




The Unknown Fate

**A Report issued by JFL about the fate of detainees
in ISIS prisons who have not shown up yet**

March/2019

منظمة العدالة من أجل الحياة
Justice For Life Organization



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Executive Summary:

Hundreds of detainees in ISIS prisons turned into missing persons following the military actions and control of the government forces on the areas located in the south of the Euphrates River, where the Syria Democratic Forces controlled the areas located in the north of the river.

All attempts made by the missing persons' families to know about their sons' fate were abortive as the controlling forces did not take them seriously.

Speaking of detention of one of his relatives, Abu Yusuf says "On August 8th 2015, Adnan Mohammad Saleh Al Abdullah, from Al Mayadin city, exited the Syrian government held areas of Deir Ezzor, which were besieged at that time by ISIS, and before his arrival to the city southern entrance located in on the highway of Damascus, he was arrested by members of ISIS checkpoint".

"Eight months later, we learned that he was still alive by a former detainees who was recently released. We knew that he was arrested in a detention center in Muhassan, east of Deir Ezzor. ISIS' Deir Ezzor Wali Office and the Public Relations Office denied that he is arrested in their prisons. We had no opportunity to reach out with SDF officials or the Syrian government to know his fate", he added.

Rule 117 of the ICRC study on the Customary IHL states that *"Each party to the conflict must take all feasible measures to account for persons reported missing as a result of armed conflict and must provide their family members with any information it has on their fate"*.

JFL recommends the Syrian government and the Syria Democratic Forces to work on establishing special offices to report the missing persons, especially those who were detained in ISIS prisons and no information about their fate was revealed until now in order to ease the search processes.

Recommendations:

Following control on all ISIS strongholds in Deir Ezzor by Syrian government forces and Syria Democratic Forces, JFL recommends the following;

- 1- To respect the international humanitarian law and the international human rights law along with all agreements and treaties applicable during conflict by all parties to conflict in Syria.
- 2- The Syrian government and Syria Democratic Forces:
 - To work on establishing special offices to report the missing persons, especially those who were detained in ISIS prisons and no information about their fate was revealed until now.
 - To work on search for all missing persons and ease facilitate the search processes.
 - To investigate in possibility of mass graves resulted by ISIS, identify their locations, and pulling out the bodies in a professional manner with support of the related international organizations.
 - To inform the families of the missing persons about the exerted efforts for revealing the fate of their sons and keeping them posted about the search processes.
 - To identify ISIS detention centers and the fate of the missing persons throughout ISIS detainees in the Syrian government prisons along with SDF prisons.
 - To stop blackmailing the families of the missing persons.
- 3- International Coalition and Russian Federation:
 - To press on the Syrian government and SDF to commit the following up of the missing persons file in Deir Ezzor.
 - To press on the Syrian government and SDF to facilitate the search for the missing persons.
 - To press on the Syrian government to allow the international investigation committees and mechanisms to enter Syrian and investigate in all committed crimes.
- 4- Missing Persons' Families:
 - The need to collaborate with the human rights organizations in order to press on the parties to conflict to work seriously in the file of the missing persons.

- The need to keep all information and documents related to the missing people.

5- Human Rights and Humanitarian Organizations:

- To work on documentation of the missing persons' cases in Deir Ezzor.
- To communicate with the missing persons' families in case of finding mass graves in any area that was held by ISIS in Syria or Iraq.

About JFL:

[Justice for Life organization](#), JFL, is a Syrian, independent, non-profit, non-governmental that works on promoting human rights in Syria.

It was established in 2015 by a number of human rights defenders and actors from Deir Ezzor province. This was a fruit of their individual and team defend for human rights in their communities, and documenting the human rights violations that are committed by different parties and powers who have been in the province since 2011, to make it as a platform and space for those who defend human rights and victims in order to advocate and defend their cases in accordance with a legal and professional course, so these violations and acts do not go by no just accountability. It also aims at promoting the human rights in the Syrian society and state on the political, behavioral, and cultural levels in order to ensure access for the victims and their relatives to their rights. In this endeavor, JFL expanded its work in 2016 to be an active and effective part in the national and international alliances and platforms concerned in human rights and documenting violations in Syria, and preparing the profiles of violations and crimes that took place against the Syrians since 2011 according to mechanism and methodologies compatible with international legal standards.

JFL team includes Syrian male and female activists and human rights defenders along with specialized supporting team that includes experts and specialists such as lawyers, judges, doctors, and journalists, who had a role and experience during the past years in the processes of documentations, defend, and advocacy towards human rights in their communities, and on the national level on the other hand, where they depend on their deep belief in principles and values of human rights.

JFL Vision

Syria is a justice and rule of law state where human rights are inviolable an enshrined.

JFL Mission

We work in a participatory manner with the exerted efforts locally and internationally in observing and following up the reality of human rights in Syria through observation, documentation, forming evidences, participating in initiating legal actions before courts and specialized parties, promoting the capacity of human rights defenders in Syria, and creating spaces for citizens, especially victims and the marginalized, to express and participate in the course of justice until reaching the state of law and citizenship.

Introduction:

Since 2014 until 2017, ISIS arrested hundreds of civilians in the province of Deir Ezzor by the charge of communicating with the armed factions and external parties, including persons from a one family. ISIS informed dozens of families that their sons and relatives were executed, yet no bodies were handed over to them, and even no funeral ceremonies were allowed.

ISIS conducted executions in public against some detainees. Also, it conducted field mass executions, where some of them were based on [previous fatwas](#) issued by ISIS legislators.

The executions aimed at terrorizing the civilians as some [young](#) people were executed in front of their families, and some detainees were sentenced to dig ducts in the fighting fronts.

Following SDF control on the areas located in the north of Euphrates River, and the Syrian government forces on the areas in the south of it, hundreds of detainees turned into missing persons. The missing persons' families look for their sons in the parties that took control, yet there was not positive reaction or satisfactory answer about this issue.

No mass graves were identified in Deir Ezzor province as the case in Al Raqqa. This increased the level of ambiguity of the missing persons' fate.

SDF and SGF are responsible for revealing the fate of the missing persons following their control on the province, and being able to arrest high rank members within ISIS, where they have the opportunity to know the fate of those missing persons. Additionally, both parties are required to deal seriously with this

issue and to communicate with the families in order to clarify all updates related this issue.

Methodology and Challenges:

Within the frame of JFL efforts in following up the file of the missing persons in ISIS jails, JFL researchers interviewed eight of the families' members, relatives, and friends for thirteen missing persons.

The researchers conducted interviews in Deir Ezzor and Al Bab city. Some of the interviews were physical, and others were via Skype.

JFL did not conduct interviews in the Syrian government held areas due to the risk and consequences of these interviews on the field researchers by the Syrian security apparatuses.

Some witnesses refused to talk about their relative missing persons fearing that their testimonies may lead to danger against the missing persons, or they might be annoyed by SDF or the ISIS affiliated members who are still not captured. Some witnesses refused to talk to human rights organizations fearing from being annoyed when they return to the Syrian government held areas.

Some witnesses shared information with JFL and asked not to be published currently for security reasons.

The witnesses talked about the manner of detention and their efforts in searching for them along with the efforts exerted to convince ISIS to release them. They also talked about the difficulties in communicating with officials from SDF and the Syrian government to raise this issue.

Legal Frame:

Rule 117 of the [ICRC study on the international humanitarian law](#) states “Each party to the conflict must take all feasible measures to account for persons reported missing as a result of armed conflict and must provide their family members with any information it has on their fate”.

“With a view to the identification of the dead, each party to the conflict must record all available information prior to disposal and mark the location of the graves”, Rule 116 of the same study.

Article 26 of the Fourth Geneva Convention states that “Each Party to the conflict shall facilitate enquiries made by members of families dispersed owing to the war, with the object of renewing contact with one another and of meeting, if possible”.

Article 32 of the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977, states “Parties to the conflict and of the international humanitarian organizations mentioned in the Conventions and in this Protocol shall be prompted mainly by the right of families to know the fate of their relatives”

Testimonies about Missing Persons:

Abu Yusuf says “On August 8th 2015, Adnan Mohammad Saleh Al Abdullah, from Al Mayadin city, exited the Syrian government held areas of Deir Ezzor, which were besieged at that time by ISIS, and before his arrival to the city southern entrance located in on the highway of Damascus, he was arrested by members of ISIS checkpoint”.

“Eight months later, we learned that he was still alive by a former detainees who was recently released. We knew that he was arrested in a detention center in Muhassan, east of Deir Ezzor. ISIS’ Deir Ezzor Wali Office and the Public Relations Office denied that he is arrested in their prisons. We had no opportunity to reach out with SDF officials or the Syrian government to know his fate”, he added.

Ahmad says “Following the military campaign of the Syrian army against the eastern countryside of Deir Ezzor, I fled with my brother Nasser towards Al Busaira town, which is located in the north of the river. The town was still under control of ISIS. My brother was arrested in early 2018 from a cyber café along with fifteen persons in a raid of ISIS members. All of the detainees were released and they told me that my brother spent one day with them and then was moved to an unknown destination. One of the released persons told me that my brother is in a detention center in Hajeen town, then he was moved to an unknown destination. I have no idea about him until now”.

Hashem Salah Al Jalal and Ahmad Al Qajma were detained on March 25th 2015 from Al Mayadin city. Abdulrahman, a pseudonym, says “An ISIS patrol raided the house of Hashem and Ahmad at 03:00 AM. The families communicated with ISIS members from Al Mayadin city, but all of their attempts were in vain. Following reaching out to the public relations office, they were informed that Hashem and Ahmad are charged of communicating with external parties and they will be enrolled in “repentance” course following the end of the investigations”.



Ahmad Khalaf Al Qajma – Credit: The witness Abdulrahman



Hashem Saleh Jalal – Credit: One of Hashem' friends

Twenty days later, and following communicating with the public relations office, the families of the detainees were informed that they were executed. No evidence was presented to the families about the death of their sons, including their bodies.

Najib Ammar Al Ani was born in 1990. He was arrested on September 24th 2015 in a raid to his family house in Al Mayadin city. There was no direct reason behind his detention. According to the witness Samir, a pseudonym, who is a friend of the family, they could not know any confirmed information about his destiny and they did not communicate with the controlling parties in Deir Ezzor.



Najib Ammar Al Ani – Credit: The witness Samir

Yasser Abdulmajeed Al Mohammad Al Talal was arrested in June 2015 from his workplace in the motorcycles market in Al Qurayya, east of Deir Ezzor. Yasser's wife says "The public relations office told us that Yasser was executed before Ramadan month, yet a number of the released detainees informed me that they saw Yasser after Ramadan month, which is in contrary to what was said by the public relations office".



Yasser Abdulmajeed Al Mohammad Al Talal – Credit: Yasser’s friend

About seven month prior to control of SDF on the village of Hawaej Thiab, ISIS arrested forty persons by the charge of dealing with SDF. Abu Walid says “Saleh Al Omar was arrested with dozens of people. ISIS released most of them, yet Saleh was not one of them, and we have idea about his fate”.

In July 2017, Ahmad Al Khalaf, a 32-year-old, was arrested by ISIS security members. Ahmad’s brother says “My brother remained in Al Muhaimeeda jail in the west of Deir Ezzor for two days. Then, we knew that he was moved to Al Busaira jail in the countryside of Deir Ezzor. SDF did not provide us with any assistance for searching for him or knowing his fate”.



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