

# Palestinian Refugee Victims of Torture and Enforced Disappearance in Syria



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August 2012 to September 2013



## III Introduction:

Palestinian refugees in Arab countries are often exposed to persecution and oppression and face the constant threat of arrest and detention at borders and airports in light of the political affiliation of some Palestinian factions and organisations that have violated the policy of those states. This is proven by the high prevalence of Palestinians in Arab prisons, whether in Lebanon, Syria, Egypt, Iraq, Jordan or other countries. This report highlights the suffering of Palestinian refugees in detention and addresses the issue of torture in Syrian prisons during the period August 2012 to September 2013





### III Palestinian refugees in Syria during the Syrian Revolution:

According to the official statistics of UNRWA, around 530,000 Palestinian refugees live in the Syrian Arab Republic after entering Syria mainly during the following years: 1948 - 1956 - 1967 - 1970 -1978 - 1982 - 1991 - 2003. The vast majority of refugees fled Palestine during the first Nakba in 1948 (estimated at approximately 90%) meaning that they had been living in Syria for more than sixty-five years when the current conflict began and had integrated into the social fabric of the country, in terms of work, matrimonial relations, business and housing, and enjoyed a number of rights under Syrian legislation: Act 260 of 1956.

After the onset of protests against the regime of Syrian President Bashar al-Assad in mid-March 2011, Palestinian refugees quickly found themselves facing a people's revolution, and while the majority chose to remain neutral and not to interfere with the internal affairs of their host country, others aligned themselves with one side or the other.



### Victims of torture and the enforced disappearance of Palestinian refugees in Syria during the current people's revolution:

Since the first day of protest against the Assad regime, a large number of Palestinian refugees - by virtue of their distribution within the major cities - were killed during military action practiced by the regime to suppress the demonstrations. This action later evolved into armed conflict between the ruling regime and the armed opposition and according to statistics from 'The Working Group for Palestinians in Syria' and the 'Action Group for Palestinians of Syria', 1,607 Palestinian refugees have been killed in Syria because of armed conflict as of the end of September 2013. An unknown amount has faced arbitrary arrest and enforced disappearance. The exact number is unavailable due to the absence of any official reports, however, 'The Working Group for Palestinians in Syria' reports 604 cases of detention and enforced disappearance of Palestinian refugees up until the date of preparation of this report, all of whom were detained or 'disappeared' forcibly and their current condition unknown.

The field monitoring of the Working Group, in collaboration UFree Network, a European network in support of Palestinian political prisoners and detainees showed that 105 Palestinians were killed under torture after being randomly arrested, and in this report we wish to prove that this subject has become a serious issue, which comes within the framework of a clear violation of international law and international humanitarian law by Syrian security forces.



Many of the detainees have also been held in illegal detention centres such as schools, laboratories, sports stadiums, warehouses, abandoned buildings and underground storage areas, used by the security and military forces of the government in an attempt to accommodate the huge number of people who are arrested every day. These centres are practicing the cruellest forms of torture and crimes against human dignity and human rights.

We will discuss documented information regarding dozens of Palestinian civilians who have died in Syrian prisons as a direct result of torture, after monitoring the arrests of people at checkpoints or during raids carried out by the army inside Syrian cities and villages, or randomly across regions, who were not seen again after the arrest. In some cases the security agencies have contacted the relatives of the detained people and asked them to collect the body from a military or general government hospital, as happened with Mahmoud Fahad Khalil who was arrested in the city of Latakia and his body handed over to his family on 23/05/2012, or Khamees Al- Hariri from the Raml Camp in the city of Latakia who was executed and his family informed of the location of his grave on 25/08/2011.

In cases where bodies were handed back to families, signs of severe torture were apparent on the bodies as a result of beating, burning and use of sharp tools, as in the case of Mohammed Al-Masri from Al-Mizeireeb, Daraa, who was arrested a few days before his body was returned on 12/07/2012.

There have also been cases of abduction from inside hospitals and health centres treating the wounded, for example the Palestine Hospital in the Yarmouk Refugee Camp which was stormed many times and a number of wounded and seriously ill people arrested. On 10/11/2012 official security services reported the death of a man named Sameh Al-Khayal in Damascus, who had been detained by the security forces from Mercy Hospital in Yarmouk Camp, despite the fact that he was injured by shrapnel as a result of bombing which led to the amputation of his foot. His body has not been returned to his family.

There is a log of appalling cases of people who were arrested at checkpoints and whose bodies were later found dumped at the sides of roads showing signs of torture including stabbing with knives, as in the case of Ahmed Najddat Al-Dahir, whose body was found on Al-Thalatheen Street in the Yarmouk Refugee Camp shortly after his arrest at nearby security barriers on 18/01/2012, and Eyad Mawid, whose body was found near a security checkpoint area after his arrest on 12/01/2012.

There have been cases of mass torture and detention for short periods during raids carried out by the army and security forces, which is what happened to the family of Al-Dahir on 26.03.2013 in the Artouz area of western Damascus countryside, where six members of his family were killed after being detained for a short time.



In the same context there have been reports of executions or killing under torture of a number of detainees where the security services refuse to deliver their bodies or disclose the whereabouts of their locations or graves, which is what happened recently to Khalid Mohammed Barawi, who was arrested seven months before his father was informed of his death and the need to collect his personal effects on 11/09/2013, without providing him with any further information or allowing him to ask any questions. Yasser Ibrahim Jouda suffered a similar fate. It has been observed that most of the arrests in the last year of the events have included torture, no hand over of the body to the families and no disclosure regarding the whereabouts of the bodies, which raises serious concerns as to the fate of the bodies in question, in light of numerous reports of the prevalence of many kinds of dirty trade which flourish during wars and crises.

A number of enforced disappearances at the hands of armed opposition groups have been recorded, such as that of Basil Abboud who was killed after being kidnapped by an armed opposition group in Al-Hajar Al-Aswad area, adjacent to the Yarmouk Refugee Camp on 20/03/2013. His body showed signs of torture.

The body of Marwan Awad from Khan Al-Sheeh, west of the capital Damascus, was found two days after he was arrested by one of the Free Army groups in a government hospital in Damascus on 3/11/2012. His body revealed that he had suffered a blow to the head with a sharp object.

**Table shows a list of Palestinian refugees in Syria who have been killed by torture and or suffered enforced disappearance:**

Acc.	Name	Location	Date	Involved party
1	Nazir Hujayyer	Homs, the Camp	24/04/2011	The Syrian Regime
2	Nidal Omar	Yarmouk Camp, Damascus	22/05/2011	The Syrian Regime
3	Ismail Jamil Zorayteet	Latakia	17/08/2011	The Syrian Regime
4	Naim Sab' Alail	Latakia	18/08/2011	The Syrian Regime
5	Khamis Al-Hariri	Raml Camp, Latakia	25/08/2011	The Syrian Regime
6	Yehia Salman	Raml Camp, Latakia	23/01/2012	The Syrian Regime
7	Shafiq Saeed Al-Awadh	The Camp, Homs	13/02/2012	The Syrian Regime
8	Raad Nidal Saad Forah	Daraa	24/04/2012	The Syrian Regime
9	Ahmed Badr Al-Sabaaby	Latakia	09/05/2012	The Syrian Regime
10	Mohammed Samir Abu Jomaa	Latakia	09/05/2012	The Syrian Regime
11	Mahmoud Fahd Khalil	Raml Camp, Latakia	23/05/2012	The Syrian Regime
12	Mohammed Al-Masry	Al-Shajara, Daraa	12/07/2012	The Syrian Regime
13	Fawzi Sharif Al-Nabwani	Aleppo	13/07/2012	The Syrian Regime
14	Isam Mahmoud Jaafar	Doma, Damascus Countryside	14/07/2012	The Syrian Regime

15	Wael Mohammed Majdalawi	Yarmouk Camp, Damascus	12/08/2012	The Syrian Regime
16	Motiaa Mohammed Darwish	Homs – Damascus Highway	03/09/2012	The Syrian Regime
17	Mahir Ahmed Al-Rabdawi	Yarmouk Camp, Damascus	09/09/2012	The Syrian Regime
18	Ziyad Baghdadi	Sabina-Damascus Countryside	12/09/2012	The Syrian Regime
19	Ahmed Mohammed Majlawi	Yarmouk Camp, Damascus	13/09/2012	The Syrian Regime
20	Adel Ibrahim Idries	Mesiaf Road	17/09/2012	The Syrian Regime
21	Hussein Saleh Ahmed	Sabina, Damascus Countryside	24/09/2012	The Syrian Regime
22	Ihsan Al-Shoura	Zamalka, Damascus	29/09/2012	The Syrian Regime
23	Alaa Al-Shoura	Zamalka, Damascus	29/09/2012	The Syrian Regime
24	Mahmoud Hamad	Zamalka, Damascus	29/09/2012	The Syrian Regime
25	Rashid Abu Rashid	Moazamiay, Damascus Countryside	17/10/2012	The Syrian Regime
26	Abdullah Ziatnah	Joubar, Damascus	19/10/2012	The Syrian Regime
27	Anas Mishmish	Hama	24/10/2012	The Syrian Regime
28	Mahmoud Tayfour	Hosh Blas, Damascus	24/10/2012	The Syrian Regime
29	Mazen Ahmed Al-Omlah	Jdeidet Artous, Damascus Countryside	02/11/2012	The Syrian Regime
30	Marwan Awadh	Khan El-Sheikh Camp, Damascus Countryside	03/11/2012	The Free Army
31	Hasan Ali Yaqoub	Sabina, Damascus Countryside	04/11/2012	The Syrian Regime
32	Mohammed Mirai Yaqoub	Sabina, Damascus Countryside	04/11/2012	The Syrian Regime
33	Mahmoud Hasan Hasan	Sabina, Damascus Countryside	04/11/2012	The Syrian Regime
34	Mirai Yaqoub	Sabina, Damascus Countryside	04/11/2012	The Syrian Regime
35	Imad Mohammed Ibrahim Al-Yousef	Sahnaya, Damascus Countryside	06/11/2012	The Syrian Regime
36	Sameh Al-Khayyal	Yarmouk Camp, Damascus	10/11/2012	The Syrian Regime
37	Ahmed Al-Ashqar	Yarmouk Camp, Damascus	11/11/2012	The Syrian Regime
38	Firas Morad	Al-Hajar Al-Aswad, Damascus	27/11/2012	The Syrian Regime
39	Shadi Mohammed Mahmoud	Husseinia, Damascus Countryside	02/12/2012	The Syrian Regime
40	Mohammed Abdullah Al-Abed	Al-Aaideen Camp, Homs	26/12/2012	The Syrian Regime
41	Taha Hussein	Yarmouk Camp, Damascus	31/12/2012	The Syrian Regime
42	Omar Al-Harith	Yarmouk Camp, Damascus	31/12/2012	The Syrian Regime
43	Ahmed Mohammed Amourah	Dommar, Damascus	05/01/2013	The Syrian Regime
44	Samir Othman Othman	Yarmouk Camp, Damascus	07/01/2013	The Syrian Regime
45	Eyad Mawid	Yarmouk Camp, Damascus	12/01/2013	The Syrian Regime
46	Ahmed Najdat Dahir	Yarmouk Camp, Damascus	18/01/2013	The Syrian Regime



47	Nadiem Khalid Al-Ghonaim	Yarmouk Camp, Damascus	23/01/2013	The Syrian Regime
48	Bashier Sobhiah	Al-Aaideen Camp, Homs	27/01/2013	The Syrian Regime
49	Mohammed Nour Al-Masry	Husseinia, Damascus Countryside	08/03/2013	The Syrian Regime
50	Mohammed Bashir Baqleh	Yarmouk Camp, Damascus	09/03/2013	The Syrian Regime
51	Basil Abboud	Yarmouk Camp, Damascus	20/03/2013	The Free Army
52	Hassan Moheildin Matar	Al-Aaideen Camp, Homs	20/03/2013	The Syrian Regime
53	Salem Zuhair Bia'ah	Fahama, Damascus	20/03/2013	The Syrian Regime
54	Samier Zuhair Bia'ah	Fahama, Damascus	20/03/2013	The Syrian Regime
55	Basil Al-Dahir	Artouz, Damascus Countryside	26/03/2013	The Syrian Regime
56	Basem Al-Dahir	Artouz, Damascus Countryside	26/03/2013	The Syrian Regime
57	Khalid Al-Dahir	Artouz, Damascus Countryside	26/03/2013	The Syrian Regime
58	Loai Al-Dahir	Artouz, Damascus Countryside	26/03/2013	The Syrian Regime
59	Mohammed Al-Dahir	Artouz, Damascus Countryside	26/03/2013	The Syrian Regime
60	Nazieh Al-Dahir	Artouz, Damascus Countryside	26/03/2013	The Syrian Regime
61	Ahmed Hussein Al-Khatieb Al-Amar	Yarmouk Camp, Damascus	01/04/2013	The Syrian Regime
62	Hussein Ghassab Mofleh Al- Rashid	Jdeidet Artouz, Damascus Countryside	29/04/2013	The Syrian Regime
63	Hussein Doulah	Raml Camp, Latakia	01/05/2013	The Syrian Regime
64	Khalid Jihad Al-Saadi	Al-Aaideen Camp, Homs	01/05/2013	The Syrian Regime
65	Saleem Al-Shabti	Al-Aaideen Camp, Homs	06/05/2013	The Syrian Regime
66	Nidal Saadiya	Yarmouk Camp, Damascus	14/05/2013	The Syrian Regime
67	Yamin Saadiya	Yarmouk Camp, Damascus	14/05/2013	The Syrian Regime
68	Saeed Azzouz	Yarmouk Camp, Damascus	19/05/2013	The Syrian Regime
69	Alaa Bakkar	Yarmouk Camp, Damascus	19/05/2013	The Syrian Regime
70	Mohammed Atwah	Saida Zeinab, Damascus	20/05/2013	The Syrian Regime
71	Ibrahim Abdulhafiez	Dommar, Damascus	23/05/2013	The Syrian Regime
72	Nibras Adnan Hawasly	Yarmouk Camp, Damascus	28/05/2013	The Syrian Regime
73	Mohammed Ahmed Idries	Al-Aaideen Camp, Homs	30/05/2013	The Syrian Regime
74	Hossam Khayyat	Khan El-Sheikh Camp, Damascus Countryside	04/06/2013	The Syrian Regime
75	Ashraf Sarhan	Al-Aaideen Camp, Homs	13/06/2013	The Syrian Regime
76	Sobhi Al-Natour	Al-Ameen Street, Damascus	14/06/2013	The Syrian Regime
77	Hasan Abu-Tayoun	Dommar, Damascus	16/06/2013	The Syrian Regime
78	Mohammed Abu-Tayoun	Dommar, Damascus	16/06/2013	The Syrian Regime
79	Firas Zidan Al-Sahly	Unidentified	20/06/2013	The Syrian Regime
80	Amer Abu-Zayed	Yelda, Damascus	27/06/2013	The Syrian Regime
81	Amier Abu-Zayed	Yarmouk Camp, Damascus	28/06/2013	The Syrian Regime



82	Raghib Al-Jashi	Al-Aaideen Camp, Homs	06/07/2013	The Syrian Regime
83	Basil Mostafa Swayed	Jdeidet Artous, Damascus Countryside	10/07/2013	The Syrian Regime
84	Eyad Mohammed Swayed	Jdeidet Artous, Damascus Countryside	12/07/2013	The Syrian Regime
85	Abdullah Shukri Ahmed Khnaifis	Yarmouk Camp, Damascus	12/07/2013	The Syrian Regime
86	Monier Mohammed Abu-Nasir	Sabina, Damascus Countryside	13/07/2013	The Syrian Regime
87	Abdulrahim Mohammed Maw'id	Yarmouk Camp, Damascus	06/08/2013	The Syrian Regime
88	Hisham Qabalawi	Husseinia, Damascus Countryside	06/08/2013	The Syrian Regime
89	Amjad Khalil Al-Sayed	Al-Aaideen Camp, Homs	16/08/2013	The Syrian Regime
90	Maweid Saeed Al-Maweid	Yarmouk Camp, Damascus	25/08/2013	The Syrian Regime
91	Ammar Faris	Raml Camp, Latakia	29/08/2013	The Syrian Regime
92	Mohammed Al-Sheikh Taha	Handarat Camp, Aleppo	01/09/2013	The Syrian Regime
93	Mohammed Ahmed Al-Saadi	Hama	08/09/2013	The Syrian Regime
94	Yasir Ibrahim Al-Jouda	Yarmouk Camp, Damascus	08/09/2013	The Syrian Regime
95	Khalid Mohammed Bakrawi	Yarmouk Camp, Damascus	11/09/2013	The Syrian Regime
96	Wisam Saeed Rashdan	Yarmouk Camp, Damascus	11/09/2013	The Syrian Regime
97	Samir Abu-Alqotn	Yarmouk Camp, Damascus	12/09/2013	The Syrian Regime
98	Samir Saeed Amrein	Qudsaya, Damascus	12/09/2013	The Syrian Regime
99	Ahmed Al-Hajj Younis	Yarmouk Camp, Damascus	17/09/2013	The Syrian Regime
100	Usama Al-Khadhraa	No identified	19/09/2013	The Syrian Regime
101	Ahmed Hussein Khamis	Khan El-Sheikh Camp, Damascus Countryside	22/09/2013	The Syrian Regime
102	Thair Al-Khatieb	Khan El-Sheikh Camp, Damascus Countryside	22/09/2013	The Syrian Regime
103	Omar Abdulsalam Saleh	Khan El-Sheikh Camp, Damascus Countryside	22/09/2013	The Syrian Regime
104	Omar Khalid Abu Hamdeh	Khan El-Sheikh Camp, Damascus Countryside	25/09/2013	The Syrian Regime
105	Ahmed Issa Al-Sahly	Mazzah, Damascus	26/09/2013	The Syrian Regime

The report only covers some cases that the organisations managed to collect and it doesn't cover all the affected cases.



### ||| **Serious violations of international conventions and charters in the prisons of the Syrian regime:**

There is an international consensus on the prohibition of torture and other cruel, inhuman or degrading treatment which is considered a serious violation of human rights and an affront to human dignity that cannot be justified under any circumstances, as one of the basest acts committed by human beings.

Article (5) of the Universal Declaration of Human Rights states that “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment”.

As well as Article (3) common to the four Geneva Conventions applicable to non-international conflicts, which demands “humane treatment for all persons detained by the enemy and not discriminated against or subjected to abuse and specifically prohibits: murder, mutilation, torture, and cruel treatment” .

In The International Convention against Torture, to which Syria is a signatory, it is stated in Article II (2): “Each State Party shall take effective legislative, administrative, judicial or other measures to prevent acts of torture in any territory under its jurisdiction. No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture”

Article III (3) clarifies the inadmissibility of the use of torture under the pretext of receiving orders from any party, by stating: “An order from a superior officer or a public authority may not be invoked as a justification”.

On the international level and regional level the European Convention on Human Rights, 1950 in Article III (3) provided on the inadmissibility of the use of torture, “No one shall be subjected to torture or degrading treatment or punishment of dignity.”

Article (5) of the American Convention on Human Rights also prohibits torture saying, “No one shall be subjected to torture or to cruel, inhuman, or degrading punishment or treatment. All persons deprived of their liberty shall be treated with respect for the inherent dignity of the human being”.

And the Arab Charter for Human Rights in Article VIII (8) which emphasises the prohibition of torture and the state’s responsibility for all persons under its mandate, where it says: “No one shall be subjected to physical or psychological torture or to cruel, inhuman, degrading or humiliating treatment. Each State party shall protect every individual subject to its jurisdiction from such practices and shall take effective measures to prevent them. The commission of or participation in such acts shall be regarded as crimes that are punishable by law and not subject to any statute of limitations. Each State party shall guarantee in its legal system redress for any victim of torture and the right to rehabilitation and compensation”.

At the national level, the Constitution of the Syrian Arab Republic, issued on February 2012, prohibits torture and criminalises those who practice it. It is stated in the second paragraph of the fifty-third Article (53), “No one should be subjected to torture or degrading treatment and the law determines the punishment for doing so”.

The Syrian Penal Law in Article (391) also prohibits torture and punishes the perpetrators of this crime, saying: “He who inflicts unlawful brutality against someone in order to obtain an acknowledgement of crime, or information thereon, shall be liable to imprisonment from three months to three years. If the violence led to illness or injury, then the minimum penalty should be one year imprisonment”.

Documented evidence proves hundreds of Palestinian refugees have died under torture in Syria meaning that the Syrian regime has violated all relevant international, regional and national conventions prohibiting torture and degradation against its people and subject to its jurisdiction and laws.

### III Recommendations

The treatment of Syrian and Palestinian detainees in prisons and detention centres in Syria raises major concerns. In light of the number of Palestinians who have died under torture in Syria, we must take immediate action at all levels; international and regional, in pressurising Syrian authorities, monitoring them in terms of human rights and ultimately stopping this torture. We must also demand the immediate release of all Palestinian prisoners detained without legal basis in Syrian prisons and detention centres, in order to stop the practice of arbitrary arrests and protect the fundamental rights and dignity of Palestinians in Syria.

‘The European Network to Support the Rights of Palestinian Political Prisoners and Detainees’, (UFree Network) and ‘Action Group For Palestinians Of Syria’ are united in their belief that it is the duty of all parties to the conflict, the Syrian regime and armed opposition groups, to disclose the fate of detainees in prisons and detention centres, whether secret or public, and also call for the need to disclose the whereabouts of the bodies of those who have been killed.

The organisations urge the international community, human rights organisations and local communities of the need to take urgent action in light of the overwhelming evidence of significant human rights abuses taking place and to put an immediate end to this untenable position.



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aher Nadim Khaled  
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atib Amar Hussein  
idal Sa'adiya Yamen  
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