.

قمنا بوضع ورثة المغدور بملخص عن صورة التحقيق وبيّنا لهم التوصيف الحقيقي للجرم وأن قرار الحكم أخذ بكل حيثيات القض وشروط توصيف جرم القتل العمد وشبه العمد وشروط الحكم بالقصاص.

وقبولهم بقرار لجنة الحكم.

ونحن إذ نقدر صبر واحتساب ورثة المغدور نتوجه لهم بأضدق المشاعر بالغزاء والمواساة ونبين لهم ولأهلنا جميعاً ما يلي:

١ إن مقتل المغدور تحت التغذيب في أمنية فيلق الشام جريمة نكراء بغض النظر عن حيثياتها وهو عمل مدان بكل المعايير الشرعية والقانونية والاجتماعية.

٢ إن لجنة التحقيق قامت بواجبها بكل كفاءة ونزاهة وإخلاص وتابعت كل خيوط القضية وقدم لها كل الدعم المطلوب من قيادة فيلق الشام باندفاع وحرص شديدين

٣ إن لجنة الحكم قامت بواجبها بكفاءة ونزاهة وإخلاص خلال أيام خمس تعمقت خلالها بحيثيات القضية ونتائج التحقيقيات وأعادت استجواب المدعى عليهم وتعمقت بأدق التفاصيل التي ترتبط بتوصيف الجرم من حيث النتيجة قبل ان تخلص لقرار الحكم الصادر عنها. ٤ قبولنا وقناعتنا بالقرار الصادر عن لجنة الحكم.

محتسبين فقيدنا وما وقع عليه عند الله تعالى طالبين لنا وله المغفرة والرضوان.

٥ نتوجه لقيادة فيلق الشام مطالبينها باحترام وتنفيذ قرار لجنة الحكم تأكيداً لما لمسناه منها خلال فترة التحقيق وأن تتخذ القرارات الواجبة لمنع تكرار مثل هذه الجرائم بحق أهلنا.

> ووضع الاجهزة الامنية تحت إشراف القضاء وخضوعها له واصدار قرارات صارمة لمنع التعذيب في سجونها. تقبلُ الله فقيدنا وغفر لنا وله وإنا لله وإنا إليه راجعون.

> > الموقعون:

٢ خالد حربا

١ صهيب السماعيل

A statement issued by the family of the victim Mohammad Hassan Ihsan al Eter





















Signs of torture on the body of the victim Mohammad Hassan Ihsan al Eter, who died as a result of torture in a Failaq al Sham detention center on January 21, 2019

The SNHR contacted Ms. Walaa<sup>8</sup>, the sister of the victim Mohammad al Eter, who told us: "Mohammad was arrested by members of the faction of Failag al Sham on Sunday, January 13, 2019, and I learned from people close to the members of the group that he was beaten all over his body while being hanged for almost ten hours. Then he was transferred to the Afrin hospital at dawn on Monday, January 21, 2019, at around five a.m. He died there. According to a forensic report, the death was due to shortness of breath and a drop in blood pressure which caused him to suffer a heart attack." Walaa added that al Failaq charged her brother with theft to distract attention from their torture of and from his death due to this torture.

















<sup>&</sup>lt;sup>8</sup> Via phone

Hammoud Marir al Matar, from Hajin city in the eastern suburbs of Deir Ez-Zour governorate, was arrested by gunmen affiliated with the Ahrar al Sharqiya faction – a faction of the Armed Opposition - on Tuesday, April 10, 2018, in Jarablus city in the suburbs of Aleppo governorate, on a charge of dealing with ISIS. On Monday, June 25, 2018, we received information confirming his death due to torture and poor healthcare in one of the group's detention centers in al Bab city in the suburbs of Aleppo governorate.



Mohammad Abash, from Hajjet Hasna village in the northern suburbs of Aleppo governorate, was arrested by gunmen affiliated with the Samarkand brigade, one of the factions of the Armed Opposition, on Monday, July 2, 2018, in Hajjet Hasna village, which is administratively a part of Jendeires district in the suburbs of Afrin city in the northern suburbs of Aleppo. A few hours after his arrest, his body was found in Jendeires city, bearing signs of torture.



## **Legal Conclusions:**

Acts of torture practiced by Armed Opposition against the people in areas under their control constitute a clear violation of international human rights law and of international humanitarian law, while perpetrating such acts against their opponents in a non-international armed conflict amount to a war crime.

#### IV. Recommendations

## **UN Security Council and the United Nations:**

- Protect civilians detained by the Syrian regime from torture and lethal torture, and rescue those who remain alive.
- The General Assembly of the United Nations must take the initiative in the Syrian situation and resort to invoking the principle of Uniting for Peace, given the total paralysis affecting the Security Council due to the Russian-Chinese veto.
- Establish a mechanism to compel the Syrian regime to end practices of torture, and to reveal the whereabouts of the bodies of the victims and to hand them over to their families.













- Russia must stop blocking the referral of the situation in Syria to the International Criminal Court.
- All UN relief agencies must search for families that have lost their primary breadwinner or one of their children due to torture, ensure that aid is continuously delivered to their beneficiaries, and initiate rehabilitation.
- Ensure immediate punishment of all individuals involved in the Syrian regime's vast torture network.

#### The International Community:

- States which are parties to the Convention against Torture must take the necessary measures to establish their jurisdiction over perpetrators of torture and make all the necessary material and security efforts for this objective.
- Take serious punitive measures against the Syrian regime to deter it from continuing to kill Syrian citizens under torture, including military, political and economic measures.
- Due to the failure of the Security Council to protect detainees who have become hostages to the Syrian regime which is, as a result, killing whoever it wishes by torture with apparent impunity, a coalition of civilized nations must be formed to intervene politically and militarily to protect civilians and save tens of thousands of detainees from death due to torture.
- Provide more funds, support and sufficient grants to local organizations concerned with the care and rehabilitation of torture victims and their families.
- Provide support to individual activists and local organizations that document violations without imposing tutelage or political directives.

## The Independent International Commission of Inquiry (COI):

 Study the cases included in this report, with the Syrian Network for Human Rights willing to cooperate and provide more evidence and details.

## The Syrian regime:

- Immediately stop using all torture methods and deploying the capabilities of the Syrian state in torture and in the rule by terror of Syrian society.
- Immediately allow access for the Independent International Commission of Inquiry, the International Committee of the Red Cross and all objective human rights organizations to the detention centers.
- Take legal and historical responsibility for this comprehensive national catastrophe.

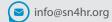














- Ensure the immediate and unconditional release of all those arbitrary detained, particularly children and women, and reveal the fate of tens of thousands of forcibly disappeared persons.
- Stop violating the Syrian constitution and international law in a horrific and monstrous way, which grotesquely insults the Syrian constitution and the Syrian state.

## **Kurdish-led Syrian Democratic Forces:**

- Adhere to the standards of international human rights law, stop the use of torture against political or military opponents, launch investigations of those involved in these crimes, and hold them accountable.
- Disclose information about all detainees, publish lists of their names, publish sites and places of secret detention centers, and allow their families and human rights organizations to visit them.

#### **Extremist Islamist groups:**

 The implementation of international human rights law in the areas and prisons under their control must be observed and all forms of torture must be stopped in their detention centers.

## **Armed Opposition factions:**

- Respect the provisions of international human rights law, end unlawful trials, and end all torture in detention centers.
- Immediately allow the International Committee of the Red Cross (ICRC) and objective human rights organizations to visit all detention centers and end all imprisonment of detainees in secret detention centers.
- Hold all individuals involved in torture accountable and expel them directly.
- Factions affiliated with the Hay'at Tahrir al Sham must abandon the group as soon as possible.

## **Acknowledgment and Condolences**

We wish to express our sincere thanks and appreciation to the survivors of torture for their gracious and effective contributions to this report, and to offer our sincere condolences to the families of the victims and their friends.















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Info@sn4hr.org

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