



HUMAN
RIGHTS
WATCH

KIDNAPPED BY ISIS

Failure to Uncover the Fate of the Missing in Syria



Kidnapped by ISIS

Failure to Uncover the Fate of Syria's Missing

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Summary

The Islamic State's (ISIS) expansion in Iraq and Syria featured horrendous public abuses. Largely unseen but equally egregious were the widespread detentions and kidnappings by the group –thousands of people snatched from their homes and cars and at checkpoints, who subsequently went missing. While the full scale of the missing has not been confirmed, the Syrian Network for Human Rights has reported more than 8,143 cases of individuals detained by ISIS whose fates remain unknown.

This report highlights 27 cases of individuals or groups of persons apprehended by ISIS. All of them were last heard of in the custody of ISIS, prior to the group's military defeat. It documents the abduction and disappearance of activists, humanitarian workers, journalists, and anti-ISIS fighters from a range of groups, government and anti-government, as well as residents living under ISIS. In some cases, family members saw ISIS taking their relatives into custody, while in other cases, former detainees said they had seen the missing person in ISIS detention centers.

Different patterns emerge from these interviews. ISIS targeted those it saw as an obstacle to its expansion or resisting its rule. This was clearly the case with the disappearance of activists in Raqqa in 2013 as ISIS prepared to take control of the city. The kidnapping and disappearance of these activists spread fear and confusion, removed vocal opponents, and set an example for those who thought to resist. ISIS also targeted journalists and anyone else they considered able to criticize the caliphate's practices to the outside world.

Relatives who approached ISIS officials or visited detention centers to inquire about their loved ones very rarely received any information, and in the worst cases, they themselves were detained.

Other disappearances targeted people whom ISIS accused of working or spying for the US-led Global Coalition to Defeat ISIS (US-led coalition), the Syrian government, or Kurdish-led groups including the Democratic Union Party (PYD), which forms the majority in the Kurdish-led Autonomous Administration of North and East Syria (NES); the Syrian Democratic Council (SDC), the civilian body for Kurdish-led authorities in northeast Syria; and the SDC's armed wing, the Syrian Democratic Forces (SDF), a coalition of local forces led by the NES that was responsible for administering areas formerly held by the Islamic State.

Many victims vanished during ISIS's military offensives, notably in 2014 when the group dramatically expanded the territory under its control. ISIS detained hundreds of soldiers from Syrian government bases near Raqqa, Kurdish men from villages near Kobani, and men from the al-Shuaitat community who rose against the group.

The majority of those who were taken by ISIS were men, but Human Rights Watch documented the disappearances of several women including local activists.

While a significant number of non-Syrians were also disappeared by ISIS, this report focuses on Syrians who have gone missing, with the aim of highlighting that the suffering of families caused by the uncertainty and dearth of answers transcends nationality or political or ethnic affiliation, and is a country-wide concern.

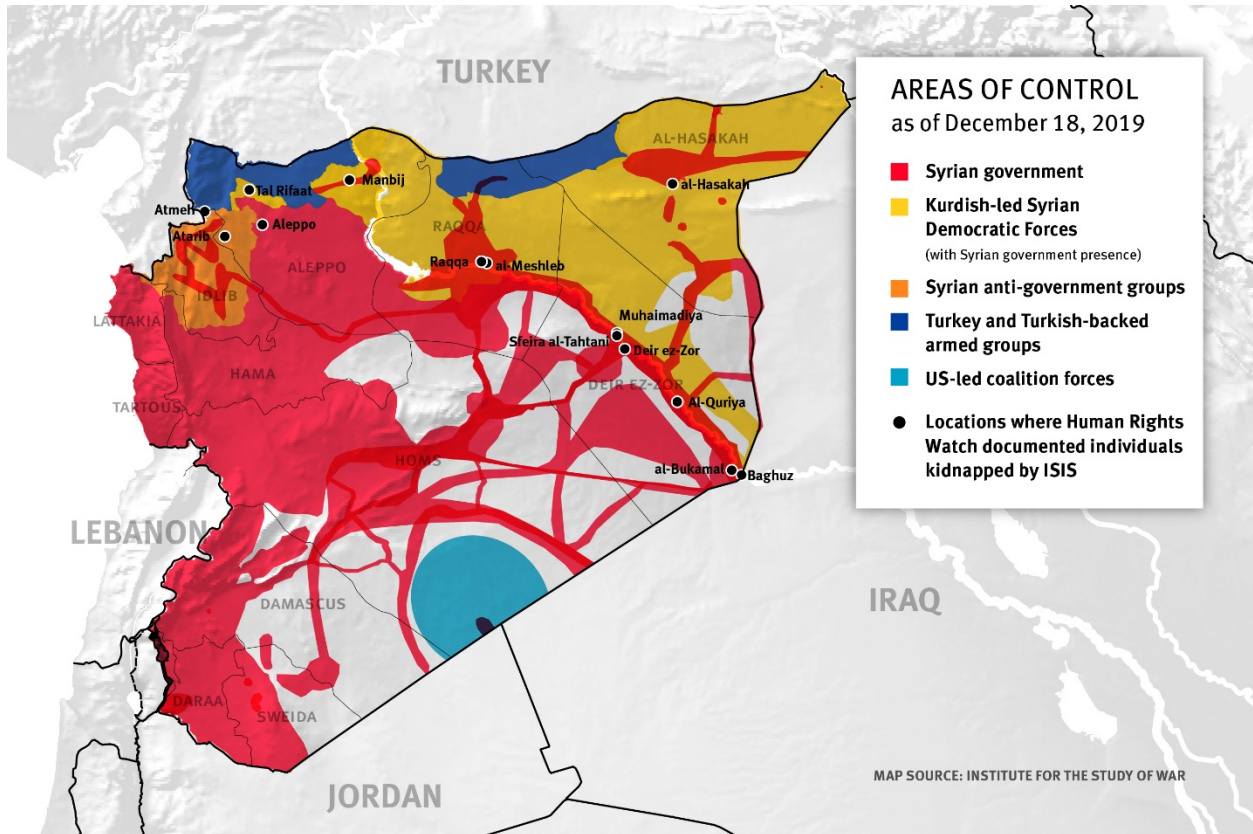
What did ISIS do to individuals after it detained or abducted them? In some cases, ISIS filmed its members summarily executing them. In other cases, structures that ISIS used as detention facilities were bombed – either by the US-led coalition or the Syrian-Russian military alliance – killing all but the few who escaped in the chaos that followed. For thousands who went missing at the hands of ISIS, however, their whereabouts and fate remain unknown.

The families of the missing who spoke with Human Rights Watch said they had hoped that the territorial defeat of ISIS would quickly lead to information about their loved ones. However, a series of delays and an apparent lack of political will placed significant obstacles in their path.

Making matters more complicated, in October 2019, Turkey and Syrian non-state armed actors that it backed launched an offensive on Kurdish-held northeast Syria with the purported objective of clearing the Turkish-Syria border area of Kurdish elements that Turkey considers terrorists. The offensive came on the heels of a decision by the US administration to withdraw its troops, acting as a green light for Turkey to commence hostilities. In addition to widescale displacement, the offensive led to a change in the authorities with effective control on the ground.

On October 13, The SDC and the Syrian government arrived at an agreement brokered by Russia to allow Syrian government forces into areas held by the SDF to support them against the Turkish incursion. Meanwhile, Turkey and Turkish-backed factions managed to capture and secure a segment of the border area previously held by the NES, between Ras al-Ayn and Tal Abyad. An agreement between President Erdogan of Turkey and President

Putin of Russia on October 22 allowed Turkey to retain these areas, which required the Kurdish-led forces to withdraw. It also cemented the Syrian government's presence in all other areas.



At the time of writing, the extent of the control by the Syrian government, Turkey, NES, and the US-led coalition in former ISIS-held areas remains unclear, making it more difficult for families to identify who to speak to and recovery efforts more precarious.

Regardless of who currently controls these areas, these developments highlight the urgency with which authorities should act on any leads available to learn what became of those missing at the hands of ISIS.

Thus far, authorities on the ground have not coordinated or systematized the limited local efforts to take up this issue. In areas controlled by the Kurdish-led authorities for example, the Kurdish local council in Kobani created a committee for the disappeared, while in Raqqa, members of the governorate's Civil Council said that the intelligence services were responsible for investigating the issue. Many families living in camps for internally

displaced persons approached the Kurdish security and intelligence services, known as Asayish, who neither directed them to other authorities nor collected and registered information on their cases. The absence of a system or responsible body or focal point to register cases of missing persons and follow up should information become available meant that family members were left to resort to personal contacts in positions of authority, local hospitals, and first responders responsible for excavating mass graves, or to unofficial interlocuters. In many cases, the SDF or the Asayish did not respond to families' requests for information. In some cases, they provided conflicting or vague responses that left families even more frustrated. Those interviewed by Human Rights Watch said their only sources of information often came from former prisoners who saw their relatives in custody, or from unconfirmed local news and rumors.

More than 20 mass graves containing thousands of bodies have been found in areas formerly held by ISIS. In some areas, most prominently Raqqa, local teams had begun exhuming the mass graves, but support and resources for their efforts have been inadequate. The sites are not being protected in accordance with international best practices, thereby damaging families' chances of identifying their loved ones. In addition to these mass graves, Human Rights Watch found that ISIS may have also used a naturally occurring gorge, locally known as al-Hota, to dispose of the bodies of individuals they detained or abducted. Further efforts to investigate those remains may provide answers to some of the questions posed.

In 2018 and 2019, Human Rights Watch interviewed members of the First Responders' Team in Raqqa, the group responsible for uncovering mass graves and recovering bodies across the governorate, and observed their protocol as they uncovered a mass grave at the al-Rashid playing field in Raqqa city. While the team worked diligently and carefully, their rudimentary methods and lack of standardized procedures risked losing information that would have been valuable in helping identify the missing. In areas held by the Syrian government, the search by families for their loved ones has been equally futile, despite the government having detained thousands of ISIS members and discovered mass graves in areas under its control. Those still awaiting answers from the authorities include the families of hundreds of Syrian Army soldiers.

Family members described their anguish at fruitlessly pursuing rumors, receiving promises of information in exchange for payments from suspicious intermediaries, and visiting former detention centers in the hope of finding some clues. Those who met with Syrian officials said they received no information, only speculation that ISIS killed all its

prisoners, or blanket denials of any knowledge. Families told Human Rights Watch that if their relatives have been killed, they still wanted to bury them properly to achieve closure.

The US-led coalition to defeat ISIS has also failed to address or prioritize the issue of the missing. Though the United States increased their funding for the exhumation of mass graves and announced a reward for those who have information regarding the whereabouts of five prominent Syrian religious figures kidnapped by ISIS, the coalition and other member states have directed few resources toward supporting families to identify the fates of their loved ones. The US-led coalition and the SDF have detained thousands of ISIS suspects and family members, including many in positions of authority, who may have answers to these questions, but if they have this information they have not shared it with the families.

A Way Forward

The de facto authorities¹ in northeast Syria along with local civil councils and security forces should create a civilian body, with regional and local branches, with a mandate to collect information in their respective areas of control about those who vanished under ISIS rule. Such a mechanism should maintain a database of the missing, including contact information for families to facilitate updates, and coordinate with those responsible for protecting and exhuming mass graves across the area as well as with intelligence authorities responsible for questioning former ISIS members and those who have access to documents or evidence. A specific focus of such a body should be to conduct outreach to families of the missing both within and outside Syria. For each de facto authority, this body should coordinate and share intelligence with other such bodies in other areas of control to enable a comprehensive accounting of those missing. Where such a mechanism or body exists, it should be provided with support from local authorities to enable it to carry out its work comprehensively.

The Syrian conflict has been marked by the prolonged arbitrary detention and forced disappearance of tens of thousands of people by all parties to the conflict. The government of Syrian President Bashar al-Assad has been responsible for the vast majority of those disappearances. Most of those detained by the government ended up forcibly disappeared, with the government refusing to provide families with information about the whereabouts of their loved ones or their remains. These violations are ongoing despite the government having retaken a significant portion of its territory. Armed groups including

¹ At the time of writing, these include Turkey and Turkish-backed factions; the Kurdish-led autonomous administration and Syrian Democratic Forces; and the Syrian government. Russian military police are also present.

Jaish al-Islam and Hay'et Tahrir al-Sham, have also abducted and detained a large number of civilians and combatants. Where feasible, authorities should make similar efforts to learn the fates of those who were disappeared at the hands of other armed groups.

While ISIS's practice of arbitrarily detaining, disappearing, and summarily executing individuals is not unique, it committed these acts on a scale that may amount to crimes against humanity. ISIS's loss of territorial control provides an opportunity for authorities in Syria to both hold members of the group accountable for such crimes and to provide answers to families about what happened to their loved ones.

Recommendations

Given the breadth of territorial control that the Islamic State (ISIS) enjoyed at the height of its power in 2014 to 2016/17, and the fluidity of control of areas in Northeast Syria, Human Rights Watch addresses these recommendations to all authorities controlling areas in Syria where individuals have been kidnapped by the Islamic State, including the Autonomous Administration of North and East Syria, the Syrian Democratic Forces affiliated with them, the Syrian government, and Turkey and Turkish-backed armed groups.

We note with concern that all of these actors have themselves carried out serious abuses that have included arbitrarily detaining and disappearing individuals, torturing detainees, and/or failing to cooperate with international authorities or hold individuals accountable for abuses. Human Rights Watch has previously given detailed recommendations concerning the steps that these authorities should take to address the violations. Therefore, we outline below steps to address those kidnapped by ISIS and their families specifically, with the hope that implementing the recommendations below for ISIS-related abuses may provide a model to move forward to remedy abuses by other actors.

Steps to support families of those missing/detained by ISIS for each de facto authority

- Appoint a centralized civilian body or focal point with a team across each authority's area of control to register cases of those who went missing under ISIS rule and to coordinate the collection of information on the missing with other authorities in Syria. This centralized body or focal point should publicly communicate and advertise relevant contact information for offices and representatives to communities in areas under its control, including phone numbers, e-mails, websites, and physical addresses. Where such a body already exists, the First Responders' Team in Raqqa city for example, authorities should ensure that they receive sufficient financial and technical support to carry out their duties;
- Inform families of the fate, whereabouts, and legal status of all persons in custody and respond to all outstanding requests for such information from families;
- Conduct outreach to families both within and outside Syria to ensure that they know whom to contact and how regarding missing family members; and

- Prioritize obtaining information from ISIS suspects in custody about individuals who ISIS detained and kidnapped without resorting to unlawful interrogation tactics such as torture or mistreatment.

Steps to address mass graves in Syria

- Take urgent steps to protect mass graves with the forensic expertise required to carry out this work effectively, including in order to allow for the identification of bodies and to preserve evidence to allow for the prosecution of ISIS suspects in line with international fair trial standards; and
- Invite independent international forensic experts, including those with experience working before international criminal tribunals, to support local teams in preserving and analyzing evidence in newly accessible mass graves.

Steps to engage ISIS suspects in custody

- Screen prisoners in a timely manner to determine whether any are former ISIS detainees;
- Ensure that persons formerly detained by ISIS and other individuals in custody are not subjected to mistreatment, torture, or abuse. Ensure that conditions in which persons in custody are held align with international detention standards including the Mandela Rules.
- Provide full and unimpeded access for independent and impartial monitoring bodies, such as the United Nations Commission of Inquiry on the Syrian Arab Republic and the International Committee of the Red Cross (ICRC) to all detention facilities; and
- Do not transfer any persons formerly detained by ISIS or other individuals in custody to countries or authorities that are known to have tortured or ill-treated individuals in their custody.

Steps to pursue justice for crimes committed by ISIS

Human Rights Watch has abiding concerns regarding the ability of authorities controlling former ISIS areas to provide fair trial guarantees, due process, and other human rights guarantees. Human Rights Watch instead urges authorities on the ground to reform their

judicial systems to comply with international standards, in line with recommendations made in prior reports in detail.

Human Rights Watch encourages de facto authorities to cooperate fully with the International, Impartial and Independent Mechanism (IIIM) on Syria established by UN General Assembly resolution 71/248, and domestic judicial authorities elsewhere—that have universal jurisdiction over the investigation and prosecution of grave crimes committed in Syria, including the crime of enforced disappearance by ISIS members.

To the Global Coalition to Defeat ISIS

- Provide financial, technical, and capacity-building support to local authorities not implicated in serious crimes and human rights abuses, to investigate and document the fate of those who vanished in northeast Syria;
- Encourage the UN and other international actors to ensure that such support and training is made available for this investigation and documentation within a human rights-respecting, nondiscriminatory framework;
- Prioritize obtaining information from ISIS suspects in coalition custody regarding individuals detained and kidnapped by ISIS;
- Screen those in custody in a timely manner to determine whether any are former ISIS detainees; and
- Do not transfer any individual in coalition custody to countries or authorities that are known to have tortured or ill-treated individuals in their custody.

To the United States

- The Department of Defense and the US-led Global Coalition should ensure that uncovering the fate of those missing is a core component of a post-ISIS strategy, and request appropriate funding and staffing to facilitate it;
- In preparing any post-ISIS strategy, the Department of State should ensure that uncovering the fate of the missing is a core component, and request appropriate funding and staffing to facilitate it. The State Department should continue to provide financial support to Syrian civil society to urgently uncover and protect mass graves, including by providing capacity-building grants for local teams on

the ground, and supporting the provision of supplies to help excavate mass graves urgently; and

- Congress should ensure that uncovering the fate of those missing under ISIS is a core component of any post-ISIS strategy, and should provide for the appointment of a coordinator responsible for uncovering the fate of those kidnapped by ISIS. Such an individual will be authorized to liaise with the State Department, the Department of Defense, and the Global Coalition to identify information about those kidnapped by ISIS and communicate that information to families and others seeking that information.

Methodology

For this report, Human Rights Watch interviewed 31 individuals including relatives and colleagues of individuals who had been detained, kidnapped, or went missing at the hands of the Islamic State (ISIS), as well as former ISIS prisoners and forensic experts.

Researchers conducted interviews on four field trips to northeast Syria, and remotely interviewed families based in neighboring countries, Europe, and the United States. Researchers also spoke to international forensic experts and civil society leaders with expertise in identifying remains and learning the fate of the missing.

Human Rights Watch also spoke to representatives of the Syrian Democratic Forces, the Autonomous Administration for North and East Syria, the Raqqa Civil Council, and the Asayish security forces about people who were disappeared after being detained by ISIS.

Human Rights Watch sent letters to Syrian government officials and pro-government groups, the US-led coalition and to the Kurdish-led Autonomous Administration of North and East Syria (NES) authorities but did not receive any response.

Human Rights Watch relied on publicly available material and authoritative news reports regarding pro-government soldiers who were detained or kidnapped by ISIS.

All interviews were conducted in Arabic or English. Human Rights Watch explained the purpose of the interviews to interviewees and obtained their consent to use the information they provided in this report.

In all cases where interviewees asked to not be named or Human Rights Watch assessed that naming them would jeopardize their security or their ability to operate in Syria, Human Rights Watch has not named them or provided identifying information.

I. Mapping Those who were Disappeared at the Hands of ISIS

Local Activists and Community Leaders

Firas al-Haj Saleh, July 2014

Firas al-Haj Saleh, a public sector employee born in 1972, had been arrested twice by the security forces of Syrian President Bashar al-Assad for organizing anti-government protests and lost his job after the second arrest.² Al-Haj Saleh helped lead opposition to the Islamic State (ISIS) when the group rose in Raqqa city in 2013. Al-Haj Saleh's brother, Khalil al-Haj Saleh, believes this was a direct cause of his kidnapping:



Firas al-Haj Saleh with his son, Ibrahim © Ghadir Nawfal

² Human Rights Watch interview with Ghadir Nawfal, Firas al-Haj Saleh's wife, remotely, May 2018.

They dismantled civilian organizations to force people to leave the city. No one was left except those who were either benefiting from their presence or were not involved [in the resistance]. It's a pivotal point. Each time they kidnap one person, 1,500 would flee. It's how they propagated fear.³

On July 20, 2014, a car intercepted al-Haj Saleh and his friend Mustafa Suleiman while they were returning to Raqqa city after a night out, al-Haj Saleh's wife and brother told Human Rights Watch.⁴ The car forced the two men to stop, and four armed men got out and took al-Haj Saleh, leaving Mustafa who told Firas's family.

ISIS had threatened al-Haj Saleh a week before the kidnapping – telling him to leave the city or be killed, al-Haj Saleh's wife and brother said. Al-Haj Saleh's wife said Suleiman told her that he saw the car take al-Haj Saleh to an ISIS headquarters nearby.⁵

Al-Haj Saleh's wife and around 70 others went to ISIS headquarters in the city protest around two hours after Suleiman told her.⁶ When she asked ISIS officials about his whereabouts, they denied having him and said they did not know where he was. She asked other sources, including Arab clans with connections to ISIS members, to no avail:

With Daesh [ISIS], you cannot negotiate. No matter how much you hear about it, no matter how much you see, it's not like for those who have lived with them. It's been 4 years, 10 months, and 3 days—not a single piece of information, not a single sign.⁷

Al-Haj Saleh's son, Ibrahim, now 8 years old, was 2 when his father was kidnapped. His mother said Ibrahim barely remembers his father:

Ibrahim he asks a lot about his father. A specialist recommended telling him that his father may be alive or dead, in preparation for telling him the full truth about his father's disappearance."⁸

³ Human Rights Watch interview with Khalil al-Haj Saleh, Firas al-Haj Saleh's brother, remotely, July 2019.

⁴ Human Rights Watch interview with Ghadir Nawfal, May 2018 and Khalil al-Haj Saleh, July 2019.

⁵ Human Rights Watch interview with Ghadir Nawfal, Firas al-Haj Saleh's wife, remotely, May 2018.

⁶ Human Rights Watch interview with Ghadir Nawfal, Firas al-Haj Saleh's wife, remotely, May 2018.

⁷ Ibid.

⁸ Human Rights Watch interview with Ghadir Nawfal, Firas al-Haj Saleh's wife, remotely, May 2018.

Ismaeel Hassan al-Hamed, November 2013

Dr. Ismaeel al-Hamed, born in 1964, was a general surgeon from Raqqa city. A prominent activist and respected community leader, he had participated in and organized protests against the Syrian government in 2011, and he provided medical aid to anti-government demonstrators. When ISIS emerged in Raqqa, Dr. al-Hamed was among its first and most outspoken critics, according to one of his relatives.



Ismaeel al-Hamed © Private

On November 2, 2013, at around 11 a.m., while Dr. al-Hamed was on his way to his clinic, a group of masked men intercepted him. He hurriedly informed two young men, just as he was taken away, to let his family know.⁹ His wife – who was in Raqqa city at the time with three of their five children – visited ISIS’s known headquarters and offices, as well as those of other factions still operating in the city, asking for information about her husband. She also organized protests and campaigns for his release.

A few years after his disappearance, the Hamed family moved to Europe. Following the defeat of ISIS in Raqqa, the family attempted unsuccessfully to reach out to the Kurdish-led authorities in control of the area to ask for more information. According to a relative, the family was unable to identify a point person or reach authorities.¹⁰

⁹ Human Rights Watch interview with close relative of Dr. Ismaeel al-Hamed, remotely, October 2017.

¹⁰ Human Rights Watch interview with close relative of Dr. Ismaeel al-Hamed, remotely, October 2017.

Abdullah Khalil, May 2013

Abdullah Khalil, born in 1961, was a long-time human rights defender and a known political opponent of the Syrian government who had been arrested by the Syrian authorities several times. Following his release from one prison sentence in November 2012 he left Syria for Turkey.¹¹ When the Free Syrian Army (FSA), a coalition of armed anti-government groups, took Raqqa city from the Syrian government in 2013, Khalil returned to the city and briefly served as the head of the local civil council overseen by the Syrian National Coalition (SNC), a coalition of anti-government groups founded in 2012

On May 19, 2013 at around 12:30 a.m., unknown gunmen abducted Khalil and four other men on their way to nearby al-Meshleb village, Khalil's wife told Human Rights Watch. Two of Khalil's associates escaped while the whereabouts of Khalil and the other men remains unknown. Khalil and the men were last seen in a car driven by other men that was stopped at a checkpoint guarded by Jabhat al-Nusra, an armed group that was affiliated to al-Qaeda, on a road heading out of the city.¹²

Khalil's wife, who was living in Turkey at the time, told Human Rights Watch that she went to Raqqa in November 2013 to try to find information about her husband. Using the back door to sneak into their former house, she said she found Khalil's keys in the entryway, "the Islamic State" written on the walls, and all the family's possessions burned, including her and her husband's degrees and more than 1,000 books in their library.¹³

She also visited the military court, which was controlled by Jabhat al-Nusra at the time. She asked if they had custody of her husband. She then went to a headquarters in the center of Raqqa governorate that belonged to ISIS. They did not deny having Khalil in their custody but did not provide any information.

His wife and other activists believe that Khalil was abducted because of his anti-ISIS activism and work to develop local civilian governance structures in Raqqa. Official ISIS documents obtained after the fall of Raqqa by Zaman al-Wsl, a Syrian news outlet affiliated with the anti-government opposition, show that ISIS identified Khalil as a threat because he was a civil society leader. The documents provide extensive details regarding Khalil's

¹¹ Human Rights Watch interview with Ra'ifa Muslim, Abdullah Khalil's wife, remotely, August 2019.

¹² Human Rights Watch, "UN Human Rights Council: Interactive Dialogue with the Commission of Inquiry on Syria," June 4, 2013, <https://www.hrw.org/news/2013/06/04/un-human-rights-council-interactive-dialogue-commission-inquiry-syria>.

¹³ Human Rights Watch interview with Ra'ifa Muslim, Abdullah Khalil's wife, remotely, August 2019; pictures on file with Human Rights Watch.

movements in the days before he was kidnapped and indicate that the Islamic State was likely behind his kidnapping.¹⁴

The last that Khalil's family heard about his whereabouts was in 2016, when a nurse who used to work at Tabqa prison¹⁵ under ISIS told relatives that he had seen Khalil in the prison, and that he was still alive. Since then, his wife has not received any credible information regarding her husband, despite having raised the case with the International Committee of the Red Cross (ICRC) and Kurdish authorities after ISIS was defeated in Raqqa city.¹⁶

Describing the impact of Khalil's kidnapping on the family, his wife said:

There are no words to describe the moments we went through – difficult, grim, moments of pain, pure pain. [Our daughters] Safa and Marwa, when they see anyone who knew their father, they feel broken. I see it in their eyes, in their look, because they do not know their father, they were seven when he left. They only see him in pictures. But no memories. They still live hoping that their father will come back.¹⁷

Ruqaiya al-Ahmed, mid-2014

Ruqaiya al-Ahmed, 25 at the time, a Kurdish resident of Raqqa city, was a prominent Facebook activist. In mid-2014, before the month of Ramadan, female ISIS security officers took her from her home at around 8 p.m., according to relatives who witnessed her detention.¹⁸ They told Human Rights Watch that the officers ordered al-Ahmed to bring her laptop and mobile.

Ruqaiya's uncle and father went to a football stadium in central Raqqa city that became known as the Black Stadium (and also as Point 11) after ISIS started using it as a detention facility, to ask about her. ISIS took them as well and detained them for a month, her uncle said. A local ISIS official had previously given the family a document saying that ISIS had

¹⁴ "Raqqa docs reveal how ISIS tracked and killed prominent civil activist and lawyer," Zaman al-Wsl news release, January 31, 2017, <https://en.zamanalwsl.net/news/article/22823> (accessed September 1, 2019).

¹⁵ Tabqa is a town near Raqqa city.

¹⁶ Human Rights Watch interview with Ra'ifa Muslim, Abdullah Khalil's wife, remotely, August 2019.

¹⁷ Ibid.

¹⁸ Human Rights Watch interview with two relatives of Ruqaiya al-Ahmed, Raqqa city, May 2018.

killed Ruqaiya as an apostate.¹⁹ Years later, the family learned from a former female detainee that in 2014, she had seen a woman who matched al-Ahmed’s appearance among the ISIS prisoners at the Black Stadium, ostensibly after she had been “killed.” Neither had provided dates, but the conflicting information left the family confused as to who to believe.

Both the US-led international coalition to defeat ISIS and the Syrian-Russian military alliance separately targeted the Black Stadium with air strikes on multiple occasions. The family said they did not know whether Ruqaiya had been executed by ISIS, killed in one of these attacks, or remained in detention in a different part of the country.²⁰

One of the relatives, who returned to Raqqa city shortly after it was retaken by the US-led coalition and the Syrian Democratic Forces (SDF), told Human Rights Watch that they had initially thought it would be easy to obtain information after Raqqa was freed but made no progress: “We didn’t know who to ask.”²¹

*Adnan and Idris Kashif, July 2013*²²

On the afternoon July 20, 2013, Adnan Kashif, an agricultural engineer living in Raqqa city, left the house to buy toys for his children to celebrate their birthday, his wife told Human Rights Watch.²³ By 9 p.m., he had still not returned. While Kashif often went out for hours with a group of friends that included both Arabs and Kurds, he always called to let his wife know. Concerned, his wife spoke with friends. She said they told her that Kashif had been walking with a group of friends when a group of armed ISIS fighters intercepted them and drove off with Kashif and one of his Kurdish friends. The kidnappers told the other friends that they planned to use them in a prisoner exchange with the Kurdish-led People’s Protection Units (YPG), and that if they wanted more information to follow up at governorate’s ISIS headquarters.

When Laila²⁴, his wife visited ISIS headquarters in Raqqa the next day, she said they told her they did not know her husband’s whereabouts. She visited several other headquarters to no avail. She told Human Rights Watch she asked for him “over a thousand times,” and after the fall of Raqqa contacted officials in the Democratic Union Party (PYD), the civilian

¹⁹ Ibid.

²⁰ Ibid.

²¹ Ibid.

²² Not their real names.

²³ Human Rights Watch interview with Adnan’s wife, displacement camp in Northeast Syria, May 2018.

²⁴ Not her real name.

arm of the People's Protection Units – Kurdish-led armed group who at the time were in control of Northeast Syria (YPG), through her family as well as elders in Raqqa city, who by virtue of their status would have known about the supposed exchange. None of them provided her with a response.

Thirteen days later, Adnan's brother, Idris Kashif, was also taken from the streets by ISIS in Raqqa city, witnesses told Laila. Adnan Kashif's friends warned Laila she was next and helped smuggle her and their children out to the north.²⁵

After Raqqa was retaken from ISIS, Laila, who was then working in a women's center in SDF-held areas of northeast Syria, told Human Rights Watch that the family had heard that the SDF had conducted a prisoner swap with ISIS, exchanging an unknown number of ISIS members they had imprisoned for at least four or five SDF fighters as well as the corpses of 100 others killed by the group.²⁶

Laila told Human Rights Watch that the last she heard about her husband was in 2016 when a former detainee called her on WhatsApp and told her that her husband was with him in an ISIS detention facility near a village in northeast Syria called al-Akirshi.

Idris Kashif, she said the family was told by the former detainee, had been handed to the Syrian government. When the former detainee reached out to Laila, she showed him a picture of the two brothers. He told her Idris Kashif had been in an ISIS prison with him in an airport near Aleppo. When a plane struck the detention facility, he said, the prisoners escaped. Laila told Human Rights Watch she wants the SDF and local authorities to find her husband:

There is no reason now for him to still be missing. We have four girls, and a son. He was our backbone. I need to know if he is dead or alive. His children need to know. Or give me an official contact I can apply to, or register him with as a missing person, so they could go look for him and find him and bring him back to me.²⁷

²⁵ Ibid.

²⁶ Ibid.

²⁷ Ibid.

Father Paolo Dall'Oglio, July 2013

Father Paolo Dall'Oglio, 64, is an Italian Jesuit priest who spent three decades in Syria renovating a monastery before being expelled by the Syrian government in 2012 for his condemnation of its treatment of protestors and other abuses.²⁸ Among Syrians, Dall'Oglio was widely considered a respected activist and a prominent voice for peace and co-existence. He returned to Syria in late July 2013, crossing through Gaziantep to visit areas that were no longer held by the government.²⁹

In late July 2013, Dall'Oglio entered Raqqa city, apparently to negotiate the release of peace activists. According to local activists and news reports, at 11 a.m. on July 29, Dall'Oglio went to the Raqqa governorate building to request more information regarding detained activists.³⁰ He was not seen again.

The priest's sister, Immacolata Dall'Oglio, told Human Rights Watch that she first learned of her brother's disappearance from a news show.³¹ A branch of the Italian Ministry for Foreign Affairs that specializes in tracking Italian citizens missing abroad confirmed to Immacolata Dall'Oglio and other siblings that the priest was last seen on July 29 in Raqqa city. But they provided no additional information, she said.

On February 7, 2019, the British daily, *The Times*, citing Kurdish sources, reported that Dall'Oglio might be alive and held in one of the pockets of territory still controlled by ISIS.³² *The Times* said that ISIS was using Dall'Oglio and two other Western hostages, a British journalist and a nurse from New Zealand, as "bargaining chips" in negotiations with the US-backed forces surrounding them.³³

Dall'Oglio's sister told Human Rights Watch that both her family and the Italian government had separately reached out to the Kurdish-led Autonomous Administration of

²⁸ "Syria Expels Jesuit Priest Who Spoke for Change," *New York Times*, June 20, 2012, <https://www.nytimes.com/2012/06/21/world/middleeast/syria-expels-activist-roman-catholic-priest.html> (accessed September 1, 2019).

²⁹ Sara Manisera, "What became of the Italian priest kidnapped by ISIS in Raqqa?" *The National*, August 1, 2018, <https://www.thenational.ae/world/mena/what-became-of-the-italian-priest-kidnapped-by-isis-in-raqqa-1.756105> (accessed September 1, 2019).

³⁰ *Ibid.*

³¹ Human Rights Watch interview with Immacolata Dall'Oglio, remotely, August 2019.

³² "Desperate Isis using British hostage John Cantlie as bargaining chip, say Kurds," *The Times*, February 7, 2019, <https://www.thetimes.co.uk/article/john-cantlie-isis-using-british-hostage-as-bargaining-chip-say-kurds-n8k2pkj3x> (accessed September 1, 2019).

³³ *Ibid.*

North and East Syria (NES) to inquire about her brother, both after Raqqa was retaken in October 2017, and after the fall of Baghuz, the last ISIS holdout in Syria, in February/March 2019.³⁴ The NES first responded indicating that they had information, but when the family followed up said they had no information.

“It is strange, no?” asked Immacolata Dall’Oglio. “First they say yes, and then they say no. Why?”³⁵

On July 29, 2019 – six years after the anniversary of his kidnapping – the US announced up to US\$5 million reward for anyone who could provide information about five kidnapped Syrian religious figures, including Dall’Oglio.³⁶

Kidnapping Journalists and Media Activists

Abdel Kader Haddad, June 2013

Abdel Kader Haddad, 20 at the time, was active since the early days of the uprising as a photographer, first in Damascus before fleeing to Idlib, then in the Latakia countryside, and later in Turkey.

On June 26, 2013, at around 9:00 pm, Haddad was detained with his driver in the Atmeh area in Idlib governorate while on assignment for the organization he was working with, according to Haddad’s mother. The driver, who was released three days later, told Haddad’s family that he and Haddad were arrested at a checkpoint that was manned by Islamic State members. ISIS stopped the car and found Haddad’s laptop and asked if Haddad was a journalist, then took them both. He told the family that the Islamic State abused them heavily during their time in detention.

The driver was released when an armed opposition group was sent in to retrieve both. ISIS released the driver, but refused to release Haddad.

Haddad’s mother, Faten Ajjan, herself a journalist, tried everything to find more information about Haddad’s whereabouts. Shortly after his kidnapping, she crossed into Syria from Turkey to see if she could find more information about her son from ISIS. She told Human Rights Watch that individuals who crossed with her, told her she was wanted

³⁴ Human Rights Watch interview with Immacolata Dall’Oglio, remotely, August 2019.

³⁵ Ibid.

³⁶ United States State Department, Rewards for Justice: ISIS Kidnapping Networks, https://rewardsforjustice.net/english/isis_kidnapping_networks.html (accessed September 1, 2019).

by ISIS for her work, and that the group was coming to arrest her, forcing her to leave without meeting any members.

She told Human Rights Watch she was not deterred, and reached out to ISIS numerous times:

What do you think the small Daeshis are? These were previously members of Free [Syrian] Army who defected to al-Nusra [an extremist anti-government group]. And then ISIS separated from al-Nusra. Al-Nusra members are part of the town. You know them. You ate with them. You saw them. Many have been responsive. We tried to negotiate several times. After Aboud [Haddad], Ateek, Batal, Samar, Mohammad. I started asking about them too. First 4, then 8, then 9 and the list kept growing. I connected with many emirs. Most would promise me a solution and then disappear.

In 2015, Ajjan told Human Rights Watch that a man confirmed to her that Haddad was being held in Raqqa, but was about to be transported to Deir al-Zor. That was the last time she heard about Haddad. Shortly after, the US-led anti-ISIS coalition began their air campaign on Raqqa and Deir al-Zor.

Since moving to France in February 2018, Ajjan told Human Rights Watch that she was unable to meet with or connect to any authorities. She said she had reached out to the Syrian Democratic Forces, who were in control of the northeast at the time, when an exchange was about to take place, but the authorities did not place the name of journalists who were taken on the list.

“All these years, every moment, it’s like a hundred year torture. They wanted to silence the voice of truth, that’s why they took him, that is the only reason.”

She told Human Rights Watch that when the battle of Baghuz ended in February 2019, she experienced mixed feelings:

I couldn’t sleep. I experienced immense fear and immense happiness at the same time. I was happy because ISIS would be over. But I was afraid that my hope to find Aboud [Haddad] would disappear. Qasd [Arabic initials of the Syrian Democratic Forces], the coalition, they’re refusing to have a mechanism to find our children. There is a total absence internationally. I’m

a mother and I was never afraid of ISIS. You are nations, why are you afraid? I don't know why they do not care. I keep looking at pictures of mass graves, inspecting them. Imagine, a mother looking at graves, inspecting every picture, wondering whether I'll see Aboud. And thankfully I haven't.

Muhammad Nour Matar, August 2013

Muhammad Nour Matar, 20 at the time, went missing in Raqqa city on the night of August 13, 2013. Matar and his older brother Amer, a journalist, had been filming and documenting ISIS abuses in the city.³⁷

That night, a car bomb exploded near the old train station in Raqqa, where he was filming. Initially, his family feared he had been injured or killed. Amer Matar arrived in Raqqa a day after the explosion and was given his brother's charred camera by the medical team that went to the site of the explosion. ³⁸ There were no bodies at the site.

Matar's family later was told by detainees released from ISIS jails told that they had seen him in the governate administration building that ISIS used for interrogations, and in al-Sad prison in the town of Tabqa, which ISIS controlled.³⁹ In 2015, the family received a tip from a relative in Raqqa that Matar had been taken to the city's National Hospital following a severe asthma attack. Neither Amer Matar nor anyone else in his family were able to confirm the information.

Amer Matar told Human Rights Watch that the process of getting information about his brother was immensely difficult: "We were subjected to several extortion attempts – all the information we were provided with were lies."

During the military campaign to drive ISIS from Raqqa, Amer Matar began searching prisons abandoned by ISIS for any information about his brother. "We started taking pictures of the prisons and the names on the walls," he said. "Like most prisons that ISIS had left, there was no one [there]."

After the SDF gained control of Raqqa and areas surrounding it, the family contacted them to see if they had any information about Muhammad Matar.⁴⁰ They asked the SDF to

³⁷ Human Rights Watch interview with Amer Matar, remotely, October 2017 and August 2019.

³⁸ Ibid.

³⁹ Ibid.

⁴⁰ Human Rights Watch interview with Masoud Aqil, June 2018.

question ISIS members in custody about what happened to prisoners in their detention centers. They contacted the Northern Brigade (Liwa' al-Shamal), formerly part of the Free Syrian Army, which also held ISIS suspects with the same request.

“The SDF arrested hundreds of ISIS members, and we tried to communicate [with them]; they never responded or took this seriously,” Amer Matar said.

Ishak Moctar, Samir Kassab, and their Syrian Driver, October 2013

On October 14, 2013, Samir Kassab, a Lebanese cameraman for Sky News Arabia, was kidnapped along with his colleague Ishak Moctar and a Syrian driver, while driving from Turkey to Aleppo.⁴¹ Kassab’s family and employers believe the kidnappers were ISIS members. Sky News Arabia had a house in Aleppo, and the team was deployed to cover Eid al-Adha festivities.⁴²

Adrian Wells, a former Sky News reporter, told Human Rights Watch that the network first heard about the kidnappings after it lost contact with the team while they were en route to Aleppo.⁴³ They sent a safety team to Turkey to try to find out what happened to the crew. Despite a number of conversations with intermediaries, Wells said, they did not receive clear information.

“There were a number of different rumors, as well as people contacting us for ransom, but none [of the rumors] turned out to be real,” Wells said. “Proof of death has also been hard to establish.”⁴⁴

George Kassab, Samir Kassab’s brother, told Human Rights Watch the last he heard anything certain about his brother was in 2014, when Nicolas Henin, a French journalist who had also been kidnapped by ISIS, told the family that while in custody he heard a voice he thought was Kassab’s in late 2013 while detained by the group in Aleppo.⁴⁵ In 2018, a former detainee from Tabqa reached the family to tell them he saw Samir in the prison in Aleppo, but said nothing else. George Kassab told Human Rights Watch that they did not reach out to the SDF directly, but instead with Abbas Ibrahim, the director of

⁴¹ Human Rights Watch interview with George Kassab, remotely, July 2019 and Adrian Wells, remotely, August 2019.

⁴² Ibid.

⁴³ Human Rights Watch interview with Adrian Wells, remotely, August 2019.

⁴⁴ Human Rights Watch interview with George Kassab, remotely, July 2019 and Adrian Wells, remotely, August 2019.

⁴⁵ Human Rights Watch also reached out to Nicolas Henin, who confirmed the above by email in July 2019.

Lebanese General Security. So far, he said, Lebanese authorities have failed to provide them with additional information or direction.⁴⁶

Samar Saleh and Muhammad al-Omar, August 2013

Samar Saleh, 25 at the time, was initially detained by the Syrian government in 2012 for her activism with the anti-government student movement at Aleppo university. After her release, she managed several shelters in Aleppo schools for displaced families from the Aleppo countryside. Fearing re-arrest, she went to Cairo University to study for a master's degree in archaeology.



Samar Saleh and her fiancé Muhammad al-Omar © Maisa Saleh

In 2013, she returned to northern Syria to see her family. On August 13, 2013, when she was driving back from a family visit in the car with her fiancé, Muhammad al-Omar, and her mother, they were stopped by a jeep in al-Atareb, Aleppo, her sister told Human Rights Watch.⁴⁷ Masked gunmen got out of the car and took Saleh and Muhammad but let Saleh's mother go.

The family soon learned that the kidnappers were ISIS after members of the group used Saleh's Skype and Facebook accounts to communicate with her friends and relatives and threaten them with the same fate.⁴⁸ At the time of the kidnapping, ISIS did not control al-Atareb but was present in nearby town of al-Dana.

⁴⁶ Human Rights Watch interview with George Kassab, remotely, July 2019.

⁴⁷ Human Rights Watch interview with Maisa Saleh, Samar Saleh's sister, remotely, August 2019.

⁴⁸ Ibid.

The next day, Saleh’s parents visited al-Dana to ask about their daughter. ISIS officials there told them it was a routine investigation, and that she would be released soon. They asked why she had gone to the United States before the conflict, and what she did for a living. In the parents’ second visit to al-Dana, ISIS denied that they had Saleh. Since then, neither Maisa, Saleh’s sister, nor her parents have received any substantial information regarding Saleh or Muhammad’s whereabouts.

Husam Nizam al-Deen, AbdelKader Ateek, and Obeida Batal, July 2013

On July 25, 2013 three journalists with Orient News, an opposition-affiliated outlet, Abdel Kader Ateek, Obeida Battal, and Hussam Nizam al-Deen, 22, 25, and an unknown age respectively, were kidnapped in Maskan Tel Rifaat while on an assignment. Ateek's father told Human Rights Watch that they learned the three were taken by ISIS from another journalist who saw them being kidnapped after he was briefly detained at an ISIS checkpoint.⁴⁹

Ateek and Batal’s fathers told Human Rights Watch that they received information from Iraqi officials indicating that ISIS had transferred their sons to Mosul at some point during their detention, and that as of early 2019 they were in Iraqi government custody.⁵⁰ Batal’s father told Human Rights Watch that an Iraqi military officer had reached out to his cousin to ask him if Batal was related to him and confirmed that he was in the custody of the Iraqi government.⁵¹ Ateek’s father said that he contacted someone in the Iraqi government who confirmed that his son had been in the government’s custody.⁵²

Soon after, the Iraqi government transferred Batal and Ateeq to the Syrian government, they both said.⁵³ Ateek’s father received information from a former inmate that Ateek and Batal were in Sednaya, a Syrian military prison notorious for extrajudicial executions and torture, but was not able to confirm this officially.⁵⁴ Both fathers said they unsuccessfully attempted to find more information, including by paying large sums of money.

“We paid money but we were robbed – we are tired of this,” Batal said. “The Syrian regime does not give any information.”⁵⁵

⁴⁹ Human Rights Watch interview with Imad El Din Ateek, remotely, August 2019.

⁵⁰ Human Rights Watch interview with Imad El Din Ateek and Nader Batal, remotely, August 2019.

⁵¹ Human Rights Watch interview with Nader Batal, remotely, August 2019.

⁵² Human Rights Watch interview with Imad El Din Ateek, remotely, August 2019.

⁵³ Human Rights Watch interview with Imad El Din Ateek and Nader Batal, remotely, August 2019.

⁵⁴ Human Rights Watch interview with Imad El Din Ateek, remotely, August 2019.

⁵⁵ Human Rights Watch interview with Nader Batal, remotely, August 2019.

The Syrian government has detained and disappeared tens of thousands of prisoners, according to Human Rights Watch and other international and local human rights organizations.⁵⁶ Detention facilities under its control are known for widespread and systematic torture, and disastrous humanitarian conditions leading to the deaths of thousands.⁵⁷ For those that it perceives as threats, the Syrian government is also known to conduct sham trials in military field courts and counterterrorism courts, often sentencing individuals to death or life in prison.⁵⁸ The Syrian government has failed to inform families of the whereabouts of their loved ones or to provide them with the remains of those they declared dead.⁵⁹

Both parents told Human Rights Watch that they had been contacted by countless media and international organizations, but that none had been able to help them gain more information or secure the release of their loved ones.⁶⁰

Masoud Aqil, December 2014

On December 15, 2014, ISIS kidnapped Masoud Aqil, a fourth-year English literature university student and journalist with the Kurdish news outlet Rudaw, along with a colleague who Human Rights Watch is not naming due to security concerns. Aqil who was detained for a little over 9 months, told Human Rights Watch after his release that they were driving to al-Hasakeh when ISIS stopped them at a checkpoint.⁶¹

“They asked us who we are. It was obvious we were reporters. We had cameras, we had microphones, we had laptops. Our first reaction was to ask them, ‘Who are you?’ They said, ‘We’re the Islamic State.’”⁶²

Aqil told Human Rights Watch they were taken to a garrisoned house that ISIS used as a prison in Tel Hamees, in al-Hasakeh governorate. He described how ISIS guards accused

⁵⁶ Human Rights Watch, *Torture Archipelago: Arbitrary Arrests, Torture, and Enforced Disappearances in Syria's Underground Prisons since March 2011* (New York: Human Rights Watch, 2012), <https://www.hrw.org/report/2012/07/03/torture-archipelago/arbitrary-arrests-torture-and-enforced-disappearances-syrias>; Human Rights Watch, *If the Dead Could Speak: Mass Deaths and Torture in Syria's Detention Facilities* (New York: Human Rights Watch, 2015), <https://www.hrw.org/report/2015/12/16/if-dead-could-speak/mass-deaths-and-torture-syrias-detention-facilities>.

⁵⁷ Ibid.

⁵⁸ “Syria: Counterterrorism Court Used to Stifle Dissent,” Human Rights Watch news release, June 25, 2013, <https://www.hrw.org/news/2013/06/25/syria-counterterrorism-court-used-stifle-dissent>.

⁵⁹ Nadim Houry (then Human Rights Watch), Syria’s Bureaucracy of Death and the Fate of the Disappeared, Op-ed, Lobe Log, June 30, 2018, <https://www.hrw.org/news/2018/07/30/syrias-bureaucracy-death-and-fate-disappeared>.

⁶⁰ Human Rights Watch interview with Imad El Din Ateek and Nader Batal, remotely, August 2019.

⁶¹ Human Rights Watch interview with Masoud Aqil, June 2018.

⁶² Ibid.

them of being infidels and atheists working for secular media, and how they searched their devices and social media accounts.⁶³

Aqil told Human Rights Watch that he and his colleague were transferred repeatedly from one ISIS prison to another in locations inside Syria, including al-Shaddadeh, Manbij, and Raqqa, all in Northeast Syria. He said that he was placed in security prisons alongside infiltrators and individuals detained for collaborating with the coalition, the Kurdish-led Democratic Union Party, and others.

In these prisons, he told Human Rights Watch, he was tortured, and saw other detainees tortured but the most severe abuse was in Raqqa:

In the security prisons, it was torture. All around the clock. Every prisoner would cry through the night. You know, like all other prisons in Syria. You can say like the Palestine Branch [of the Syrian Military Intelligence]. After all, this is Syria. In the prison, they used to focus on this idea: that you will die—whether it's today or tomorrow, you will die.⁶⁴

In March 2015, four months after their detention, ISIS separated Aqil from his colleague. To this day, Aqil does not have information regarding his colleague's whereabouts. Aqil was released on September 21, 2015, after an exchange of prisoners between ISIS and the PYD:

By the end, ISIS began to lose and it needed to reinforce its base, show that they're bringing back their detained emirs. And to do that, they had to pay a price. My parents, as well as the news station [he worked with], asked the YPG for help. The negotiations began. It used to be through WhatsApp through middlemen, from tribes. Eventually, they reached an agreement to exchange me and seven others for several ISIS members.⁶⁵

Aqil said that after his release he asked the YPG if they could free other detainees, and that they responded positively but said they appeared to be busy.

⁶³ Ibid.

⁶⁴ Ibid.

⁶⁵ Ibid.

Accused of Apostasy or Treason

Al-Aran brothers, Summer 2015

The al-Aran brothers—Yaman Khaled al-Aran, 20, Muhammad Khaled al-Aran, 25, and Abdulhamid Khaled al-Aran, 35, were detained by ISIS in mid-2015. ISIS fighters entered their home in al-Bukamal, a town in Deir al-Zor governorate near the Syria-Iraq border, at around 6 a.m., their next-door relatives told Human Rights Watch.⁶⁶ The family was sleeping when a Hi-Lux truck with five ISIS members pulled up.

They were shouting loudly. They broke the door while shouting “apostates,” and took them, with their hands tied behind their back. Everyone came out into the street. We were scared to stop [them].⁶⁷

Family members went to an ISIS leader in al-Bukamal, who told them the brothers had been killed. But when they later asked for the bodies, they were told the brothers were still alive. The family heard that ISIS had accused the brothers of apostasy, and of supporting the Syrian government.

Every time we went, they said ‘We slaughtered them....’ [Then] ‘They are alive.’ They said different things. Some people told us that people from al-Bukamal were imprisoned in Iraq. ⁶⁸

The Syrian government controlled al-Bukamal at the time Human Rights Watch interviewed the al-Aran brothers’ relatives. Their relatives said they did not feel safe returning to government-controlled territory or making inquiries with government authorities.

Yasser Abdul Majid, Summer 2015

ISIS detained Yasser Abdul Majid, 38, in his hometown of Qoriya, in Deir al-Zor governorate. Abdul Majid’s relatives said he had fought with the Free Syrian Army (FSA), and that he was detained on suspicion of collaborating with the US-led coalition. “They wrote a report [saying] that he was helping US forces and he insulted Abu Bakr al-Baghdadi [the leader of ISIS],” his cousin said.⁶⁹

⁶⁶ Human Rights Watch interview with unnamed neighbors, displacement camp in Northeast Syria, May 2018.

⁶⁷ Ibid.

⁶⁸ Human Rights Watch interview with al-Aran’s relatives, displacement camp in Northeast Syria, May 2018.

⁶⁹ Human Rights Watch interview with Yasser Abdul Majid’s cousins, displacement camp in Northeast Syria, May 2018.

According to two of Abdul Majid’s cousins, he worked buying and selling motorbikes, in addition to his role with the FSA. Six ISIS members arrived at his workshop in a car and took him away, bystanders told the cousins, who arrived ten minutes after he was taken.⁷⁰

The cousins said they went to a man named Mahmoud Matar, an ISIS leader in their area, to ask what had happened to Abdul Majid. “If we have something on your cousin, we will execute him,” one recalled the leader saying.

“The last news [we had] was when the government took al-Mayadin, [it] was that he was in a basement there. Our relatives in Turkey said his name was published on SANA [Syrian state news agency].”⁷¹

The family later heard that former ISIS prisoners were sent to the main hospital in Qamishli, but when Abdul Majid’s wife visited she was not able to find him or learn any information, according to his cousins.

Abdul Majid was married with six children.

Ahmad Muhammad al-Kawan, Summer 2013

Ahmad al-Kawan, 28, was driving a tractor in Abu Khashab, in Deir al-Zor governorate, when ISIS took over the town. He had previously worked with the FSA in public relations. ISIS took him during a roundup of all suspected FSA members in 2014. His family had not heard from him since, relatives told Human Rights Watch.⁷²

The family said it was unlikely that al-Kawan was executed, because in the early days, ISIS used to share lists of the names of the people they executed, and they had never seen his name.⁷³ When the family arrived in SDF-held areas, they heard that SDF was holding ISIS prisoners. They tried to ask about them but didn’t know where to go, and the SDF officials they were able to contact told them they would not give them a response.

We went to the Asayish and asked, and we received no response. He is neither dead nor alive. He does not exist anymore. He was married. His wife

⁷⁰ Ibid.

⁷¹ Ibid.

⁷² Human Rights Watch interview with Ahmad al-Kawan’s relatives, displacement camp in Northeast Syria, May 2018.

⁷³ Ibid.

was in al-Hol camp. She waited for him, but five years is a long time so she gave up, and now she is married to another.⁷⁴

A relative in Damascus had also inquired with the Syrian authorities, assuming that al-Kawan ended up in a government prison in one of the exchanges with the SDF, but he was not able to obtain any additional information.⁷⁵

Disputes with Local ISIS Leaders

Members of the Imam family, August 2013

ISIS members detained brothers Muhammad Muhammad Imam, then 34, and Farouq Muhammad Imam, 29, and their cousin Nechervan Muhammad Imam, 21, from a checkpoint in Hatara, in the Raqqa governorate on August 14, 2013.⁷⁶

The three worked together on a farm in Raqqa governorate. They owned a tractor that they would take to work the field. On August 14, 2013, the three went to work as usual. A few hours later, one of the Imams' colleagues returned and told the family that a local ISIS emir had taken the three men after they refused to give him their tractor.⁷⁷ Imam Muhammad Imam, Nechervan Imam's father, and his brother immediately went to Raqqa governorate to follow up. Officials at ISIS headquarters turned them away and told them not to create trouble.

Imam Muhammad Imam told Human Rights Watch that the family tried to visit the detention centers in Raqqa city multiple times after a neighbor had told them that a former detainee in Raqqa had seen the men around a year after they were taken. But they said they did not receive any information:

"The amount of money we spent going back and forth, paying officials off, just to hear any news of them, but it was all for naught," he said.⁷⁸

He told Human Rights Watch they subsequently followed every possible lead and spoke to media multiple times in the hope of finding the missing men. After the SDF and US-led coalition started to retake territory in Raqqa governorate, Imam said they conducted

⁷⁴ Ibid.

⁷⁵ Ibid.

⁷⁶ Human Rights Watch interview with Imam Muhammad Imam, Nechervan Muhammad Imam's father, and other family members, al-Hasakeh, May 2018.

⁷⁷ Ibid.

⁷⁸ Ibid.

multiple visits and asked contacts at the highest levels of the SDF as well as in Syrian government-held areas about the three relatives, but learned nothing.

“We don’t want anything, we just want them to come back,” Imam said. “It’s been five years without any calls, or anything, and we are tired of asking, tired of telling the same story over again, tired of not having answers. For five years, our hearts are burning, and no one can relieve our pain.”⁷⁹

Residents Living under ISIS in Deir al-Zor

Ibrahim Khalifeh, early 2016

Ibrahim Khalifeh, 16 at the time, was kidnapped by ISIS in early 2016, his mother told Human Rights Watch.⁸⁰ He left the house one day at 3 p.m. to attend a Quran recital class. When dusk came and he hadn’t returned, his mother went to the house where ISIS held the course to ask about him. His friends told her he left with a couple of ISIS members. Ibrahim’s mother went to the ISIS al-Hisbeh (equivalent to a police force) center in the nearby town. The officials there told her they did not have any information and that she should speak to the security forces, who then asked her to go to the governor responsible for the area. She told Human Rights Watch that she went from center to center and official to official:

I went to every ISIS headquarter in the area. I told them it was a child they had taken, and if he was with them, they need to tell me. Some days, they would say we have him, and other days they would deny it. For two years, I have not been at ease. My heart is on fire, not knowing if he is dead or alive. If he was dead, then at least we would know—we would have the name and date of death. Now, we are just in limbo.”⁸¹

Fahed Mukhalaf al-Faraihi, November 2017

Fahed al-Faraihi was kidnapped by ISIS in November 2017 from Baghuz, his cousin told Human Rights Watch.⁸² He used to work in Baghuz as a van driver, transporting people including ISIS fighters. One day in November he was transporting a group of ISIS fighters to a location 35 kilometers away, near the town of Hajin. A few hours later, his cousins saw

⁷⁹ Ibid.

⁸⁰ Human Rights Watch interview with Ibrahim Khalifeh’s mother, displacement camp in Northeast Syria, May 2018.

⁸¹ Ibid.

⁸² Human Rights Watch interview with Fahed al-Faraihi’s cousin, displacement camp in Northeast Syria, May 2018.

the van return but al-Faraihi was not in it. They went to al-Hisbeh in al-Bukamal, around 13 kilometers from Baghuz, but ISIS officials there told them they didn't know where he was. The family then went to Hajin, but no ISIS member they asked provided any information about his whereabouts.

Less than a month later, the cousin again saw one of the ISIS fighters that al-Faraihi had gone with. He was traveling in al-Faraihi's van:

This time I stopped them and asked where he was and they shrugged at me, told me to go home. Then I asked where they got the van from, it was his [al-Faraihi's] van, and they told me that the ISIS security services had it. We went to the security services then and asked that they at least give us the van back but they refused.⁸³

Three months later, the US-led coalition bombed the prison of Hajin. A prisoner who escaped told al-Faraihi's family that al-Faraihi was with them in the prison, but he was transferred elsewhere before the strike, and no one knew where he was. Rumors were the prisoners were liberated, and photos circulated online. His family thought they could identify al-Faraihi in a photo of those released.⁸⁴

The cousin told Human Rights Watch that in late 2017, a few days after al-Faraihi's family arrived in a displacement camp in Northeast Syria where many of the families escaping ISIS sought shelter, a PYD officer interviewed them about al-Faraihi. Other camp residents told them they heard the prisoners had been taken to a hospital near Kobani. The cousin said the family contacted the hospital but received no response.⁸⁵

*Anas Khalaf al-Muhammad, Adnan Khodr al-Muhammad (often called Hussein),
May 2014*

On May 24, 2014, Anas al-Muhammad, then 27, and his cousin Adnan al-Muhammad, 28, were detained at a flying ISIS checkpoint in the village of Muhaimadiya in Deir al-Zor governorate.

According to Anas al-Muhammad's father, ISIS held the two cousins in al-Kasra, a key town in western Deir al-Zor governorate, for two days and then transferred them to the Black

⁸³ Ibid.

⁸⁴ Ibid.

⁸⁵ Ibid.

Stadium in Raqqa city.⁸⁶ The father said when he went to ISIS's public relations office in Raqqa, local officials would tell him that his son was in the stadium. However, they would not let him visit him.⁸⁷

Residents of Raqqa city told Human Rights Watch that the Black Stadium was bombarded, first by the Russian-Syrian military alliance and then by the US-led coalition. After the stadium was struck, Anas al-Muhammad's father was no longer able to confirm the whereabouts of his son.

The father said that later, a former prisoner who was held with Anas and Adnan al-Muhammad told him that after the bombing, the cousins were moved to a building known as *Mabna al-Markabat* (Vehicles Administration Building) in Raqqa's industrial neighborhood but that he had no further information about them.

In late 2018, a former ISIS prisoner who had been held in a detention facility near the Iraqi border told al-Muhammad's family that he had seen the cousins. The family was unable to confirm the information.⁸⁸

Hussein Muhammad al-Omar, Deir al-Zor, August 2014

Hussein al-Omar, 48 at the time, known as Abu Omar, was an employee in SADCOP, a Syrian government owned company, in charge of distributing fuel. Around noon on August 21, 2014, a pickup truck carrying ISIS members detained al-Omar from his home.⁸⁹ He told his family that the ISIS members were taking him to Deir al-Zor city for interrogation as he was accused of "reconciling with the regime." Many in Deir al-Zor had maintained contact with government authorities to ensure that their employment status is up to date, and to continue receiving their government-issued salaries.

Both al-Omar's wife and his brother, Saleh al-Omar, said that the person who ordered his detention was the local ISIS commander Abdel Rahman `Aqla `Aref al-Omar, who was known as Abu Hareth, and was related to Hussein al-Omar.⁹⁰ They said they believed Hussein al-Omar was detained for complaining about Abu Hareth's conduct.

⁸⁶ Human Rights Watch interview with Anas al-Muhammad's father, Sfeira al-Tahtani, March 2019.

⁸⁷ Ibid.

⁸⁸ Ibid.

⁸⁹ Human Rights Watch interview with Wafa' Awad al-Kurdi, Hussein al-Omar's wife, Sfeira al-Tahtani, Deir al-Zor. March 2019.

⁹⁰ Human Rights Watch interview with Wafa' Awad al-Kurdi, Hussein al-Omar's wife, and Saleh al-Omar, Hussein al-Omar's brother, Sfeira al-Tahtani, Deir al-Zor, March 2019.

Al-Omar's family said they learned from a local ISIS member that he was held for 15 days in an ISIS court in Deir al-Zor that was being used as a security center. Later, they received secondhand information that the local ISIS judge, Abu Faruq al-Tunisi, had said that he had been referred to Maadan, a Syrian town near Deir al-Zor, and that he was punished by *qasas*, a form of retaliatory punishment for serious crimes such as intentional wounding or murder that may include beheading.

According to a brother, Saleh al-Omar, four months after al-Omar was disappeared, a released detainee told them that he saw al-Omar being held in a CONECO oil field that ISIS controlled. Later, they heard from an ISIS member that he was held in another oil field called Omar.⁹¹

After the western countryside of Deir al-Zor was retaken from ISIS in early 2019, a rumor spread that SDF had found ISIS detainees in tunnels beneath a cotton factory in Deir al Zor.⁹²

The family went to see the new local council backed by the Syrian Democratic Council (SDC) that took over after removing ISIS, but did not receive any information. Al-Omar's wife, a nurse for the Ministry of Health affiliated with the Syrian government, also reported his disappearance to Syrian government authorities.⁹³ She also did not receive any answers.

Ahmad Khabur al-Suleiman, Deir al-Zor, August 2014

On the same day that Hussein Muhammad al-Omar was detained, at around 10:30 a.m., a black pick-up truck carrying armed ISIS members approached a group of men standing in front of the pharmacy of Sfeira al-Tahtani in Deir al-Zor governorate. The armed men called out to Ahmad Khabur al-Suleiman, a 51-year-old employee of the Syrian state oil company SADCOP. The ISIS members told him in front of his brothers that he was wanted because he had reconciled with the Syrian regime to obtain his salary.⁹⁴ He was taken to the main ISIS headquarters in Sfeira al-Tahtani.

One week later, al-Suleiman's brother Mahmud al-Suleiman said he asked Abu Hareth, the main ISIS commander in the village, about his brother's detention. He said Abu Hareth responded that it was a "simple issue."

⁹¹ Human Rights Watch interview with Saleh al-Omar, Hussein al-Omar's brother, Sfeira al-Tahtani, Deir al-Zor, March 2019.

⁹² The factory is in an industrial area of the city near the roundabout known as Km 7.

⁹³ Human Rights Watch interview with Wafa' Awad al-Kurdi, Hussein al-Omar's wife, Sfeira al-Tahtani, Deir al-Zor, March 2019.

⁹⁴ Human Rights Watch interview with Mahmud Khabur al-Suleiman, Sfeira al-Tahtani, Deir al-Zor, March 2019.

The family later received information from a former prisoner that he saw al-Suleiman at the ISIS court in Deir al-Zor. They also received word from various people that al-Suleiman had been detained in Maadan, then in al-Mayadin, then in Raqqa at the Black Stadium, and later to Tabqa. But they were unable to verify the information.

Mahmud al-Suleiman said the last information that the family received about his brother was in late 2018, when a man from eastern Deir al-Zor told relatives that there was a detention center in Shaafa village where many of those who were disappeared from the village were held.

II. ISIS Military Offensives

During and in the immediate aftermath of its military offensives, notably in 2014, the Islamic State (ISIS) detained large numbers of combatants and civilians perceived as hostile. The fate of most of those who were detained remains unknown.

ISIS filmed its forces committing mass executions of captives, in some cases publicly displaying the bodies after the execution, but it never provided information to families about the fate of their relatives or about the areas where they buried these victims. The sections below highlight some of the major offensives that ISIS undertook which left hundreds, or possibly thousands, of civilians and combatants missing.

Attacks on 17th Division, Brigade 93, and Tabqa Airbase in Raqqa Governorate, July 2014

In mid-2014, ISIS besieged the remaining three bases of the Syrian army in Raqqa governorate: the 17th Division's base in Raqqa city, Brigade 93 in Ain Issa, and Tabqa airbase.

On July 23, 2014, ISIS launched an attack on the 17th Division. After two days of fighting, government forces retreated and ISIS took control of the base. When ISIS overran the 17th Division, it executed most of the soldiers captured inside and later posted photographs of soldiers that it said it had beheaded.⁹⁵ Hundreds of government troops retreated towards Brigade 93, roughly 45 kilometers to the northwest, and nearby villages. While many made it safely to Brigade 93, ISIS ambushed one retreating group in the village of Abu Shareb. According to the Syrian Observatory for Human Rights (SOHR), a UK-based Syrian human rights monitoring body, ISIS detained 50 soldiers and most likely executed them in Abu Shareb.⁹⁶ Residents of Raqqa city and Suluk, a village close to Raqqa, described how, in

⁹⁵ ISIS posted photos of beheaded soldiers on July 24, 2014, saying that they were the bodies of soldiers that it had executed after taking over the 17th Division. See also, reporting by the Independent International Commission of Inquiry on the Syrian Arab Republic, "Rule of Terror: Living under ISIS in Syria," November 19, 2014, https://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/HRC_CRP_ISIS_14Nov2014.doc (accessed September 1, 2019).

⁹⁶ "85 Syrian Soldiers Killed in Battle with ISIS in Raqqa" (in Arabic), France 24, July 25, 2014, <https://www.france24.com/ar/20140725-%D8%B3%D9%88%D8%B1%D9%8A%D8%A7-%D9%82%D8%AA%D9%84-%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D8%A7%D9%84%D8%AF%D9%88%D9%84%D8%A9-%D8%A7%D9%84%D8%A5%D8%B3%D9%84%D8%A7%D9%85%D9%8A%D8%A9> (accessed September 1, 2019).

the days that followed, ISIS displayed the bodies and heads of many soldiers in town squares.

ISIS then attacked the 93rd Brigade, capturing it on August 7.⁹⁷ ISIS released a video detailing the attack, including aerial views of the base, bombardment, gun battles, and the execution of Syrian army soldiers.⁹⁸ The video shows graphic footage of soldiers being beheaded, as well as images of bloody and disfigured corpses of soldiers the video said had been run over by a tank. On July 21, 2018, after the Syrian Democratic Forces (SDF) retook the area from the Islamic State, local authorities discovered four mass graves of Syrian soldiers at the 93rd Brigade headquarters, according to local news agency Hawar.⁹⁹

In mid-August 2014, ISIS assaulted Tabqa airbase, the last remaining government stronghold in Raqqa governorate, where hundreds of soldiers and officers were trapped. The airbase fell on August 24. As its fall became apparent, hundreds of soldiers fled southwest across the desert, toward the government-held town of Ithriya, in Hama province.¹⁰⁰ While a few made it safely to army positions many kilometers away, ISIS captured and killed many others and broadcasted gruesome videos and images of their torture and execution.

Syria Direct, an online media outlet, conducted an in-depth investigation of the videos and concluded that ISIS executed at least 160 Syrian army soldiers it captured from Tabqa and surrounding desert settlements.¹⁰¹ The Syria Direct investigation found that on August 27, as many as 20 ISIS fighters in 10 vehicles stripped, force-marched, then drove the soldiers from settlements 20 to 30 kilometers southwest of Tabqa airbase to the Islamic

⁹⁷ Jeffrey White, *Military Implications of the Syrian Regime's Defeat in Raqqa*, The Washington Institute, August 27, 2014, <https://www.washingtoninstitute.org/policy-analysis/view/military-implications-of-the-syrian-regimes-defeat-in-raqqa> (accessed September 1, 2019).

⁹⁸ The video is no longer online. Channel 4 summarizes some of its findings. David Doyle, "Islamic State video shows Assad army base massacre," Channel 4, September 9, 2014, <https://www.channel4.com/news/islamic-state-isis-raqqa-syria-battle-video-propaganda> (accessed September 1, 2019).

⁹⁹ Wladimir van Wilgenburg, "US-backed forces hand over remains of 44 soldiers killed by IS to Syria," *Kurdistan24*, July 31, 2018, <https://www.kurdistan24.net/en/news/b44fe541-87c0-49d7-ae96-feb4292e9a26> (accessed September 1, 2019). Please see section on mass graves for more information.

¹⁰⁰ Russian Radio Arabic noted, "The [Syrian army] was forced to withdraw 600 soldiers, four planes, and ammunition stocks to Al-'Ajrawi village, where they remained until 12:00 am [on August 25]. Then, they withdrew in the direction of Ithriya village, an army checkpoint. ISIS followed, capturing approximately 200 soldiers." See further, Joseph Adams, "Anatomy of a Massacre part I: The March," Syria Direct, December 3, 2014, <https://syriadirect.org/news/anatomy-of-a-massacre-part-i-the-march/> (accessed September 1, 2019).

¹⁰¹ See further, Joseph Adams, "Anatomy of a Massacre part I: The March," Syria Direct, December 3, 2014, <https://syriadirect.org/news/anatomy-of-a-massacre-part-i-the-march/> (accessed September 1, 2019).

archeological site of Thoul Nayel, about 5 kilometers east of Raqqa city, where they executed them.¹⁰²

The United Nations Independent International Commission of Inquiry on Syria, a body created by the Human Rights Commission to document violations by all sides in the Syrian conflict, documented additional ISIS executions of captured soldiers. For example, it reported that between 28 and 30 August 2014, ISIS brought two soldiers, captured outside Tabqa airbase, to nearby Suluk and executed them in a public square.¹⁰³ ISIS read the judgment, declaring that the soldiers were traitors and apostates before cutting their throats. In late August 2014, the group publicly executed two more captured soldiers in Tabqa.

After killing the soldiers captured near the base, ISIS mutilated their bodies. The group placed the decapitated heads of some of the soldiers on public display in squares and on roundabouts in Tabqa and Raqqa cities.

Missing for Assisting Soldiers: Ayman Shaaban Mustafa; Hussein Aly Mustafa, August 2, 2014

ISIS fighters took cousins Ayman Mustafa, 18 at the time, and Hussein Mustafa, 23, from their home in the northern Raqqa countryside on August 2, 2014.¹⁰⁴

Six days before, as ISIS approached the headquarters of the 17th Division, some 400 government soldiers sought refuge in the family's cornfields. After Ayman Mustafa informed his father, Shaaban Mustafa, that they were hiding there, he and Hussein Mustafa took the soldiers some water. The family let them stay until nightfall. "We didn't know any soldier, any officer from [among] them. We just treated them in a humanitarian way so ISIS wouldn't slaughter them," Shaaban Mustafa said.¹⁰⁵

¹⁰² Ibid.; see further, Joseph Adams, "Anatomy of a Massacre part II: The Killing," Syria Direct, December 4, 2014, <https://syriadirect.org/news/anatomy-of-a-massacre-part-ii-the-killing/> (accessed September 1, 2019).

¹⁰³ Independent International Commission of Inquiry on the Syrian Arab Republic, "Rule of Terror: Living under ISIS in Syria," November 19, 2014, https://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/HRC_CRP_ISIS_14Nov2014.doc (accessed September 1, 2019).

¹⁰⁴ Human Rights Watch interview with Shaaban Mustafa, Ayman Mustafa's father, and other family members, displacement camp in Northeast Syria, May 2018.

¹⁰⁵ Ibid.



Ayman's mother holding up a photo of Ayman before he went missing © San Serevan

The morning of August 2, the two cousins were working in the fields. Shaaban Mustafa was in Raqqa city, where he sold carpets for his living. His wife arrived and told him that ISIS had taken Ayman and Hussein Mustafa. Their neighbors' children had seen two vehicles with several fighters leave with the two young men.

Ayman Mustafa's parents immediately went to the nearby ISIS headquarters in Hazima and asked about them. The ISIS members there told him the two had been moved to Raqqa city, to the detention center called Point 11, also known as the Black Stadium. Shaaban went to the area's tribal council, a body of influential local elders, at their suggestion.

I gave them the names. They said, 'Come back after ten days.' They said they would look in the prisons. I went back every ten days. I said [to ISIS], 'If you've slaughtered him, just tell me.' We went many times. I went to the [Black] Stadium. When I went there, they said 'Go ask another person.' They sent me back to the tribal council.

About 45 days after the cousins were taken, Shaaban Mustafa said, a former ISIS detainee came to the family and told them he had met the two cousins in detention.

He said, 'I was in Point 11 The day it was struck, [the guards] opened the doors to let prisoners out and four or five tried to escape. The [guards]

pointed their guns and marched [the detainees] to the Vehicles Administration [building].... Ayman and Hussein were there with [us]. In Point 11 they were in solitary but when [we] left [we] were together for eight days in the Vehicles Administration.’¹⁰⁶

After that, the family had no further news of the cousins. Shaaban Mustafa and his family had fled from bombing during the campaign to retake the area from ISIS and been displaced from their home for over a year when Human Rights Watch interviewed them in 2018. After the SDF gained control of the area, the family occasionally heard through social media or local news sources that some former prisoners had been released. But despite regular inquiries to the intelligence services and the Asayish, the family learned no new information about the two cousins.

Al-Shuaitat Community, Eastern Deir al-Zor, July-August 2014

In July 2014, large segments of al-Shuaitat community, a large community whose traditional strongholds lie along the Euphrates river in the towns of Abu Hamam, al-Khushkieh, and Gharanij, refused to pledge allegiance to ISIS and rose up against the group, killing at least 11 ISIS fighters.¹⁰⁷

Over the following weeks, ISIS took control of the three towns and detained men and boys over the age of 15 at checkpoints as they tried to leave, including men older than 75. They raided hospitals and homes of those who remained. ISIS filmed its members executing many of the townspeople. Gruesome videos showing the beheading of dozens of al-Shuaitat men and boys surfaced online in August 2014.¹⁰⁸ One observer described the videos as “probably the most detailed mass killing of Sunnis by ISIS.”¹⁰⁹

¹⁰⁶ Ibid.

¹⁰⁷ “Full Story” (in Arabic), YouTube, August 12, 2014 <https://www.youtube.com/watch?v=urFs6x9jLME> (accessed September 1, 2019).

¹⁰⁸ Videos have since been taken offline. For a summary of the content of the videos, please see Alberto M. Fernandez, “Massacre And Media: ISIS And The Case Of The Sunni Arab Shaitat Tribe,” The Middle East Media Research Institute (MEMRI), June 23, 2015, https://www.memri.org/reports/massacre-and-media-isis-and-case-sunni-arab-shaitat-tribe#_edn7 (accessed September 1, 2019).

¹⁰⁹ Alberto M. Fernandez, “Massacre And Media: ISIS And The Case Of The Sunni Arab Shaitat Tribe,” The Middle East Media Research Institute (MEMRI), June 23, 2015, https://www.memri.org/reports/massacre-and-media-isis-and-case-sunni-arab-shaitat-tribe#_edn7 (accessed September 1, 2019).



Screen capture of ISIS video, originally from Twitter, August 2014.

The fate of those detained remains unknown, though most reports indicate that they were executed.

On August 11, 2014, ISIS entered a camp for the displaced in the village of al-Buhirah and detained a number of males who were members of al-Shuaitat. According to a report by Justice for Life Organization, a local Syrian group that documented the attacks, the fate of many of those abducted that day remains unknown.¹¹⁰

ISIS did not allow families to bury their relatives, as a form of punishment. In November 2014, ISIS finally allowed thousands of al-Shuaitat to return to their villages and lands.¹¹¹ On December 17, 2014, the Syrian Observatory for Human Rights reported that those who returned found more than 230 bodies in a mass grave in the desert near al-Khushkieh, east of Deir al-Zor.¹¹² Locals who spoke to Justice for Life Organization, a Syrian human rights

¹¹⁰ Justice for Life, "They Killed Them to Make Them an Example," June 11, 2018, <https://jfl.ngo/?p=5588&lang=en> (accessed September 1, 2019).

¹¹¹ In January 2015, ISIS Wilayat Al-Khayr (Deir al-Zor) media office issued along production titled "Except for Those Who Believe."

¹¹² "Over 200 bodies' found in Syria mass grave," Al Jazeera, December, 17, 2014, <https://www.aljazeera.com/news/middleeast/2014/12/200-bodies-found-syria-mass-grave-2014121718569341299.html> (accessed September 1, 2019); "Syria: 230 bodies found in mass grave," Syrian Observatory for Human Rights, December 19, 2014 <http://www.syriahr.com/en/?p=8149> (accessed December 9, 2019).

organization, reported at least 10 mass graves in the al-Shuaitat villages “distributed according to the witnesses in the desert of Abu Hamam’s town, in the area that separates the villages of Gharanij and al-Buhirah, near the electricity station in the village of Gharanij, and near the train lines where they expected the largest number of victims.”¹¹³

Offensive on Kobani (Ayn al-Arab)

In 2014, ISIS also expanded toward the Kobani (Ayn al-Arab) region in northern Syria, an area defended by the Kurdish-led People’s Protection Units (YPG) forces. By October 2, 2014, ISIS had succeeded in capturing 350 Kurdish villages and towns in the vicinity of Kobani, generating a wave of some 200,000 displaced, most of them Kurds, who fled across the border into Turkey’s Şanlıurfa province.

Some of those who did not flee – who were too old, too infirm, or who remained to try to protect their property – were executed by ISIS. Others were taken by force to Tal Abyad where they were detained and beaten.¹¹⁴ On release, ISIS forced them to leave the area. Before and after the offensive, ISIS also detained individuals as they attempted to flee.

Fayez Humam¹¹⁵, February 2014

On February 19, 2014, the Islamic State detained 152 people in al-Aliya, a village in al-Hasakeh governorate, who were on their way from Kobani to Iraqi Kurdistan for work. Among them was Fayez Humam, 30, who was going to join his brother.¹¹⁶

According to Humam’s brother, ISIS immediately executed two of those detained and divided the rest into detention centers in Manbij and Tabqa. Humam’s cousin, who was detained with him but transferred to Manbij, was released alongside 69 others under a general amnesty. He told Humam’s brother that Humam had been transferred to Tabqa.

A former detainee from Kobani told the brother that Humam was with them in Tabqa, and that they stayed there for six months before being transferred to Manbij.¹¹⁷

The brother told Human Rights Watch that he tried everything to secure Human’s release—going so far as to form his own association for those kidnapped by ISIS. While Humam was

¹¹³ Justice for Life, “They Killed Them to Make Them an Example,” June 11, 2018, <https://jfl.ngo/?p=5588&lang=en> (accessed September 1, 2019).

¹¹⁴ Independent International Commission of Inquiry on the Syrian Arab Republic, “Rule of Terror: Living under ISIS in Syria,” November 19, 2014, https://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/HRC_CRP_ISIS_14Nov2014.doc.

¹¹⁵ Not his real name.

¹¹⁶ Human Rights Watch interview with Fayez Humam’s brother, name withheld, remotely, August 2019.

¹¹⁷ Ibid.

in Manbij, his brother contacted Arab sheikhs there with whom he had family connections. They told him that Humam had been brought to court but not charged. They also told him that ISIS would only release him through a prisoner exchange.

The brother set out to ensure that Humam would be on the list of those exchanged, paying money and using *wasta* — an Arabic term for influential connections — but two attempted exchanges fell through and ISIS transferred the prisoners to the Black Stadium in Raqqa.¹¹⁸

In his search, Humam's brother collected over 600 names of people who had been kidnapped by ISIS. He told Human Rights Watch he shared the names with the Democratic Union Party (PYD) spokesperson, along with the dates and details of how they were taken by the SDF after ISIS was territorially defeated. As of October, the SDF had not responded to his request for information.

After Baghuz was liberated, Kurdish television and social media leaked pictures of people detained as ISIS suspects. Humam's brother told Human Rights Watch he was contacted by the mother of one of those pictured who initially had been kidnapped by ISIS. He reached out to the Kurdish authorities about this, sharing both the son's photo and identification card, but they denied holding the son and other prisoners.

In another incident, Humam's brother recounted a woman telling him that a doctor told her family that her father, who was detained by ISIS in Debsi Afnan, a village near Raqqa, had been taken by the SDF to Derik for treatment after Raqqa was liberated. When the woman and her family tried to visit the hospital, doctors told them that her father had been transferred, and she could no longer find information about him.

"Is it possible that the thousands of ISIS members that the SDF hold don't have any information about the detainees?" Humam's brother asked "Is it possible? Thousands including the highest-ranking emirs, and you cannot get information about the kidnapped? This is not something common sense would accept."¹¹⁹

¹¹⁸ Ibid.

¹¹⁹ Ibid.

Jalal Ahmad, January 2015

On January 29, 2015, Aras Ahmad received a call from his uncle in Russia asking him if it was true that his father, Jalal Ahmad, had been kidnapped by ISIS in Manbij.¹²⁰ Aras Ahmad, based in Erbil with his wife and newborn at the time, had spoken to his father only two hours earlier, when his father called to hear his grandchild's voice. He immediately called his mother, who told him that seven ISIS members had knocked on the door of the house, asked for Jalal Ahmad by name, and took him.

The next day, 14 ISIS fighters asked his mother, brother, and his brother's wife to vacate the house, which they did. According to Aras Ahmad, they were certain that the men were members of ISIS because they included a neighbor who they knew had joined the group.

Ahmad told Human Rights Watch that his father was likely detained because he was a prominent Kurdish activist in Manbij, and well known in both Kobani and Aleppo due to his work on the Kurdish National Council, a Kurdish Syrian political coalition operating in Northeast Syria (*Majles Kurdi Watan*).¹²¹

Since the kidnapping, Ahmad told Human Rights Watch, he has dedicated his time to learning the fate of his father, quitting his job and spending tens of thousands of dollars tracking any available information.

In the two months after his father was first detained, Ahmad had provided US\$600 to his mother to pay as *fidyeh* (ransom payment) for his father's release. His mother bought 14 sheep and took them to the wife of Emir Abu Muhammad al-Almani, a German ISIS leader in the area. He accepted the *fidyeh* and promised Jalal's release in a few days, but Abu Muhammad was killed in al-Bab, a city in Aleppo governorate, a few days later and the deal fell through.¹²²

Ahmad also reached out to Arab local leaders who he thought had influence with ISIS to broker his release, to no avail. He said local activists told him that during the liberation of Manbij, the SDF opened a line for ISIS to leave, and ISIS took advantage of this by transferring their detainees from a detention center called al-Matahen to Debsi Afnan near Raqqa. The SDF entered Raqqa on October 23, 2017 but according to Ahmad, Debsi Afnan fell under the control of the Syrian government.

¹²⁰ Human Rights Watch interview with Aras Ahmad, remotely, August 2019.

¹²¹ Ibid.

¹²² Ibid.

Ahmad told Human Rights Watch that he had tried to communicate with the SDF regarding the release of his father, also to no avail.

In May 2017, ISIS released 10 prisoners originally from Kobani. Ahmad told Human Rights Watch that the released prisoners initially refused to share information. After he persisted, they told him they were released for a payment totaling 4 million Syrian Pounds (approximately \$18,000).

On January 17, 2019, almost two years after Ahmad's father disappeared, Ahmad hired an intermediary for \$17,500 to help broker his father's release. The man went to Raqqa and Deir al-Zor, where he called Ahmad and told him he found his father and that he was in stable condition, but that the rates had increased and he needed more money.

Ahmad refused to give the intermediary more money until he was able to prove that his father was still alive. On January 27, at around 5:30 p.m., Ahmad received a WhatsApp call from a Turkish number. It was his father.

“We spoke for 38 seconds. We were crying, but I verified it was him. I asked him for a password, and he said ‘Hajruneh,’ [little bird] this is what he calls my mother. No one else would know this.”¹²³

Two days later, Ahmad transferred the money to Raqqa. But he never heard back from the broker.

¹²³ Ibid.

III. Prison Bombings

Mahmoud Muhammad, July 2017

On July 14, 2017, the Islamic State (ISIS) detained Mahmoud Muhammad at a checkpoint near his hometown of Quriyeh while he was trying to escape to the Syrian Democratic Forces (SDF)-held territory.¹²⁴ ISIS took him to al-Shuaitat Prison in July before transferring him to a secret house in a town called Abu Hammam where the group was holding 78 other prisoners. According to Muhammad, the prisoners were all detained for the same reason – they had wanted to free the “lands of apostasy” and ISIS burned their Syrian identification documents to prevent them from escaping. Muhammad said,

Every day they would come and ask us to join them in the fight. They were losing, and they were panicking, and they kept threatening us. ‘If you don’t join us, we’ll kill you,’ they said, ‘or better yet, leave you here for a US plane to come and bomb you to pieces. You will die.’¹²⁵

Muhammad told Human Rights Watch that 16 of the prisoners left to fight alongside ISIS. After two months, Muhammad said, he escaped during a “rehabilitation” lesson — ISIS made detainees sit through courses to return them to the “righteous path” — when his guards ran out of the house, hearing a commotion outside:

We broke a window and ran to the [nearby] river. Some of us could not swim and they drowned. I found out later that the commotion was an airstrike, and there was another airstrike soon after that, which took down the prison.”¹²⁶

He could not verify whether the other prisoners survived.

¹²⁴ Human Rights Watch interview with Mahmoud Muhammad, displacement camp in Northeast Syria, May 2018.

¹²⁵ Ibid.

¹²⁶ Ibid.

Muhammad Abdulhamid, August 2017

Muhammad Abdulhamid, 30, is a lawyer living in Raqqa. In August 2017, at 7:30 p.m., three masked gunmen raided his house in Istiklal Garden neighborhood and detained him for failing to provide information about a man wanted by ISIS.¹²⁷

Abdulhamid told Human Rights Watch that ISIS first detained him in the basement of a fitness center, where they hung him by his arms for three days before questioning him and accusing him of being a spy. He said ISIS released him 12 days later. Although he attempted to stay clear of his neighborhood, the fighting between the SDF and ISIS had become so severe that he was forced to return to his home. But upon arrival he found that ISIS had turned his house into a military headquarters; ISIS members detained him and returned him to the same detention facility.

Abdulhamid told Human Rights Watch there were 80 people in the makeshift prison, all civilians as far as he could tell.

On the 27th day, I was transferred to the sharia judge. It was in the same place. They sentenced me as an apostate.... First they accused me of being a spy. Then they said, 'You went to a military point near the front line.'¹²⁸

After his conviction, ISIS placed Abdulhamid in solitary confinement. The next day, around the time of dawn prayer, Abdulhamid was still blindfolded but he began to see sparks and felt a piercing headache. He removed the blindfold to find he could see the street: the prison had been bombed.

"Then I started to hear screaming. Blood was flowing from his head like from a faucet. Five seconds later came the next rocket. Everything was on fire."

He told Human Rights Watch he realized he could escape.

"I was running, sometimes on top of bodies [of other prisoners]. After 10 minutes, I saw that a dog was eating the bodies, meaning the bodies had been there for a while."¹²⁹

He told Human Rights Watch that after walking for half a day he reached an SDF checkpoint. The SDF took him to a hospital to treat his injuries and then to interrogation

¹²⁷ Human Rights Watch interview with Muhammad Abdulhamid, Ein Issa, May 2018.

¹²⁸ Ibid.

¹²⁹ Ibid.

with the SDF and, he said, American soldiers. He was blindfolded throughout the interrogation, he said, but at the end was unmasked and asked to pinpoint on a screen ISIS prisons that he knew about. Abdulhamid was then transferred to an SDF facility, where an officer accused him of being ISIS. The SDF detained Abdulhamid and interrogated him for five days. He told Human Rights Watch SDF beat him and transferred him to a small, overcrowded detention facility.

"There was no oxygen, there were so many people. People had injuries, skin issues. Because of the filth, they were not changing bandages. The prisoners there were all Da'esh [ISIS]." ¹³⁰

¹³⁰ Ibid.

IV. Searching for the Disappeared

Forced disappearances can have a profound effect on family and friends of those taken. Relatives of disappeared detainees told Human Rights Watch that they routinely experienced a deterioration of their mental and physical health, financial hardships, social stigma, and legal and administrative difficulties.¹³¹

In their efforts to obtain information about those kidnapped, family members often left no stone unturned. Many, especially those who remained under Islamic State (ISIS) rule, routinely visited the group's headquarters and centers to inquire about their loved ones. Often they were met with derision and denials – and very rarely would they receive a concrete response.¹³²

Some families avoided direct contact with ISIS regarding their missing loved ones for fear of becoming victims themselves.¹³³ Indeed, in some cases the relatives of missing individuals were detained after making such inquiries.¹³⁴

After the fall of the ISIS self-declared caliphate, families held out hope that authorities in control would provide them with information regarding their loved ones. However, all those interviewed by Human Rights Watch confirmed that they have had very little success, for a number of reasons.

First is the lack of a point person among Kurdish-led authorities for families to submit or obtain information regarding missing relatives. Those family members able to reach officials, if they received any response, were given mixed information regarding who was the relevant authority—or worse, contradictory accounts as to whether they had any relevant information.

According to relatives interviewed by Human Rights Watch, the Asayish are responsible for missing persons, but the Kurdish-led Autonomous Administration of North and East Syria (NES) had assigned a point person for missing military personnel but not for civilians.

¹³¹ Examples of this provided above. See for example, Human Rights Watch interview with Ghadir Nawfal, Firas al-Haj Saleh's wife, remotely, May 2018.

¹³² For example, Human Rights Watch interview with Ibrahim Khalifeh's mother, displacement camp in Northeast Syria, May 2018.

¹³³ For example, Human Rights Watch interview with two relatives of Ruqaiya al-Ahmed, Raqqa city, May 2018.

¹³⁴ Ibid.

When one relative reached out to the responsible authority in Asayish, that person refused to help because the missing relative was not a soldier.¹³⁵

Similarly, the Syrian government does not have a designated person or office for those missing or detained. Facebook accounts of relatives of Syrian soldiers who went missing at the hands of ISIS highlight the difficulties they have faced in reaching the authorities, or obtaining information about their missing loved ones.¹³⁶ The Syrian government's failure to reveal information regarding those missing extends to those that its forces have disappeared or detained. Despite numerous requests by families and lawyers to the government for information about such individuals, the authorities failed to respond in a comprehensive and adequate manner.

In most cases, families, particularly those based outside Syria, do not know who to reach out to.

The absence of designated authority and clear communication regarding how families can submit and obtain information, means that families often resort to intermediaries and pay exorbitant amounts of money for any smidgen of information about their relatives. These intermediaries are often unreliable, and rarely provide credible information. Instead, they take advantage of the vulnerability and desperation of families for information to extract money from them. In several cases documented by Human Rights Watch, relatives claimed to have given thousands of dollars to intermediaries to obtain information over the years, with few if any results.

Numerous interviewees reached also out to tribal leaders in communities where their relatives were last seen or went missing, to ask that they intervene on their behalf with the Islamic State, and later with the local authorities and the Syrian government. Tribal connections are particularly strong in areas formerly ruled by ISIS, and influential tribal leaders may call in favors or broker information. But this, too, yielded scant reliable information.

In addition to the lack of a centralized mechanism and dedicated resources, families complained of a lack of political will. According to news reports and interviewees, the SDF and ISIS had conducted several prisoner exchanges, swapping SDF soldiers for safe

¹³⁵ Human Rights Watch interview with Aras Ahmad, remotely, August 2019.

¹³⁶ See for example, Syrian Abductees Facebook page, <https://www.facebook.com/SyrianAbductees/> (accessed September 1, 2019).

passage or ISIS emirs. Not only were such exchanges rarely successful, they also focused on a small number of prisoners held by ISIS.

V. Handling of Mass Graves

As of September 2019, at least 20 mass graves have been found in Syria's Raqqa and Deir al-Zor governorates, in areas previously under Islamic State (ISIS) control.¹³⁷ Local authorities estimate that these graves hold thousands of bodies – not only of ISIS fighters and civilians killed by airstrikes but also the bodies of ISIS victims.¹³⁸ In addition to these mass graves, Human Rights Watch found that ISIS may have also used a naturally occurring gorge, locally known as al-Hota, to dispose of the bodies of individuals they detained or abducted. Further efforts to investigate those remains may provide answers to some of the questions posed.¹³⁹ The graves may also contain evidence of crimes committed by ISIS that could be vital to future domestic and international accountability processes to address serious international crimes.

Despite the mass graves' potential to yield answers, local authorities are struggling to cope with the logistical challenges of properly protecting the graves and collecting information about the corpses. To Human Rights Watch's knowledge, no forensic expert, including those who have criminal expertise, has been able to visit or assess any of these graves.

Areas under Control of the Syrian Democratic Council and Forces

In June 2018, Human Rights Watch observed the First Responders' Team in Raqqa, responsible for recovering bodies across the governorate, as they uncovered a mass grave at the al-Rashid playing field in Raqqa city.¹⁴⁰ While the team worked diligently and

¹³⁷ 15 graves found in Raqqa city according to the Raqqa Civil Council and news reports (Raqqa Reconstruction Committee, RCC Facebook Page, <https://www.facebook.com/RaqqaRC/>). Another seven found in Deir al-Zor under the Syrian government's control per SANA, the official Syrian news agency ("Seven mass graves containing hundreds of bodies found in Deir Ezzor," Syrian Arab News Agency (SANA), December 11, 2018, <https://sana.sy/en/?p=153316> (accessed September 1, 2019)). News reports indicate that mass graves have also been found in al-Tanf and Palmyra areas. "Russian Defense Ministry: 300 corpses were found in a mass grave near al-Rukban Camp on the Syrian Jordanian borders in al-Tanf area," Syrian Arab News Agency (SANA), March 5, 2019, <https://sana.sy/en/?p=160331> (accessed September 1, 2019).

¹³⁸ By February 2019, the Raqqa Civil Council estimated there were 2,021 bodies in Raqqa mass graves alone. The number is likely to be much higher. Raqqa Reconstruction Committee, RCC Facebook Page, <https://www.facebook.com/RaqqaRC/>.

¹³⁹ Forthcoming Human Rights Watch report on al-Hota mass grave in Raqqa governorate.

¹⁴⁰ "Syria: Mass Graves in Former ISIS Areas," Human Rights Watch news release, July 3, 2018, <https://www.hrw.org/news/2018/07/03/syria-mass-graves-former-isis-areas>.

carefully, their rudimentary methods and inadequate procedural standards for collecting information on the dead appeared to fall far short of international best practices.¹⁴¹ For one, the team does not have forensic expertise or the equipment required for forensic analysis and identification of bodies. They rely on a visual assessment of the body, such as its features and clothes, for identification. According to the head of the team, only 900 of the 4,550 bodies at that time from Raqqa’s mass graves had been returned to their families.¹⁴²

The team needed substantial training and technical assistance to exhume the bodies and collect data without losing information crucial to identifying them. Since Human Rights Watch’s June 2018 visit, the team in Raqqa has continued to uncover mass graves and slowly remove bodies but the methods remain largely the same. In recognition of the need for an urgent response to protect the graves and advance local capacities to respond, international donors have provided support to the groups on the ground but a representative of the Raqqa Reconstruction Committee, a group that operates under the umbrella of the Raqqa Civil Council to rehabilitate Raqqa city, told Human Rights Watch they were still struggling.¹⁴³

For all its shortcomings, the team responsible for identifying the remains in Raqqa city and its immediate surroundings is better placed than others. Areas in al-Hasakeh or Deir al-Zor do not have similar international support. In Deir al-Zor, the team responsible for exhuming mass graves is much smaller, and in al-Hasakeh, no team exists at all.

Areas Under the Control of the Syrian Government

In December 2018, the official Syrian News Agency reported that Syrian authorities have uncovered seven mass graves in al-Bukamal that contain hundreds of unidentified bodies.¹⁴⁴ It reported that the Syrian Arab Red Crescent had exhumed some of these

¹⁴¹ See for example, The International Committee of the Red Cross ICRC, “Operational best practices regarding the management of human remains and information on the dead by non-specialists: For all armed forces For all humanitarian organizations,” November 2004, https://www.icrc.org/en/doc/assets/files/other/icrc_002_858.pdf (accessed September 8, 2019).

¹⁴² “Exclusive – Mass Graves in Raqqa Uncover Post-War Traumas,” *AlSharq al-Awsat*, June 18, 2019, <https://aawsat.com/english/home/article/1772751/exclusive-%E2%80%93-mass-graves-raqqa-uncover-post-war-traumas> (accessed September 1, 2019).

¹⁴³ Human Rights Watch interview with Ibrahim Hassan, representative of the Raqqa Reconstruction Committee, remotely, August 2019. Donors include United States, Germany, and the Netherlands.

¹⁴⁴ “Seven mass graves containing hundreds of bodies found in Deir Ezzor,” *Syrian Arab News Agency (SANA)*, December 11, 2018, <https://sana.sy/en/?p=153316> (accessed September 1, 2019).

bodies, almost all of which showed evidence of torture. In one of the mass graves, bodies showed evidence of being shot, a military source told the news agency.¹⁴⁵ Human Rights Watch has been unable to reach the Syrian authorities or the Syrian Red Crescent to confirm the information reported.

On July 31, 2018, Kurdish news sources reported that the Syrian Democratic Council (SDC), the civilian body for Kurdish-led authorities in northeast Syria, handed over the remains of 44 soldiers who had been killed by ISIS to the Syrian government.¹⁴⁶ According to statements by the SDF, those bodies were found in mass graves close to the headquarters of the Syrian Army's Brigade 93, which ISIS captured in August 2014. The news reports mentioned that the Syrian government delivered the bodies to the Aleppo Military Hospital for an initial examination of the remains.¹⁴⁷

¹⁴⁵ Ibid.

¹⁴⁶ Wladimir van Wilgenburg, "US-backed forces hand over remains of 44 soldiers killed by IS to Syria," Kurdistan24, July 31, 2018, <https://www.kurdistan24.net/en/news/b44fe541-87co-49d7-ae96-feb4292e9a26> (accessed September 1, 2019).

¹⁴⁷ Ibid.

VI. International Legal Standards

Under customary international law, parties to a 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 information it has on their fate.¹⁴⁸ The obligation is predicated on the right of the families of those missing to know the fate of their loved ones, and the concurrent obligation on states and de-facto authorities to provide that information.

Human rights law further confirms that authorities are not allowed to deliberately withhold information regarding missing relatives from families, given the degree of suffering and mental anguish that a family experiences as a result of the uncertainty surrounding the fate of their loved one which can attain a degree of severity that amounts to inhumane treatment.¹⁴⁹ Even where the individual is likely deceased, the authorities must provide the family with information regarding where the remains are buried.¹⁵⁰

For some regional human rights bodies, the obligation on the authorities extends beyond informing the families to investigating the fates of those missing in areas under their control.¹⁵¹ This means that authorities must dedicate resources to uncovering the fate of those missing, and providing that information to the families. Where there are mass graves, this obligation may be partially fulfilled by dedicating resources to exhuming and identifying remains in a timely manner.¹⁵²

The Kurdish-led authorities and the US-led coalition, as parties to the conflict in areas they retook from the Islamic State (ISIS), have an ongoing obligation to share with families any information they have.¹⁵³ In areas under the control of the Syrian government, that obligation falls on the Syrian government.

¹⁴⁸ See International Committee of the Red Cross, Customary International Law Database, Rule 117, Accounting for Missing Persons, https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule117 (accessed September 1, 2019).

¹⁴⁹ United Nations Working Group on Enforced or Involuntary Disappearances, Compilation of General Comments on the Declaration on the Protection of All Persons from Enforced Disappearance, E/CN.4/1996/38, https://www.ohchr.org/Documents/Issues/Disappearances/GeneralCommentsDisappearances_en.pdf (accessed September 1, 2019).

¹⁵⁰ Ibid.

¹⁵¹ See for example, Inter-American Court of Human Rights, Velásquez Rodríguez case.

¹⁵² See International Committee of the Red Cross, Customary International Law Database, Rule 117, Accounting for Missing Persons, https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul_rule117 (accessed September 1, 2019).

¹⁵³ Ibid.

ISIS's practice of kidnapping, detaining, and forcibly disappearing individuals, as documented in this report, may amount to crimes against humanity, for which those responsible should be held accountable. Crimes against humanity are defined as such crimes that cause great suffering or serious injury to body or to mental or physical health and are committed "as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack." Crimes against humanity include a wide range of offences, including enforced disappearances.

The scale of those who have gone missing at the hands of ISIS, as well as the manner in which ISIS carried out these kidnappings —particularly of human rights advocates, civil society activities and journalists — and, in some cases, public executions, makes it likely that ISIS leaders and members are responsible for the crime against humanity of enforced disappearances and summary executions.

The prohibition on enforced disappearances is part of customary international law and has roots in both international human rights law and humanitarian law. It is codified in the 1998 Rome Statute of the International Criminal Court and is recognized as part of customary international humanitarian law applicable in both internal and international conflicts. An enforced disappearance occurs when someone is deprived of their liberty by agents of the state or persons acting with the state's authorization, support or acquiescence, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, placing that person outside the protection of the law, according to the International Convention for the Protection of All Persons from Enforced Disappearance.

An enforced disappearance is also a "continuing crime" — that is it continues to take place so long as the disappeared person remains missing, and information about his or her fate or whereabouts has not been provided. This unique aspect of the crime — unlike that of torture, rape, or extrajudicial killing—means that irrespective of when the initial act of disappearance took place, until the fate of the disappeared person is resolved there is an ongoing violation that is to be treated as such by the criminal justice system. Thus, the prohibition also entails a duty to investigate cases of alleged enforced disappearance and prosecute those responsible.

Acknowledgements

This report was researched and written by Sara Kayyali, Syria researcher in the Middle East and North Africa division at Human Rights Watch; Priyanka Motaparthi, former acting director of the Emergencies division; and Nadim Houry, former director of the Terrorism and Counterterrorism division. Charbel Salloum, a senior research assistant, contributed significantly to the research and drafting.

The report was edited by Joe Stork, deputy director in the Middle East and North Africa division; Clive Baldwin, senior legal advisor; and Tom Porteous, deputy program director. Clara Long, acting deputy director of the US Advocacy division, and Letta Tayler, a senior researcher leading counterterrorism work in the Conflict and Crisis division, provided expert review. Nader Durgham, an intern in the Middle East and North Africa Division, also contributed to this report.

This report was prepared for publication by Diana Naoum, coordinator for the Middle East and North Africa division; Remy Arthur, photography and publications coordinator; Jose Martinez, senior coordinator; and Fitzroy Hepkins, administrative manager.

Human Rights Watch would like to thank the families of those kidnapped by ISIS for sharing their stories. We add our voices to yours in the demand for answers.

Annex I

HUMAN RIGHTS WATCH

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Combined Joint Task Force – Operation Inherent Resolve
(CJTF-OIR)

US Central Command

December 12, 2019

To whom it may concern,

Human Rights Watch (HRW) is an international independent nongovernmental advocacy organization monitoring human rights compliance in over ninety countries around the globe, including Syria.

The organization has documented human rights abuses in Syria since 1991, and we have produced numerous reports on violations during the current crisis since March 2011 by all parties to the conflict. The reports are based on in-depth research, and where feasible involve onsite investigations in Syria.

We will be publishing a report that documents abuse by the Islamic State (ISIS), focusing on the fates of those who had been detained, kidnapped, and executed by the group. We have conducted dozens of in-depth interviews with families that detail their plight and we will be issuing specific recommendations to address the issue to relevant local and international authorities, including the US-led Combined Joint Task Force - Operation Inherent Resolve.

Our standard practice is to give authorities the opportunity to communicate their point of view and have any information they provide reflected in our publications, provided it is received on time of course.

For our report to encompass your response, we would greatly appreciate your answer to the following questions by January 6, 2019:

HUMAN
RIGHTS
WATCH

www.hrw.org

AMSTERDAM · BEIRUT · BERLIN · BRUSSELS · CHICAGO · GENEVA · JOHANNESBURG · LONDON · LOS ANGELES · MOSCOW · NAIROBI · NEW YORK · PARIS ·
SAN FRANCISCO · TOKYO · TORONTO · WASHINGTON · ZURICH

1. What procedures or mechanisms does the coalition have in place to register and manage cases of individuals who have been kidnapped or detained by ISIS? How many such individuals has the coalition registered?
2. Are there cooperation protocols in place to share information with local and international authorities and governments?
3. Does the coalition maintain communication with the families of the kidnapped? What steps have you taken to guarantee the rights of the families to uncover the fate of their relatives?
4. Have any detainees formerly detained by ISIS been handed over by the US-led coalition to other judicial or security agencies within or outside Syria?

Thank you in advance for considering our request. Should you have any clarificatory questions or comments, please feel free to reach out to my colleague, Sara Kayyali at

[REDACTED]

Sincerely,

[REDACTED]

Sarah Leah Whitson
Executive Director
Middle East and North Africa
Human Rights Watch

Annex II



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22 نوفمبر/تشرين الثاني 2019

قسم الشرق الأوسط وشمال أفريقيا
سارة ليا وبتين، المديرة التنفيذية
ماكلنج، نائب المديرة
إريك غولدمان، نائب المديرة
أحمد بن شمس، مدير التواصل والرافعة

وليد المعلم

وزارة الخارجية

دمشق، سوريا

معالي الوزير وليد المعلم المحترم،

تحية طيبة وبعد،

"هيومن رايتس ووتش" منظمة دولية غير حكومية مستقلة مختصة بالمناصرة، ترصد الامتثال لحقوق الإنسان في أكثر من 90 دولة حول العالم، بما في ذلك سوريا.

وثقت المنظمة انتهاكات حقوقية في سوريا منذ 1991، ونشرنا تقارير عديدة حول انتهاكات جميع أطراف النزاع الحالي المنقطع منذ مارس/أذار 2011. تستند التقارير إلى أبحاث متعمقة وتحقيقات ميدانية في سورية حيثما كان ذلك ممكناً.

ممنشر تقريراً يوثق انتهاكات تنظيم "الدولة الإسلامية" (المعروف أيضاً بداعش)، مع التركيز على مصير من احتجزوا على يد التنظيم، أو خُطفوا، أو أُعدموا. أجرينا عشرات المقابلات مع عائلات سردت لنا بالتفصيل محتها، وسنقدم إلى السلطات المختصة توصيات محددة لمعالجة القضية، بما فيها الحكومة السورية.

من ممارساتنا الراسخة أن نتيج الفرصة للسلطات لإيصال وجهة نظرها وتقديم أي معلومات تود أن ندرجها في منشورتنا، بشرط تلقيها في الوقت المحدد بالطبع.

سنكون ممتنين للغاية لو أجبتكم على الأسئلة التالية بحلول 3 كانون الأول/ديسمبر 2019 لكي يتسنى لنا إدراج إجاباتكم في تقريرنا:

1. ما الإجراءات أو الآليات المعمول بها لتسجيل وإدارة قضايا الأفراد الذين اختطفهم داعش أو احتجزهم؟ كم عدد الذين سجلتهم السلطات السورية؟

2. هل هناك وكالة حكومية بصلاحيات محددة بوضوح تعالج هذه القضية، بما فيها تسجيل المطالبات من الأسر، وإبلاغ الأقارب بالمستجدات، والبحث عن المفقودين؟

اللجنة الاستشارية
كاترين بيرنيس، المديرة
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بروس راب، مسؤول
غاري ميتك، مسؤول
فؤاد عبد الوهبي
جمال أبو علي
ياسر عكوي
هالة الشوري
صلاح الحجولان
علم النجار
نورا أندرسون
ديفيد بيرنشتاين
هنا إدوار
بهي الدين حسن
حسن المصري
ملصور فرحان
لبنى فريج غورخ
صرو حمزوي
أسوس هاردي
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عبدالمعز نجدي
نبيل رجب
فيدي رسكن
تشارلز شميس
سوزان شلمسي
كريستوف تانجي

هيومن رايتس ووتش
كينيث روث، المدير التنفيذي
ميشيل أكستندر، نائب المدير التنفيذي
والمدارات العالمية
إيران ليفان، نائب المدير التنفيذي البرامج
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جو ستولنز، نائب مدير البرامج
فرايسون سيدا، مدير الموارد البشرية

أمستردام · بيروت · برلين · بروكسيل · شيكاغو · جنيف · جوهانسبورغ · لندن · لوس أنجلوس · موسكو · نيروبي · نيويورك · باريس · سان فرانسيسكو · طوكيو · تورنتو · واشنطن · زيورخ

3. هل يُفحص المحتجزون داخل مرافق الاحتجاز التي تشرف عليها أجهزة الأمن والسلطات القضائية السورية لتحديد ما إذا كانوا قد اختطفوا أو احتُجزوا سابقا على يد داعش؟

أ. إذا كان يتم ذلك، كم عدد الحالات التي تم الإبلاغ عنها؟ هل تم إبلاغ العائلات؟ ما الخطوات التي تُطلب من العائلات اتخاذها؟

4. كيف تحافظ الحكومة السورية على تواصلها مع أسر المختطفين؟ هل اتخذت الحكومة خطوات لضمان حق العائلات في معرفة مصير أفرادها؟

5. هل تُطلع الحكومة السورية الجهات الفاعلة الأخرى ضد داعش، مثل العراق وقسد، على النتائج وتشاركها المستجدات فيما يتعلق بقضية المفقودين؟

6. ما هي الخطوات التي اتخذتها الحكومة السورية للحفاظ على مواقع المقابر الجماعية؟

أ. كم عدد المواقع التي حفرتها الحكومة؟

ب. كم عدد الجثث التي عُثر عليها وتم التعرف عليها، وأعيدت إلى أسرها؟

ت. هل تم تعيين خبراء جنائيين محليين أو دوليين لتحليل الأدلة والسجلات وحمايتها؟ إذا كانت الإجابة بنعم، فهل يمكنكم تقديم تفاصيل؟

ث. كيف تخطط الحكومة السورية لضمان سلامة السجلات والأدلة؟

ج. ما التحديات التي تواجهها السلطات في محاولتها معالجة هذه القضية؟

7. هل الحكومة السورية على استعداد لاتخاذ ما يلزم لضمان تعويض من اختطفهم داعش، أو أخفقتهم جهات أخرى، بما في ذلك التصديق على "الاتفاقية الدولية لحماية جميع الأشخاص من الاختفاء القسري"؟

8. هل ستتيح الحكومة السورية لهيئات المراقبة الدولية، مثل "اللجنة الدولية للصليب الأحمر" و"لجنة التحقيق الدولية المستقلة المعنية بالجمهورية العربية السورية"، إمكانية الوصول فيما يتعلق بتحديد مصير المفقودين والمختطفين؟

شكرا لكم مقدما على نظركم في طلبنا. إذا كانت لديكم أي أسئلة أو تعليقات توضيحية، فلا تترددوا في الاتصال بزميلتي، سارة الكيالي على [redacted] أو [redacted].

مع كامل الاحترام والتقدير،

سارة ليا ويتسن



المديرة التنفيذية

الشرق الأوسط وشمال أفريقيا

هيومن رايتس ووتش

Annex III



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22 نوفمبر/أكتوبر الثاني 2019

السيد مصطفى بالي
مدير المركز الإعلامي
قوات سوريا الديمقراطية

حضرة السيد مصطفى بالي المحترم،
تحية طيبة وبعد،

"هيومن رايتس ووتش" منظمة مناصرة غير حكومية دولية ومستقلة، وهي ترصد الالتزام بحقوق الإنسان في أكثر من 90 بلدا حول العالم، ومنها سوريا.

توثق المنظمة انتهاكات لحقوق الإنسان في سوريا منذ 1991، وقد نشرنا العديد من التقارير حول الانتهاكات التي ارتكبتها جميع الأطراف خلال الأزمة الحالية الممتدة منذ مارس/آذار 2011. تعتمد تقاريرنا على أبحاث معمقة، بالإضافة إلى تحقيقات ميدانية في سوريا حيثما كان ذلك ممكنا.

سننشر تقريرا يوثق انتهاكات "تنظيم الدولة الإسلامية" (المعروف أيضا بداعش) يضيء على مصير الذين احتجزهم، وخطفهم، وأعدمهم التنظيم. أجرينا عشرات المقابلات المعمقة مع أسر شرحت محتنتها بالتفصيل وسنرفع توصيات محددة لمعالجة الأمر إلى السلطات المحلية والدولية المعنية، من ضمنها "الإدارة الذاتية لشمال وشرق سوريا"، و"مجلس سوريا الديمقراطية"، و"قوات سوريا الديمقراطية" (قسد).

من مرام سنتا الراسخة أن نتيح الفرصة للسلطات لتقدّم وجهة نظرها وندرج أي معلومات تقدمها في منشورائنا، شرط أن نحصل عليها في الوقت المحدد.

سنكون ممتنين للغاية لو أجبتكم على الأسئلة التالية بحلول 3 كانون الأول/ديسمبر 2019 لكي يتسنى لنا إدراج إجاباتكم في تقريرنا:

1. ما هي الإجراءات والآليات التي تعتمدها قسد لتسجيل وإدارة قضايا الأفراد الذين اختطفهم أو احتجزهم داعش؟ ما عدد المخطوفين والمحتجزين السابقين أمثال هؤلاء الذين سجلتهم قسد؟
2. هل هناك بروتوكولات تعاون معتمدة لمشاركة المعلومات مع السلطات الأخرى التي تواجه داعش، بما فيها الحكومة السورية، والتحالف الدولي بقيادة الولايات المتحدة، والحكومة العراقية؟
3. في مراكز الاحتجاز التي تشرف عليها قسد، هل يتم التأكد إذا ما كان المحتجزون قد اعتقلوا سابقا لدى داعش؟ إذا كان الجواب نعم، ما عدد الحالات المشابهة التي أثّرت؟

قسم الشرق الأوسط وشمال أفريقيا
سارة ليا ووتش، المدير التنفيذي
مايكل بيج، نائب المدير
إريك غولدمان، نائب المدير
أحمد بن شمس، مدير التواصل والرفعة

اللجنة الاستشارية
كاترين بيراتيس، المدير
أنلي بالي، مسؤول
بروس راب، مسؤول
غاري ميثك، مسؤول
فؤاد عبد الواسع
جمال أبو علي
ياسر عكوي
هالة النوري
صلاح الحجري
عماد الشحر
فزا أندرسون
ديفيد بيرنشتاين
هانا إيوار
بهي الدين حسن
حسن المصري
مصنور فرحان
أبلي فرح غوروي
عزرو حزاوي
أسوس هاردي
شوان جيلان
مارينا بيلو كوفان
يوسف خلات

مارك ليفين
أحمد منصور
عبدالعزيز نموي
ليليا ريجا
فيكي ريسكين
تشارلز شمان
سوزان شامسي
كريمسوف تكتي

هيومن رايتس ووتش
كينيث روت، المدير التنفيذي
ميشيل أكستندر، نائب المدير التنفيذي
والمحررات العامية
إيان ليفين، نائب المدير التنفيذي البرامج
تشارل لامبتغ، نائب المدير التنفيذي، المشيئة
وليد أبو، مدير تكنولوجيا المعلومات
إيما دالي، مديرة الاتصالات
باربرا كوكيلينو، مديرة المالية والإدارة
بايكوندي أولوجوي، نائب مدير البرامج
ديلا بوكيميلو، الممثل العام
توم بورنيس، نائب مدير البرامج
جيس روس، مدير القانونية والشهسية
جو ستانفورد، نائب مدير البرامج
فرانيس سبلا، مدير الموارد البشرية

أمستردام · بيروت · برلين · بروكسيل · شيكاغو · جنيف · جوهانسبورغ · لندن · لوس أنجلس · موسكو · نيروبي · نيويورك · باريس · سان فرانسيسكو · طوكيو · تورنتو · واشنطن · زيورخ

4. كيف تُنقل هكذا معلومات؟ إلى مَنْ؟ هل تم إعلام الأسر؟ ما الخطوات التي تُتَّبع منكم اتخاذها؟

1. كيف تتواصل الإدارة الذاتية، ومجلس سوريا الديمقراطية، وقسد مع أسر المخطوفين؟
2. ما الخطوات التي اتخذتم لضمان حقوق الأسر بتحديد مصير أقربائها؟
5. هل نُقل أي من المحتجزين الذين اعتقلهم داعش سابقا إلى جهاز أمني أو قضائي داخل سوريا أو خارجها؟
6. ما الخطوات التي اتخذتها الإدارة الذاتية، ومجلس سوريا الديمقراطية، وقسد للحفاظ على مواقع المقابر الجماعية؟

1. ما عدد المواقع التي حُفرت؟ ما عدد الجثث فيها؟
2. ما عدد الجثث التي حُددت هوياتها وأعيدت إلى الأسر؟
3. هل تم تعيين خبراء شرعيين، محليين أو دوليين، لتحليل والأدلة السجلات وحفظها؟ إذا كان الجواب نعم، هل يمكنكم تزويدنا بالتفاصيل؟
4. كيف تتوون الحفاظ على سلامة السجلات والأدلة؟
5. ما هي التحديات التي تواجه السلطات لمعالجة هذه القضية؟
7. هل تسمح الإدارة الذاتية، ومجلس سوريا الديمقراطية، وقسد بوصول الهيئات الدولية المشرفة، بما في ذلك "اللجنة الدولية للصليب الأحمر" و"لجنة التحقيق الدولية المستقلة بشأن الجمهورية العربية السورية"؟

نشكركم مسبقا على اهتمامكم بالأمر. إن كان لديكم أي أسئلة استيضاحية أو تعليقات الرجاء الاتصال بزميلتي سارة الكيالي على الرقم [REDACTED] البريد الإلكتروني [REDACTED]

مع فائق الاحترام والتقدير،

[REDACTED]

سارة ليا ويتسن،
المديرة التنفيذية لقسم الشرق الأوسط وشمال أفريقيا
هيومن رايتس ووتش



KIDNAPPED BY ISIS

Failure to Uncover the Fate of the Missing in Syria

The Islamic State's (ISIS) expansion in Syria and Iraq featured horrendous public abuses. Largely unseen but equally egregious were the widespread detention and kidnappings by the group –thousands of people snatched from their homes, cars, and at checkpoints, who subsequently went missing.

This report highlights 27 cases of individuals or groups of persons apprehended by ISIS. It documents cases of activists, humanitarian workers, journalists, and anti-ISIS fighters from a range of groups, government and anti-government, as well as residents living under ISIS. Family members of those who went missing described their anguish at fruitlessly pursuing rumors, receiving promises of information in exchange for payments to suspicious intermediaries, and visiting former detention centers in hopes of finding clues about the fate of their loved ones.

Under international law, all authorities are obligated to take all feasible measures to account for persons reported missing as a result of armed conflict in areas they effectively control and provide families with information on their fate. The end of ISIS' territorial control should have been an opportunity to provide answers to the families of those missing, the report but authorities currently in control of areas formerly under the control of ISIS have failed to account for persons reported missing or provide their family members with information it has on their fate. The report provides recommendation for how authorities can close the gap.

*(above) Images provided by families of their relatives who went missing in ISIS custody.
© 2019 Human Rights Watch
(front cover) Ayman's mother holding up a photo of Ayman before he went missing
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