



FORGOTTEN CHILDREN



Urnammu is a non-governmental non-profit organization (NGO), established by human rights defenders aiming at promoting human rights rules and rule of law through assisting those whose rights as set forth in international human rights law, international humanitarian law, and local laws have been violated by documenting and collecting data in order to advocate cases internationally and hold perpetrators accountable.

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TABLE OF CONTENT

SUMMARY	5
CONTEXT	9
METHODOLOGY	11
CHALLENGES	13
THE DETENTION OF CHILDREN UNDER THE PRETEXT OF THREATENING NATIONAL SECURITY ...	14
Practices committed during the disappearance and detention of children by government forces and security services	17
BIRTHS WITHIN STATE DETENTION CENTERS	23
Children under seven years old in detention centers	24
THE DETENTION OF CHILDREN BY OTHER NON-GOVERNMENTAL PARTIES	27
Disappearance and detention of children by armed militias supporting the Syrian government	27
Armed factions opposed to the Syrian government	27
<i>Al-Nusra</i> front or what is now known as the Sham Liberation Committee	82
The Organization of the Islamic State also known as (Da'ash)	30
Kurdish self-government forces	32
FORCIBLY DISAPPEARED CHILDREN AFTER THEIR RELEASE	34
Effects on the stages of child development	36
THE CONSEQUENCES AND LOSSES DUE TO THE ARREST OF A PARENT	38
The legal effect of the detention and enforced disappearance of children	38
The impact of detention of children under the age of 18 on women	39
THE LEGAL FRAMEWORK FOR THE CRIME OF ENFORCED DISAPPEARANCE AGAINST CHILDREN	42
Enforced Disappearance in the Syrian Constitution and Syrian Laws	42
Enforced disappearance of children in international human rights law	45
Enforced disappearance of children in international human itarian law	49
LITIGATION PROCEEDINGS	52
The trial of children who are forcibly disappeared and detained in exceptional courts	52
Military Field Court	52
Court of Terrorism Cases	53
THE DUTIES OF THE SYRIAN GOVERNMENT AND NON-GOVERNMENTAL PARTIES PARTICIPATING IN THE INTERNAL ARMED CONFLICT IN SYRIA AND THE DUTIES OF THE INTERNATIONAL COMMUNITY	54
The duties of the Syrian government	54
Duties of the international community ,the international coalition states ,and sponsoring countries ,that are financing the parties to the conflict in Syria	57
CONCLUSIONS	58
RECOMMENDATIONS	59
To the Syrian government	59
To Non-governmental parties	60
To United Nations bodies and the Security Council	60

SUMMARY

Children of all age groups have been detained in Syria and have been the target of massive arrest campaigns in specific areas described by the Syrian government (also referred to later as “the Government”) as rebel areas or hotbeds of tension considering them as “a security threat that must be eradicated”.

In this case, often entire families are detained in reprisals with the aim of spreading terror in the region, leverage exchange detainee’s operations and exercising pressure particularly on children to collect information as they are less resistant to intimidation and unaware of the importance of the information they could provide. Children are also detained as a result of their participation in activities or protests against the Government, transmission of information, distribution of food, medicines or arms, or even their sole presence with their parents as they are being arrested.

It is worth noting that in the 1980s, a specific dormitory in Tadmur prison had the official name of Juvenile Dormitory where approximately 140 children were detained with no charges other than being the relatives of wanted persons, as a measure to force their wanted relatives to surrender.

The former detainees and the families of detained children described a series of actions which, in each step, constituted a violation of the rights of children, starting from their arrest at home or street checkpoints without showing their arrest warrants, informing them or informing their relatives of their detention.

The abuse exceeded the investigation stage where they have been subjected to torture as well as moral and physical violence, to their detention’ inappropriate conditions where they have been victims of violence, sexual exploitation as well as ill treatment. They also have been denied access to the outside world and have been tried before exceptional courts. It is to be noted that a number of children died as a result of such abuses.

Moreover, armed opposition groups have detained Syrian children during their attempts to take control of new territories. In these cases, children were also detained along with their families for the purpose of leverage in detainee exchange operations with the Syrian government. The children have not been subjected to interrogations. However, they have been victims of verbal abuse, denied adequate food, and left to suffer from extreme cold in the winter or extreme heat in the summer. Children and their mothers were given permission to communicate with their families to facilitate negotiation processes with the Government. On

a few occasions, these armed groups allowed families to visit detainees, but most families did not dare fearing detention while visiting, or a potential accusation of “association with terrorist groups” by the Syrian government.

Dozens of children have been victims either of enforced disappearance or arbitrary detention followed by enforced disappearance. When the families of children detainees found out the whereabouts of their children after being transferred to either civil or military detention facilities and being allowed visits, children detainees disappear once again without any information from the Syrian government or the armed group ISIS on where they have been held causing additional suffering to their families¹.

The report concludes that the parties to the conflict in Syria have violated all international conventions as well as children rights related conventions and have exercised all forms of physical and psychological violence and torture against children in detention. The group between 13 and 18 years old represents the largest proportion of all children held for security reasons who have been treated as criminals and condemned for terrorism, subversion or carrying weapons against the state suing them before exceptional state courts such as the Military Field Court, or accused by the armed groups of apostasy or espionage in favor of the security services of the Syrian government or foreign intelligence or even for other armed factions and prosecuted before their own courts which do not comply with fair trial standards.

According to testimonies, regular torture sessions began after the child had been mentally exhausted.

One of the children held by the Al-Nusra Front remained for eleven days without any question or word. On the 12th day, he was subjected to severe torture for three consecutive days. He got interrogated afterwards and was during the process subjected to severe torture and violence.²

The cases reviewed in this report represent only some of the cases documented by the organization since the beginning of the popular uprising in March 2011. Despite the significant challenges, the organization has documented the detention of about 2,400 people under the age of 18 captured by various parties active on the ground. It is worth noting that Urnammu’s work represents a fraction of the truth about violations committed on children detainees.

1. Urnammu has documented this practice as used by both ISIS and the Syrian government
2. Urnammu’s interview with “Shady”, Idlib, July 11th, 2016



2443 Child

Urnammu documented the detention of two thousand four hundred and forty-three children, including one hundred and six children under the age of five, one hundred and ninety-three children between six and twelve years old, one thousand and seven hundred and one between the ages of thirteen and eighteen, and four hundred and forty-three children with no exact information on their age.

One hundred and fifty-two persons under the age of eighteen died during their detention, including one hundred and thirty-eight boys and fourteen girls, two of them under the age of five years old: one hundred and thirty children were held by the Syrian government, one child was detained by loyal Shi-ite militias, five children by the Levant Liberation Committee, two by ISIS, one by the brigades operating in Barza, northern Damascus, one detained by unknown groups and another child held by the Asayish forces.



138 Boy / 14 Girl

The determination of responsibilities is central in the accountability, compensation and reparation process, and is key to build affected communities. While gross violations are committed by the Government, through its security agencies and judicial institutions, Government officials still deny abuses related to children despite the existence of irrefutable evidence contradicting their repeated statements³.

The documented information and testimony included in the present report indicate that several actors active on the ground have detained persons under the age of 18 and violated their rights, including the Syrian government and its armed militias, both local and foreign forces, the Levant Liberation Committee⁴, ISIS, the Army of Islam, the Kurdish Internal Security Forces / Asayish, Failq al-Rahman, the Syrian Democratic Forces as well as other unknown armed groups which kidnapped children to request ransoms from their families.

Almost seven years after the death of a number of children either under torture or due to

3. This has been repeated in the Human Rights Council during the Universal Periodic Review of the Syrian Arab Republic in the end of 2016

4. Formerly Al-Nusra Front

poor conditions of detention and inhuman treatment and the appearance of photographs⁵ of some of them in the leaked pictures of Caesar⁶, impunity for these crimes continue without a glimmer of hope of holding perpetrators accountable.

Families of released children and victims prefer to not make any complaint or claim accountability for the violation of their rights, or even to claim the bodies of their children or to double check the death documents provided by state employees, as they fear reprisals leading to additional suffering. In fact, they would rather escape away when they have the opportunity to do so, eliminating consequently any opportunity to build sustainable peace in Syria.

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5. Urnammu checked 7 cases of children who appear in the Caesar photos. The work on matching all pictures with their owners' data is still ongoing.
 6. At least 100 photographs of the 6787 photographs of males appear to be children. Human Rights Watch investigated two cases of boys under 18 years old who died in detention. The information was collected from their family members: <https://www.hrw.org/ar/report/2015/12/16/284536#page>

CONTEXT

Throughout the history, the Syrian government has pursued the policy of enforced disappearance as an instrument of oppression, fear and intimidation of its political opponents, their relatives and children to suppress any movement against it. In the 1980s, children were held hostage to exert pressure on their wanted parents or guardians. In that era, there was a dormitory called the juvenile dormitory in the Tadmur military prison, which had about 140 children⁷ who committed no crime other than being the relatives of wanted persons.

This practice usually involves the targeted kidnapping of opponents of the regime. The young age of children or their special legal protection was neither taken into consideration nor excluded them from this policy as they have been subjected to the same violations.

Since the beginning of the popular uprising in 2011, various Syrian intelligence services have widely used enforced disappearances, arbitrary detention⁸, and torture against thousands of Syrians who have opposed or have been suspected of being opposed to the regime because they belong to opposition families or living in opposition areas, based on discretionary powers included in legislations promoting impunity and allowing the use of arbitrary arrest, detention and abusive interrogations.

The children were not spared from these arrests and were taken from places of residence, work, study or even worship without informing their relatives. They were held in the notorious detention centers where many died without holding perpetrators accountable for these acts creating an atmosphere of terror for children and their families.

Given the non-compliance of Syrian laws with human rights principles in general and the Convention on the Rights of the Child and its Additional Protocols and the fair trial standards as related to the prosecution of juveniles in particular, alongside the length of this armed conflict, the map of the perpetrators of this crime widened to include the majority of the conflicting parties.

This abduction is defined as enforced disappearance in international humanitarian law.

Enforced disappearance means “the arrest, detention, abduction or any other form of depri-

7. Thaer (a pseudonym) was one of these juvenile detainees. He remained 12 years in detention at Tadmur Military Prison. When the popular uprising started in 2011, Thaer was rearrested because of his activities in 2014 and his whereabouts remain unknown to this day.

8. General statistics of detainees and disappeared in Syria since the start of the uprising according to Urnammu's database <http://www.urnammu.org/?p=6326>

vation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law”.⁹

Arbitrary detention¹⁰ on the other hand is “the detention of persons for the exercise of one of their fundamental rights, which includes, but is not limited to, freedom of opinion and expression, the right to leave their countries, or being imprisoned without being tried by an independent judiciary.”

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9. International Convention for the Protection of All Persons from Enforced Disappearance, article 2. The same definition is included in article 7 (2) (i) of the Rome Statute : <http://www.un.org/en/events/disappearancesday/pdf/FactSheet6Rev3.pdf>
 10. There is no clear and precise definition of arbitrary detention in international law. But, according to the working group on arbitrary detention, this arrest violates the human rights provisions included in most known and largely accepted human rights instruments: <http://www.ohchr.org/EN/Issues/Detention/Pages/WGADIndex.aspx>

METHODOLOGY

The report relies mainly on the documentation and testimonies, Urnammu has made directly with child victims, their families and witnesses or obtained documentation proving such violations. Reference was also made to the Human rights reports released by international organizations such as Amnesty International, Human Rights Watch, in addition to the International Independent Commission of Inquiry on the Syrian Arab Republic, which spoke about the crime and its consequences.¹¹

The report covers the period between March 2011 and September 2017. However, all the testimonies used for the present report were gathered last year, and in all regions of Syria, noting that our ability to be active in areas more than others results from the security risks and conditions of work.

The report is based on Urnammu's work on 38¹² detainees under the age of 18 followed-up by a team of field researchers and lawyers, who over the past nine months have been monitoring and collecting information and testimonies from released children and adults who had been detained and subjected to abuses and witnessed its occurrence on this category *Children*; in addition to interviews with families of children who are still, as this report is being prepared, under enforced disappearance or arbitrary detention based on unfair sentences and sanctions amounting to execution, as well as interviews with security agents.¹³

Nineteen interviews were held with family members of detained children, seven interviews with adults that were former detainees, five interviews with released children, two interviews with security personnel working in state detention centers for the purpose of the report. The present report is based on eight cases¹⁴ of children referred to the two Military Courts, seven of whom were sentenced to death while the fate of the eighth who was held in the first military prison (Sednaya) remains unknown. In fact, he received visits from his family until the end of 2015 when he completely disappeared.

11. Amnesty International report: "Between Prison and the Grave" <https://www.amnesty.org/en/documents/mde24/2579/2015/en>

12. Among the cases reviewed, six cases were sent to the UN working group on Enforced Disappearances. We sent an update on a case that had previously been sent and received the information indicating the death of the child.

13. The organization has knowledge of their identities and workplaces. It has not publish these data to protect these persons. It has also endeavored to ensure as much as possible the accuracy of the information provided and reviewed with the organization's database and with local people from the areas concerned

14. The organization has memoranda of verdicts for six juveniles. The family of the 7th juvenile lost the memorandum and the family of the eighth juvenile have no knowledge of the verdict, but they knew that their son was subject to this court according to the visit permission to the military prison of Sidnaya which was through the First Military Field Court

Interviews were conducted in Syria, Lebanon, Turkey and France and took different formats: direct interviews between the researcher and the witness, as well as interviews via telephone or internet for security or logistical reasons.

Some witnesses asked for anonymity in this report, and some of them were given pseudonyms. Some personal details were also concealed to provide additional protection to interviewees as they asked for. The names they provided in their testimonies were replaced by symbols, protecting and respecting the privacy of those mentioned.

None of the interviewees received any money for their testimonies. They were fully aware of the purpose of the interview, and the way Urnammu would use the information they provided.

Two of the interviewed children were in direct contact with a woman specialized in communication with children. She was trained on the basic principles of monitoring, documentation and interviewing for documentation. The organization reviewed and checked the testimonies. Other children were interviewed by specialized researchers, according to the organization's estimation for each case.

Only one child was referred to a psychotherapist, who was not able to provide appropriate support due to the changing circumstances of the child and his mother's constant mobility and difficult access to the specialist's location.

Although the organization has all the supporting documents such as court decisions, statement of cases, etc, it does not publish them. This goes also to full testimonies in order to protect the interviewees. The organization is willing to provide supporting documents if they are used to bring justice to the victims.

CHALLENGES

The Syrian government and other armed groups that arose during the armed conflict did not allow human rights activists to operate on their respective controlled areas. In fact, when their activities were discovered, activists were the target of arbitrary arrest, enforced disappearance and murder, which forced them to work in secret and away from electronic censorship. Many of the violations could not be documented in time, for fear of their lives. Thus, they have often been documented outside the borders of the Syrian state, where a large number of victims and eyewitnesses were present.

Victims' families do not report incidents of disappearance of their children as they occur fearing reprisals by the Government, extremists or other armed groups. Consequently, cases are not documented instantly as soon as they occur. This is done only after the failure of mediation and the payment of bribes to the perpetrators. Given the rampant corruption in state institutions and the judiciary, families have been keen to seek this far after the arrest of the child and before referring the child to the courts or military prisons, costing them large amounts of money. All the above was a key factor in the lack of documentation of these arrests. And then, after the release of children detainees, families' desire to protect them from the disadvantages of talking about the abuses they have suffered from during detention has kept these abuses secret.

The lack of relevant international mechanisms to protect detainees and their families, and their inability to ensure their safety or release is one of the most important factors for family's abstention to report the detention of their children, as they have lost confidence in these mechanisms. Even when children are released, the absence of an effective referral system for victims of enforced disappearance and arbitrary detention contributes in the omission of detainees and their families to deal with organizations working on documentation.

THE DETENTION OF CHILDREN UNDER THE PRETEXT OF THREATENING NATIONAL SECURITY

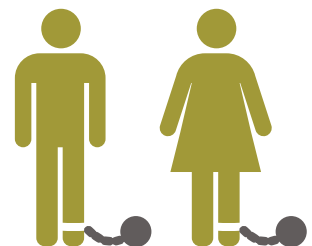
The issue of the detention and torture of the children of Daraa has always been raised as a reason for the uprising of the Syrian population against the regime. While this view may be arguable by many observers of the general situation and its multiple warnings accumulated over the past decades, all agree that the main reason is the seriousness of human rights violations in Syria, which showed to the public opinion excessive use of force in dealing with seven children from the southern city where they were arrested among ¹⁵56 participants to the first protests, where it was clear that the violence will not exclude anyone, regardless of age or gender. Additionally, the death of the two children Hamza Khatib and Thamer Al-Sharae had a huge impact on the determination to move forward with this movement.

Less than 20 days after the demonstrations against the government took place, in April 2011, the authorities were preparing a plan to counteract the popular uprising. The directives issued by the National Security Directorate and circulated to all its security units, two months later, on the 2nd of June 2011, included the powers given to the security services to arrest and detain children in its branches, including those under the age of seven.

In a society closer to clans, where the family takes pride in the manliness of children and their way of taking responsibility the children - male and female - began to participate more widely and were not deterred by the high rates of violence and the brutality of torture. For example, one of the children held in custody spontaneously responded to one of the prisoners in the Palestine Branch, after being threatened with death, if he would be arrested for the third time:

“Honestly, I cannot guarantee that you will not see me for the third time, how can I stay at home when all of my neighborhood friends are protesting”¹⁶

Dozens of them reached majority in prison. Urnammu has documented **245 people arrested under the age of 18, including 20 girls**, who had passed the age of 18 in detention centers.



Rami, the brother of a member of a local council affiliated to the Syrian opposition, celebrated last year his 18th birthday in prison after spending three years in prison since his arrest in 2013 when he was 15 years old. He still has to spend eight years before his release. The

15. Attached is a copy of the branch book

16. Former detainee in Palestine branch in 2011

military court sentenced him to death but, as a juvenile, he was sentenced to 12 years of imprisonment with labor.

Mustafa turned eighteen two days before his release. He was participating in peaceful demonstrations, filming and broadcasting the news. He was arrested in the first time by Political Security unit in Lattakia in 2011. He was detained for one month where he was forced to witness the brutal rape of a Syrian woman in front of her husband, mother and about ten other detainees. And he was re-arrested after less than a year by another branch namely the Military Security unit. In early 2013, he was arrested for several months and released. In the end of 2013, he was last arrested and detained for four years, including nine months in the Political Security branch in Lattakia. He was released in mid-2017 after paying a large sum through his lawyer. He is still under trial.

Children are arrested and detained for many reasons other than their direct participation in demonstrations and popular uprising; some of them were arrested in reprisals or as part of a collective punishment, and were victims of large-scale arrests in specific areas described by the Government as rebel areas, considering them as a threat to the security of the state, and therefore must be "cleared". In this context, entire families were detained in order to spread terror and subjugate these areas.

Children are also exploited to dig trenches, build earth mounds or gather information on their region as they are less resistant to intimidation. They are also used as a means of pressure exerted on their detained relatives to force them to give information.

For instance, these practices happened in Homs - Talkakh - the village of Alzara where entire families including children were arrested during the invasion of the region by the Popular Committees in April 2014, until the surrender of 12 young people. Marwa 7 years old, Tasnim 6 years old, Safa 4 years old¹⁷ remain to this day under enforced disappearance.

The children were also held hostage¹⁸, regardless their age, to force their parents to surrender, as in the case of one of the wanted men, when they held his son Ibrahim 9 years old and Laith 7 years old until their father surrendered himself to the Military Security branch (branch 261) at Homs on 25/5/2016.

Another wanted individual, a fighter from Idlib province was arrested by an ambush in February 2012. He managed to get away after killing several security officials. They then arrested,

17. Marwa born in 2000, Tasnim born in 2001, Safa born in 2013

18. Urnammu documented the detention of 35 children as hostages

on various occasions, his mother Bahia in February 2012 and his sister Misa in February 2015 as well as his nephew Salim, 15 years old. All for the sole purpose of pressuring him to surrender himself. They are still detained as the report is being prepared.

Ahmad, a 12-year-old from Daraa, lives in the suburbs of Damascus:

“Ahmad was on a visit to his uncle’s home to attend a football match when the house got raided by officials from the intelligence services who kidnapped all the men, including Ahmad and his two uncles. Nobody knows anything about Ahmed so far. We tried to find any lead to guide us to him but to no avail. One of the brokers said that Ahmed is in (Albir) branch mentioning his absolute disappearance without any record in the government departments.¹⁹”

Children are often a source of information. The older ones can’t endure severe torture, while younger children do not understand the importance of the information they provide. The Uncle of one of the children who hasn’t reached the age of six when he was interrogated at a Popular Committees checkpoint said:

“When my sister got asked about her husband, a fighter in the armed opposition, she denied that she knew his place or that she was connected to him. The interrogator turned to her eldest child “Hussein” and asked him about his father and if he had a weapon to play with, just like him - the interrogator was referring to the toy-weapon that Hussein was carrying with him - excited about the question, the child began imitating his father shooting and insulting the government armed forces. The mother was afterwards beaten, detained, and charged with hiding a felony²⁰”

In late 2017, the focus was on activating the tracking of child beggars and street traders using the so-called “Bastas” who were moving between Damascus city and the countryside, which are considered as areas of tension because of security suspicions on one hand and being a recruiting area on the other hand, in addition to being an area of drug dealing. According to a security official, they were used as traps to arrest wanted individuals.

In this context, between 1/8/2017 and 15/9/2017, the following were detained:

- » Sami Kh .born in Shebaa in 2005 ,Mohamed K .born in Damascus in 2003 ,Saif Gh. Born in Altadamon in 2006 ,Ahmad M .born in Damascus in 2005,and Abd Al-Razak A. born in Beet Sahn in 2006.

19. Online interview with Ahmed’s uncle who lives in Germany in 2017

20. Conversation with Hussein’s uncle in 2017

They were expected to be released after the issuance of individual registration data from the electronic portal over the next few months. However, this did not happen and two of them were referred to the Military Field Court, while the rest are still in detention to this day.

Whether directly or indirectly, children have become victims of enforced disappearance and arbitrary detention in several forms:

- » When they were directly exposed to them.
- » When they were born during the period of detention or forced disappearance of the mother ,in a secret detention center ,and here they lost any document indicating their precise identity.
- » When one or both parents or legal guardian have been subjected to enforced disappearance or arbitrary detention.
- » When they fall victim of the complicity of government agents and the Government direct or indirect condoning of acts like trafficking ,sexual exploitation ,child labor ,and recruitment of children.

The state of armed conflict in Syria is just as any case of armed conflict, during which the chances of use of children's vulnerability are increased, the lives and growth of children are threatened and the possibility of marginalization, abuse, exploitation and enforced disappearance are raised, affecting negatively their dignity and personal safety. And in all cases, the impact of this crime have been expanding to cover all parts of the daily lives of children.

Practices committed during the disappearance and detention of children by government forces and security services

In the security branches, children between the ages of 13 and 18 are detained with adults, whether detained with their parents or alone. They are separated from their relatives in several cases. Young people are subjected to all forms of torture, sexual violence, inhuman and degrading treatment, often leading to death. Children are also forced to give false testimony. They were also forced to confess under torture.

Hamed was 15 years old when he was detained in January 2014 in the Political Security branch in Lattakia. He was forced, under torture and the threat of shooting, to confess acts he did not commit, such as tunneling and hiding weapons, which are not logical in any means, since there is no presence of armed factions or manifestations of military action in the period in which he was arrested in Lattakia, which is the place of indictment. In fact, all

of this ended completely after August 2011 when the Syrian government and its affiliated militias took over and controlled the joints of the city and tightened the security grip on its residents:

“They took me to the second room (the torture room as they name it) where they had a place for -Al Shabah- and a torture wheel. And, they made me sit in the wheel. I said “No, anything but the wheel. I will confess whatever you want”. I felt I would die if I was tortured by the wheel because when I watched YouTube videos about this method of torturing before my arrest, I felt it was the most painful one.

Then they forced me to confess to hiding weapons and tunneling, they told me I would never leave this place”²¹

Before Hamed was transferred to the court he was transferred to the Criminal Security Branch and there he was threatened again with shooting:

“Then he took me into a room and asked me to kneel and said to me, “If you close your eyes while I am beating you, I will shoot you.” The gun was on the table beside him. I was very scared and thought I would not get out of there alive. He started kicking me with his legs while cursing and insulting my mother and sister. He hit me on the head and I tried to focus on keeping my eyes open for about a quarter of an hour. I then felt great pain that I had never felt during my entire stay in the branch”

Mustafa, who was released in mid-2017 after spending four years, including nine months in the political security branch in Latakia, says:

“They tortured (M. H) who was 14 years old a lot, more than all of us. He could not tolerate all this torture and admitted that his father (Gh. H) who was detained and taken with him from the immigration and passports building to the Political Security branch in Latakia in January 2014, held weapons. As a result of this testimony, the father was transferred to the Military Field Court and I do not know what happened to (M. H) later.”

One of the investigators talked about the death of several children, boys and girls, in these conditions and mentioned the names of five of them, including:

- » Fadi K .12 years old from Daraa died on 22/01/2017

21. Urnammu interview with witness Hamid by telephone.

» And Manar A .14 years old from Homs died on 04/11/2013

The investigator added that the abovementioned were terrorists, not children.

“During the interrogation, they hung up gallows and lifted the 13-year-old boy on a chair and told him: “if you do not tell us how you killed Jamal, we will bring your mother and hang her in front of you, and then you would be next...” The child had a panic attack, he cried with a burning voice and said to them:” I will say whatever you want, please don’t kill my mom “. But, he was not able to formulate a compelling story for them. “²²

Juveniles are held in military jails, including Sednaya - the first military prison. Despite the allocation of two juvenile dorms, according to the released prisoners, the children are subjected to the same treatment the ²³ adults were subjected to: beatings with cables, starvation and the so-called torture parties. Children have reported incidents that are very similar to the dozens of stories told by adults.



Urnammu documented the death of 153 children in detention centers, including 14 girls.

Ali, 14 years old, from Aleppo, was arrested in December 2014. His family did not know any information about him for about 10 months after his disappearance. He was arrested by the Political Security branch (Misat) in Damascus when he returned to Syria to renew his passport. He stayed there for four months, then in Al Fayhaa for three months and then a week in the military police, before being transferred to the military court and the first military prison (Sednaya) with five others. There were 36 minors in his dormitory, only two of them received a visit from their families. During his stay there, Ali was accused of carrying weapons despite his obvious weakness. He was forced to confess under severe torture about participating in several clashes against the government armed forces. He talked about how juveniles in Sednaya prison spent their time and the torture they were subjected to. He witnessed the death of four in his stay even though he stayed there for two months only. He was transferred to the Third Military Prison in Homs (AlBaloni) where he stayed for a month and before moving to his last stop at the Central Prison in Aleppo, he spent three days in the military police in Aleppo and was released on the 12th of April, 2015.

“We spent the first month without clothes. And, the jailer would throw the food on the ground. We would pick it up and eat it. The meal was comprised of one egg, nine olives, two portions of triangle cheese and a loaf of bread. Sometimes the bread would be moldy, we would share it and laugh about it saying: “This mold contains penicillin which is good for inflamma-

22. Interview with Thuraya in Lebanon.

23. See Amnesty International Report: The Human Slaughterhouse - Tsadnaya <https://www.amnesty.org/en/documents/mde24/5415/2017/en/>

tion; and eggshells contain calcium”. We would eat even the pits of olives. We used to cut the boiled egg by a thread pulled from the blanket in the cell.”

He also talked about one of his comrades in the dormitory:

“(B.K) -from Kafer Yabos- was subjected to severe torture until he reached the stage of mental separation. Meaning he lost his concentration and could no longer control his body. He was urinating on himself. The other young detainees were taking care of him, feeding him, cleaning him and cleaning his wounds. His whole body was infected. A week later we woke up to find out he died ²⁴”

The adult witnesses interviewed for the purpose of the present report revealed the existence of forms of sexual violence and facilitation of prostitution in prisons and in security branches. An adult witness stated that in 2012 the rape by a wooden stick was carried out in the Air Intelligence Branch as a sanction for specific acts, like teaching Qu’ran. The juveniles had to execute this punishment. Not to mention the humiliation of young detainees and their use in sexual displays intended to entertain officials.

“In the New Year’s Eve of 2013, they took us out to the bathrooms earlier than usual. They called young people. They were 16 - 17 years old and from governorates such as Damascus, Hama and the coast. Children aged between 18 and 20 years were also recruited. (Those were the Specifications that one of the jailers asked for while choosing them). You could say that they were chosen because of their beauty and cleanness, as they do not have pimples and scabies like we do. They asked them to take off their clothes. They were young and had no other choice but to obey the orders. When the eldest person amongst them refused to do what they wanted him to do, jailers threatened to beat him severely. He obeyed them eventually. During that evening, the boys were asked to jog in the corridor naked, and to do sexual movements and jump. The laughter was hysterical. Our cell’s window overlooks the corridor and the room of the head of the unit²⁵. We heard everything that happened, and as time goes on, they asked the older ones to have sex with the youngest... a lot happened that night. There were at least 5 jailers in that unit, all of whom participated in this derision²⁶”

The security agents also ignored the harassments of the young detainees by their dormitory

24. Urnammu’s interview with witness Ali in Lebanon

25. Jailers in the Air Intelligence Branch are divided into two units: each unit includes about 8 jailers, according to the number of cells. Each category has a class leader and an assistant of the highest rank or seniority. The unit works a full day from 8 am to 8 am. The next day the other category takes over. And, there has always been a class that treats detainees with leniency and another that makes their days like hell.

26. An interview with Sameh in Damascus 2017 who has been held twice in 2012 and 2013

chiefs.

Sexual violence was used to humiliate and intimidate children in addition to the threat of raping their mothers and family members. They were witnesses of these actions exactly like they did in 2011.

Thuraya²⁷ met a 16-year-old girl who was linked to one of the soldiers (in some type of relationship). She was accused of drawing Syrian army soldiers to kill them. She was subjected to many humiliations by the security forces and when she was released she was terrified of meeting her father as she believes he would kill her.

“During my stay in the Palestine security branch, they brought a 16-year-old girl who was arrested while she was in the apartment of one of the officers. They accused her of belonging to a terrorist network whose task was to lure the Syrian army to kill them. The interrogation was very humiliating, and they called her a whore. They used very bad and insulting words. Twenty days later, they moved her to Kafer souseh police station. She was so terrified of seeing her father. She even said that he would either kill her or rape her again!”

These cases are not much documented since detainees do not speak about this, in contrast to other forms of torture. They often speak as witnesses to what happened, not as a victims, not only because of the difficulty of opening up and the related pain, but also because of fear of social stigma and retaliation by violators of children.

“I think that the reporting of sexual violence related to the conflict in Syria is not working well. This is largely due to fears of retaliation and social stigma, as well as the lack of safe and confidential response services.” Sexual violence against girls and women, or fear of sexual violence, is one of the reasons behind the internal displacement of families or their escape from Syria²⁸

The absence of juvenile police or social workers is to be added to the poor conditions of detention. Even the staff members of the reform institution are not qualified to rehabilitate juvenile delinquents. In the Damascus Central Prison, Adra prison in the suburbs of Damascus, juveniles are sexually abused by dorm chiefs - who are adults arrested on criminal charges - with the support of some officials in prison. And, even in the case of filing a complaint, the person responsible for facilitating the sexual abuse of child detainees is, at best, transferred

27. Urnammu interview with Thuraya in Lebanon in 2017. She was arrested and released in 2013

28. Report of the Secretary-General on children and armed conflict in the Syrian Arab Republic http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2014_31.pdf

to another prison.²⁹

The testimonies reveal the horror of the environment in which these children - juveniles - are growing up. They are in the most dangerous period of their lives, where their personality is shaped and formed and built on wrong concepts. This will establish an unbalanced generation, incapable of advancing their country.

It is also worth noting the role of many state institutions involved in committing these violations or hiding their effects, such as the military hospital and the military police, and even judicial institutions, which did not prevent these violations from happening or even hold perpetrators accountable, or at least provide the families of victim's with information about their disappeared relatives.³⁰

After a month in Sidnaya, I have been transferred to Tishrin Military Hospital. I have my hands and feet x-rayed to estimate the age of the bone, and if I was able to hold weapons... After I finished, there was a detainee in need of a chest x-ray who could not climb to the radiologist chair. I have been asked to go up instead, where my chest was x-rayed and added to his file. This dialogue happened in front of me.³¹

29. An interview with a witness of Urnammu in the middle of 2017

30. Report of the International Independent Commission of Inquiry Syria "Out of sight out of mind" http://www.ohchr.org/Documents/HRBodies/HRCouncil/CoISyria/A-HRC-31-CRP1_ar.pdf

31. Ali's interview

BIRTHS WITHIN STATE DETENTION CENTERS

The directives issued by the Government and circulated to the security services included the latter's authority to arrest and detain children in its branches, including those under the age of seven, as well as pregnant women. The superior orders and higher instructions³² stated instructions for providing the proper treatment and consideration of detained children under the age of seven and newborns and their detention in special places, and the necessity of notifying every birth. The focus was also on the obligation of ensuring the delivery of milk and diapers for newborns. It is worth noting that relevant agreements were concluded with the Syrian Red Crescent.

According to the testimonies, there was no serious commitment to these instructions. The circumstances of the detention of newborns were linked to reasons of the arrest of the mother herself. Arrested pregnant women³³ give birth in a detention center, different from where they have been held. In that detention center they have been transferred to, there is no health care or hygiene causing high-risk conditions for newborns. Additionally, the risk increases when the pregnant woman is young or giving birth for the first time as she lacks knowledge and experience on reproductive health - she is still a child, and she herself needs care. She finds herself responsible for a fetus or baby. It is to be noted that pregnant women are lucky if they are transferred to a civil prison before the delivery date. Several cases of neonatal loss, days after birth, were documented in addition to abortions due to poor health conditions in places of detention, lack of medication and adequate food. In fact, in central prisons, newborns' needs are essentially supported by the Association for Prisoners Welfare³⁴. And, babies of mothers who have good financial situation are in better conditions and health because they receive family visits. However, those who do not receive any visits depend solely on the Association's support or assistance from other inmates.

As in all government security branches in which birth cases occur, there is no permanent specialist doctor. Although, a gynecologist and obstetrician has been recently appointed in the women's prison - Adra -, his role is insufficient given his limited presence in prison and the lack of available resources inside the prison. Consequently, the needs of women detainees are not satisfied. Detainees who have some experience usually provide assistance in

32. The organization was briefed on the Circular issued by the National Security Office including the relevant directives

33. See Euro-Mediterranean Network of Rights Report, "Detention of Women in Syria - A Weapon of War and Terror" https://euromedrights.org/wp-content/uploads/2015/06/EMHRN_Womenindetention_EN.pdf

34. The Association for the Welfare of Prisoners and their Families in Damascus and Damascus countryside, which was established in 1961, its aims are to take care of, reform, rehabilitate and support prisoners, provide material, health and legal aid, and raise awareness about the non-repetition of their crimes. In addition to studying the psychological and educational conditions of the prisoners and conducting activities such as continuous literacy courses, sports, music, drawing and Arabic calligraphy.

the process of giving birth if it is natural and then take care of the infant. Sometimes, women pregnant are transferred to the hospital if labor is due before the evening.

Saffana has been detained in Adra prison between August 2014 and mid-2017. She talked about the existence of approximately 50 children, most of whose mothers rely on the Prisoners Welfare Association for their children's needs namely milk, diapers, and clothes.

"I saw dozens of children and witnessed several births in the prison of Adra. The access of "Dyara" (the newborn's need) was allowed. And sometimes the Colonel would come and reassure the mother and her newborn and recite Adhan in the ear of the newborn³⁵, and encourage the mother to ask for what she needs³⁶."

Warda's daughter was deprived of her basic needs for nine months, as her mother did not receive any visits. The Prisoners' Welfare Association had allocated her one milk packet per week as they considered she would breastfeed. However, Buthaina did not have milk in her breasts. She needed a milk packet every two or three days. The Association did not accept to increase its allocation. Sometimes as the only available milk was for adults, she had to choose to either take it or nothing. She was forced to feed her daughter anything or any type of milk multiple times. She would sometimes wait for anyone to bring her daughter some milk.

The children are deprived of their very basic needs, especially if the mother's financial situation is bad. Om Mohamed, the mother of Mohamed, has been detained since 2012, while she was pregnant with him. He was born in prison where he also grew up. One day he saw a picture of a boy riding a bicycle, he was surprised and asked what that was and what a boy like him does with that thing!

Children under seven years old in detention centers

They are arrested in the security branches with their mothers for grounds related to the reasons and conditions of the mother's detention. They are subjected to the same conditions of detention as their mothers: ill health, poor hygiene as well as inadequate and infrequent food. And, they are placed in special cells. This was referred to in article 5 of the circular issued by the National Security Bureau according to which children under seven must be put in special places within each branch and under the exclusive supervision of female vol-

35. It is one of the Sunnah tradition performed by Muslims when a child is born, and a person recites the Adhan in the ear of the right child and Iqama in the left ear

36. Urnammu's online interview with Safana.

unteers. And, the first part is consistent with the testimonies of many detainees who were released. They spoke of seeing children of different ages ranging from six months to five years in corridors and interrogation rooms, and sometimes only hearing their voices.

Thuraya, 46, from Damascus countryside, was arrested by the Immigration and Passports Department in mid-2013 and transferred to the Military Security Branch (227). She spoke about a girl who was barely three years old. She was playing in the corridor between her cell and the cell where the mother of the girl was being held with her infant brother.

“I saw the girl from the window of the cell. She ran to our cell. Her voice was very touching and had a huge effect on the detainees, she reminded them of their children, we asked the prison governor to let her in the cell, but he wouldn’t allow it. However, he did open the cell’s door and allow us to talk to her from afar.”³⁷

She also mentioned that the girl’s younger brother was there, she didn’t see him, but she did hear his voice. She stayed for a month in Palestine branch before being transferred to Adra Prison and released in late 2013.

Yahya also spoke of his encounter with three children in Palestine branch 235, who looked like five-year-old’s. The jailers sometimes screamed at their mothers but sometimes they would leave them running a little in the corridors and in between interrogation rooms:

“I saw four children, including three with their mother. I think they were two boys and a girl. The girl was the youngest among them. She was just beginning to pronounce her first words and the eldest was not older than 4 years old and another child was younger than them, he was with his mother. I could not verify his gender or age. It was clear that they had spent a long time here. They were moving around the place without hesitation or fear.”³⁸

Adra Prison is comprised of five wings. The number of detainees in each ward can take about 130 women and a maximum of 160 women, in the period between the end of 2015 and the first of 2016, in which the detainees were brought from al-Khatib (the orator in Arabic) and al-Mantaqa (the region in Arabic) branches. There were not many of them left. Additionally, there were approximately between 8 and 10 children in each wing. The number vary according to the increase or decrease in the movement of arrests and releases. The number of children in the wing of terrorism reached up to 10 children and in another period

37. An interview with Urnammu in London, the identity of the two children was known after the release of their family under a swap with the Army of Islam in mid-2014

38. Yahya ‘s talk with Urnammu in Gaziantep

up to 15 children.

Children from the ages of one day to 12 old years are often transferred to the SOS ³⁹ villages with extreme secrecy. The state or even the management of the villages do not notify their families. In most cases, only the detained mother knows where her child is. Thus, the child whereabouts remain unknown when their mother is disappeared. However, if she is in a civil prison, it is possible to know.

The management of these children's villages refuse to talk about it but does not deny the existence of it. Donations for the benefit of these children are not allowed as the Syrian government is solely responsible for anything related to this category, while the donations can reach the rest of the children, victims of the conflict.



It is reported that the number of children who are still in the Palestine Branch up until July 2017 is 66 children.

In Investigation Branch 248, there are 18 children.

And, in the National Security Restrictions, there are 104 children.

39. SOS Children's Villages in Syria: is a non-governmental, non-profit organization working in the field of family care and social development. The NGO helps orphaned and deprived children by providing an alternative family that gives them safety, love and a decent life. The Society respects the different religions and cultures and works in societies whose contribution to social development can contribute to it. The Assembly ratified the United Nations Convention on the Rights of the Child, which promotes its implementation through its Projects in Syria. <http://www.sos-syria.org>

THE DETENTION OF CHILDREN BY OTHER NON-GOVERNMENTAL PARTIES

As a result of the Syrian government's complicity with militia in committing this crime, the failure of Syrian laws to hold the perpetrators accountable, and the existence of a legislation in favor of impunity, the rest of the parties to the armed conflict have followed the same approach in dealing with the opponents as means of revenge, or to impose authority, or to conduct exchanges with the Syrian government and affiliated or cooperating militias, or even among the armed opposition factions, which made this crime include all members of Syrian society in all categories and political orientations, regardless of their position on the conflict in Syria.

Arbitrary arrests and enforced disappearances have become a weapon aiming at defeating the other opponent. As a result, hundreds of thousands of individuals have been arbitrarily detained and forcibly disappeared. This has resulted in significant civilian casualties and economic, social and even psychological crisis. And, it is becoming increasingly serious when the victim of this weapon is the fragile group of the Syrian society. Although the detainees and the disappeared are mostly men over the age of 18, children have had a large share of victims with different effects and perhaps even more severe than other groups like men and women.

Disappearance and detention of children by armed militias supporting the Syrian government

The detention centers under the control of these militias remain the black hole in the map of violations in Syria, where information about the disappeared or the detainees in general and children in particular, is not always available. We have documented the detention of one child by the Lebanese Hezbollah without knowing the conditions of his detention.

Armed factions opposed to the Syrian government

The armed factions, including the Free Army, the Army of Islam, and others, have not fully complied with the principles of international humanitarian law. They have committed the crime of enforced disappearance of civilians, including children, members of the Syrian army and government security services, pro-Syrian civilians, and later activists and fighters belonging to factions they disagree with.

Salim⁴⁰ was randomly arrested in April 2017 with the outbreak of fighting between the Army of Islam and Failaq Al-Rahman. He spent only one night in one of the detainees gathering centers of the Army of Islam, where all the individuals are present, and their personal data is recorded. In his testimony, he testified about seeing a few children with their mothers brought to the center. In addition to two young kids (14 and 15 years old) who were suspected of supporting Failaq Al-Rahman, Salim was not beaten or tortured there. He did not get any meals neither did the other detainees, and he was released the next morning.



The organization also documented the detention by these factions of **55 persons under the age of 18**. This was the result of the absence of accountability or the use of the abductees in the exchange operations with the Syrian government to release detainees from the opposition, as happened with the abducted children with their mothers from the villages of Latakia in 2013. They were swapped in two batches: the first in 2014 to get an armed group leave Homs and the second in 2017 for the release of 54 detainees held by the Syrian government.

At other times, the crime was committed for ransom. Women's places of detention with their children were not ideal and lacked minimum standards. Several births were documented of women who were held in opposition groups, one attended by a doctor.

Children held by armed groups in general and extremist armed groups are required to follow approaches that are appropriate to the group's orientation.

"... There were five children from Birzeh - a neighborhood in Damascus - accused of attending lessons provided by al-Nusra Front in the mosque. In reality, these children were being forced to attend these lessons according to what I have been told. They brought them to the Political Security branch in Misat with their school bags...."⁴¹

Al-Nusra front or what is now known as the Sham Liberation Committee

During the battles in northern Syria in particular, the al-Nusra Front have been detaining Syrian children. Every time they attempted to take control of new areas and villages, they selected dozens of families, including children, and took them from their homes to unknown places. They also took control over detainees from other factions. Additionally, they made negotiations with the Syrian government on their release in exchange for strategic gains.

40. A researcher's Interview with Salim in Harasta in 2017

41. Interview with witness Ali in Lebanon

Most of the children belonging to villages supporting the Syrian government were detained in the prisons of the Sham Liberation Committee without being subjected to investigation. Some were subjected to verbal abuse and discrimination on a sectarian basis and were left for long periods of time in harsh conditions suffering from severe cold. They were also forced to move from prison to prison, deprived of adequate food, education, and toys.

“The children who were kidnapped with us were of different ages from one year to 11 years. They took us from place to place every few months. We did not know the reasons. I stayed for 3 years without knowing which area I was in. They did not disturb or hurt me, but I felt very cold and hungry.”⁴²

In Harim prison in rural Idlib, where the Sham Liberation Committee holds 117 abductees from the village of Eshtabrek, including 14 children, two pregnant women gave birth when they were kidnapped by the Sham Liberation Committee during the attack on the village in May 2015. According to one of these women’s uncles, one of the newborn died because of the lack of health care. And, since they do not receive family visits at all, securing the needs of the newborns is entirely based on what the kidnapers would provide.

Although the Sham Liberation Committee sought coordination with the other armed factions in different periods of time in the areas it controlled in northern Syria along the border with Turkey and parts of other scattered areas, in recent years there has been considerable tension between its various bodies, and among all segments of the Syrian people due to the magnitude of violations the Sham Liberation committee committed. The Committee has punished those who oppose it or attempted to expose its violations of detention and torture, without any consideration of age. The abductees were detained because of their opposition and thus, exposed to the most severe forms of physical and psychological torture and denied contact with their relatives for long periods:

Shadi was 15 years old when he was accused by the Sham Liberation Committee of working for the International Coalition. He was arrested and transferred to three different prisons, one of which is the most dangerous and secret prison, Al-Aqab Prison. He said that all the prisons and interrogation facilities of the Committee are technically Caves⁴³. They dig small caves at a depth of two meters and a height of a meter and a half. Shadi described it like a dog house, with a pit for defecating. In fact, the detainees eat, drink, pray in this place and never come out, except for interrogation and torture. Shadi spent many days without talking or seeing anyone, followed by torture for several days. Later, he started to be questioned,

42. Urnammu interview with a lady from Lattakia’s countryside who was released by a swap with the Nasra Front in 2017

43. Caves: plural of a cave which is a deep cavity that is in rock, mountain or underground.

and he was subjected to a method of torture that is unique and only used by al-Nusra. It is called “the coffin” as this method of torture often leads to death. Shady was deprived of visitation rights. When his father mediated with the Senior princes of the Front, he was re-interrogated twice and released after approximately four months. He had to leave his home and his city because he knew he was not safe.



Urnammu has documented the Sham Liberation Committee's (al-Nusra Front) detention of 30 children

“After the testimony of the witnesses and the mediation efforts, I was taken from al-Aqab prison to Jabala prison, which is also a cave underground. I was a little relieved; at least I am not in al-Aqab prison, where there are humiliation and torment. In Jabala prison the treatment was a little better. I met my family twice. After 15 days, I have been taken to the Mara’ayan outpost, which is also an underground cave. The shock was that the judge decided to re-investigate me and that he was not convinced of the previous judge’s decision. I was beaten then and humiliated. Oh God how I wished to die every time.”

Hisham, a 16-year-old, was arrested on charges of belonging to the Euphrates Shield. After a period of disappearance and his family insistence asking about him, his father was asked to come to their headquarters to listen to his son’s confessions, so he would not demand his son’s release anymore. They left the father for one night without being allowed to see his son. He was also blindfolded and handcuffed the entire time.

“I smelled my son and I could not see him, and then they released me and left him ... I cannot sleep.”⁴⁴

The Organization of the Islamic State also known as) Da’ash(

Regions in the north, east and south of the country are divided between areas controlled by the armed opposition factions and those controlled by the Islamic State Organization (also referred to later as the Organization), which were considered the largest. It is situated in the eastern half of Syria and the area extending from the eastern Aleppo countryside (North-West of Syria) to the East of Syria (Western Hasaka countryside). The Islamic State Organization imposed its presence by force on parts of Syria and Iraq as an organized and dominant power from April 2013 until very recently as it lost most of its areas. Despite its attempt to provide services to the population, it violated the rights and freedoms of civilians and targeted systematically human rights activists, correspondents, journalists working in its areas of control and anyone suspected of opposing the Organization’s ideology. The

44. The researcher’s Interview with Hisham’s father in Idlib.

conditions of children in the areas controlled by the Organization are extremely poor. They have been arbitrarily arrested, abducted and killed on numerous pretexts, not to mention kidnapping for forced recruitment or for sale, prompting many local residents to leave the Organization's controlled areas.

Da'ash arrested Akram (16 years old) in Aleppo three times on various charges such as smoking or not being in the mosque at the time of prayer, and last time he was detained with two of his friends who were about the same age. After four months of detention in Jarablis prison, his mother was told that he was getting an Islamic law course (Sharia), he was transferred to al-Bab prison in the countryside of Aleppo. She was allowed to visit him in the prison of Jarablis and later in al-Bab prison with strict control.

“On the second day of his arrest, I went to ask about him in the Jarablis prison alongside the mothers of young men who had been arrested with him (as they were known to be taken to the town jail). But al-Dawaish prevented us from visiting our kids. They also gave me his clothes, which were full of blood, and asked me to bring new clean ones. A week later we went again, and we could visit our children and sat with them in one room. They were watching us closely. The traces of torture and beating were visible on our kid's faces and hands that day.”⁴⁵

His mother said that he begged her on every visit to do whatever she could to save him. He even asked her to tell his relatives to kidnap people from the Organization so that he could be exchanged with them. He was horrified because al-Dawaish threatened them of slaughter on a daily basis. On the fourth visit to al-Bab prison accompanied by other mothers, they were only allowed to meet their children from the window for a quarter of an hour. Akram disappeared completely right after. Despite multiple attempts, his mother failed to know his and his friends whereabouts. With every Da'ash withdrawal from a city or an area, Akram's family would look for him, and even after the Organization almost completely receded, the fate of dozens of abductees, including Akram and his friends, remains unknown.

Dozens of press and UN reports have reported that children have been subjected to sexual abuse by the Organization, like the sale of children to the Organization's militants and supporters, forced marriage and forced conversion to Islam.

After the abduction of 153 Kurdish children in May 2014, a group detained these children at a school in Manbaj (Aleppo) and showed them videos of beheadings and attacks. Additionally, the boys were subjected to daily training on combat ideology for five months. These

45. Urnammu interview with Akram's mother in Turkey

children were informed that they would be released if they completed their religious training. The children's parents describe their fear of the way their children were deliberately prepared to spread the vision of the Islamic State Organization around the world among their Kurdish communities.⁴⁶



Urnammu registered the detention of 9 persons under the age of 18

Due to the severe censorship imposed by the Islamic State Organization on the use of the Internet and telephones and the killing of anyone suspected of opposing the Organization, it was very difficult to document the real number of children kidnapped by the Organization during its years of existence. We have refrained from communicating with activists in their areas fearing of putting them at great risk after the killing of Samer (Abu Jaafar al-Diri) and his appearance in one of their most famous publications. He was one of the most important activists who were interested in documenting the Syrian government detainees and then the Islamic state Organization detainees and cooperating with local and international organizations to expose those violations.

Kurdish self-government forces

It was established after the withdrawal of the Syrian Army from the areas inhabited by a Kurdish majority gradually at the beginning of 2014. It consisted of three provinces Al-Jazeera (Northeast), Kobani (north) and Afrin (northwest). The Kurdish Democratic Union Party sought to appear better than the rest of the armed factions on the Syrian soil. The administration issued several laws, including the 2014 Constitutional Law, the Social Contract,⁴⁷ but in it, they disregarded fair trial standards such as the prohibition of arbitrary detention, the right to judicial review and the right to appoint a lawyer.

Soon enough, arbitrary arrests have increased, freedoms have fallen dramatically, and the crime of enforced disappearance has been committed against those who oppose the Party, including civilians and families of opposition factions. Children and their families were kidnapped, and international and local non-governmental organizations have issued several reports on violations committed by the party's forces. Human Rights Watch urged authorities of the "Democratic Union Party" after visiting the region to stop arbitrary detention and the use of children as soldiers and workers at checkpoints, to improve the safeguards necessary to protect detainees from abuse, and to investigate the wave of kidnappings and the

46. Report of the Independent International Commission of inquiry on the Syrian Arab Republic - 2014: Rule of Terror: Living under ISIS in Syria: https://reliefweb.int/sites/reliefweb.int/files/resources/HRC_CRP_ISIS_14Nov2014.pdf

47. Charter of the Social Contract for Democratic Self-Government of the Province of al-Jazeera- Syria <http://www.encumenazagonsaz.com>

killings that are taking place in the area.

Urnammu registered 15 cases of detention that did not include those detained for forced conscription.

Through our contact with a member of the Deir al-Zour 24⁴⁸ news group, it was reported that the number of children under the age of 15 who have been detained and recruited by the Syrian Democratic Forces since the beginning of 2017 is 200 children distributed as follows:

Raqqa: 65 children, 11 were killed and 8 wounded / Hasakeh: 91 children, 24 killed and 13 wounded / Deir al-Zour 44 children were detained, 2 killed and 6 wounded.



Urnammu registered the detention of 15 persons under the age of 18

48. A media agency from a group of activists inside Syria covering the news of Deir al-Zour province and documenting the violations of the Syrian government and the organization of the Islamic state with exclusive pictures and videos. [Http://www.deirezzor24.net/](http://www.deirezzor24.net/)

FORCIBLY DISAPPEARED CHILDREN AFTER THEIR RELEASE

Other than depriving them of their rights, the suffering of detained children does not end with their release and their return to life once again. While adults have the means and concepts that help them to deal with this experience to some extent as if they see what they are going through is the price of access to high values in their lives, children who have not yet had these concepts suffer from psychological reactions. Children are particularly concerned about the “unknown” in the sense that there are no clear perceptions of what will happen in the near and far future, and the lack of understanding of what is happening due to the acceleration and intensity of events is an additional factor that increases fear, tension, and anxiety.

The whole experience of life is blocked, the traumatic conditions in conflicts replace the fabric of normal life with a fantasy life, not anchored in the elements of the familiar reality. The new environment becomes hostile, threatening and dangerous, and the opportunities for disposal or control of the harsh environment becomes very limited. There is no expected end to the experience, and both pain and suffering associated with the experience seem to have no meaning or logical explanation.⁴⁹

“They told me that I would not get out of this place. Every day I would wake up with one sentence in my head: “I want to die ... I prefer death over spending the rest of my life in this place.” We spent most of our days listening to the voices of the tortured detainees. You could hear the sound of batons beating detainees. It made me cry hard on a daily basis. And, we would hear the sound of electric shocks that scared us terribly, all of us! I was not the only one scared of that noise. We thought that those who received electric shocks died right after.⁵⁰”

The effects include a wide range of behavioral and emotional outcomes or adaptation strategies. The natural response of most children is “resistance or escape”. And, the overall resistance appears in aggressive behaviors. This response phenomenon is similar to the violence and effort adults use to abuse power during detention conditions through physical hostility. Resembling the aggressor is sometimes a means of survival.

An example is A.R, who entered Adra prison with his mother and stayed there for two years during which he turned into a bully. When he got out he proceeded to shout out orders at

49. (Children in difficult circumstances and conflicts, Hiam, Lotfi Zein 2007)

50. Urnammu’s interview with witness Hamid by telephone

those whom he would encounter on his way asking them to enter their rooms, echoing the same words that were repeated by the Brigadier General that took him on his daily tour. In addition to (L.L) 7 years old, she was released in mid-2014, a year after her detention with her mother, she acted as a police officer.

Regardless the circumstances in which children are detained, a number of studies⁵¹ have shown that detention itself has a profound and negative impact on the health and development of children. Even very short periods of detention can undermine the child's psychological and physical well-being and impair his cognitive development.

Children in detention centers are at risk of depression and anxiety and often exhibit symptoms consistent with PTSD, such as insomnia, nightmares, and involuntary urination. Feelings of despair and frustration can also be manifested as violent behaviors against themselves or others.

Escape usually involves separating the self from the cause of distress by fleeing in all cases, either literally or emotionally through emotional separation. "Like the 14-year-old boy, as he leaves the door of the military court on his way to one of the most difficult prisons in Syria, Sednaya Prison, he was preoccupied with how he would get some bread and eggs after being starved during his detention in the section in which he was detained".

Reports of the effects of detention on young children found that there are higher rates of suicide, attempted suicide, self-harm, mental disorders and developmental problems, including severe attachment disorder amongst detained children.

Adolescents are at an important psychological stage as they seek to establish their social and practical identity, which is often accompanied by confusion about self-identity, beliefs, and so forth. Their great need for a sense of control and development of their own ideas is in the course of their behavior to meet their developmental needs of "self-realization". Therefore, when they are subjected to detention experience, extreme stress and anxiety are the hallmarks of their behavior, especially when opportunities to acquire skills, experiences and livelihoods are lost which lead to losing confidence in society.

"I remember the days of the prison at every meal and I still see terrifying nightmares on a daily basis, but I know I am the one who can end this situation, I do not need a psychiatrist."⁵²

51. Dallaire and Wilson, 2010; Kenner, 2007; Phillips and Zaw, 2010

52. Researcher's Interview in Urnammu with Ali in Lebanon.

What increases their suffering is the symptoms of repeated ideas about self-harm and suicide attempts, accompanied by a sense of uselessness and despair, and linked to most of them with anger, hopelessness, and withdrawal, in addition to difficulties in sleep, poor concentration, and weak motivation to study.

Every day I wake up with one sentence in my head: “I would choose death over spending the rest of my life in this place.”⁵³

(N.A) a 17-year-old girl that was raped⁵⁴ when she was arrested in Damascus and detained for a month and a half in Branch 215 in Kafarsousa in 2012 because of her brother’s association with the armed opposition groups in Daraa. We learned from her friend that she had died under mysterious circumstances. We could not communicate with her family that she hid the truth about her rape from, and her friend says that it is likely that she committed suicide.

As children become aware of what’s around them, the curiosity and passion drive them to explore what is going on around them so that they can form a realistic understanding of themselves and of the world they will deal with in the future with all its good and evil. These children - who are not originally targets of investigation - are deprived of their rights of psychological care and education in normal conditions as well as their right to entertainment. All that, prevents their social development in a healthy environment and makes them vulnerable to psychological problems mainly because of the lack of discipline. Children learn the things around them that are mostly bad, they are exploited and these bad traits that jailers practice are installed in their behaviors.

Colonel Adnan⁵⁵ took the children with him in his rounds, walked with them, talked to them, used them and asked them during the tour. They were like young spies, and the children often caused punishment for the detainees.⁵⁶

Effects on the stages of child development

Because young children have limited coping skills, they are especially at risk of the negative consequences associated with arresting a family member. Babies and young children

53. Interview with Hamed by phone

54. The rape of (N.A) in 2014 was documented in the EMHRN report, not for the purpose of this report. In August 2017, we heard of her death during our follow-up to the effects of arrests on persons under 18 years of age.

55. Colonel Adnan Sulaiman, director of Adra prison for women

56. Saffana’s interview with Urnammu in Damascus

who experience violence in their homes or communities, often associated with arrest and imprisonment⁵⁷, may exhibit a number of internal symptoms, including emotional distress, fear of being alone, emotional numbness, increased arousal, or external symptoms, including excessive irritability, immature behavior, sleep disorders, and language deterioration⁵⁸. Separation from the caregiver which occurs when a parent is arrested may adversely affect the child's development⁵⁹, particularly in younger ages when infants and young children have secure relationships with their care providers to guide their behavior and understanding. These relationships can interfere with all aspects of a child's development, including the ability to gain a proper level of trust and independence⁶⁰. For children who have lost a parent as a result of trauma, compared to children who have been separated from their parents for other reasons, children separated from their parents by imprisonment are more likely to exhibit dangerous behaviors.⁶¹

Children in ages where they are getting ready to go to school are also affected by family arrest, as for young children, they are likely to exhibit increases in sleep disorders and are less likely to develop appropriate independence than children who are not exposed to this type of trauma. In addition, school-age children have not acquired coping mechanisms to deal adequately with traumatic shock⁶² and therefore more external behaviors (e.g., violent behavior, challenge) may emerge when trauma encounters such as arrest.⁶³

On the other hand, there are no integrated treatment programs or psychosocial support programs that economically and psychologically support these boys and girls with their families, who often suffer from the consequences of this conflict.

57. Daleer & Wilson, 2010; Daneerbeck, 2005; Phillips, Burns, Wagner, Kramer, & Robbins, 2002; Phillips, Arkanley, Keller, Costello, & Ingold, 2006.

58. Osovski, 1999

59. Bolby, 1977

60. Osovski, 1999

61. Murray & Farington, 2005

62. Osovski, 1999

63. Baker & Conningham, 2005

THE CONSEQUENCES AND LOSSES DUE TO THE ARREST OF A PARENT

The arrest and imprisonment of parents hinders normal and healthy parent-child relationships and change the family support network and places new burdens on communities at many levels. It is estimated that two out of every five children aged two years old and above, whose parents have been arrested have emotional and behavioral problems that are clinically significant, twice the rate of children in the general population; however, only about one in ten receive mental health services⁶⁴. As well as what the children may be exposed to of events that may be shocking, and relate to emotional and behavioral health, and how this relationship can change through the developmental stages. The impact of exposure may vary depending on the age of the child and the stage of cognitive development.⁶⁵

Limited research on the “detention of children in Syria” assessed the impact on school-age children and adolescents, leaving a gap on how younger children are affected.

The legal effect of the detention and enforced disappearance of children

Enforced disappearance has legal consequences as well as psychosocial effects, affecting the legal status of the families of the forcibly disappeared (inheritance, property, guardianship, compensation, marriage, divorce). This extends to children as victims of this crime, especially under a discriminatory personal status law against women in relation to custody of their children. In fact, the father is prioritized in all matters of the child: the priority in registering the children in the civil register is for the father. The mother register her child only in case of the father’s absence⁶⁶. She cannot do so if she does not have a marriage contract proving her marriage to the disappeared father’s child⁶⁷. The situation gets more complicated as a number of papers are required in order to register or confirm marriages: a marriage deed with the personal data of the couple, the wife’s guardian and two witnesses to the marriage,

64. Costello, 1996

65. For example, Johnston (1992) found unorganized emotions and behaviors in early childhood and non-contaminating behaviors in later childhood (ie, anti-social behaviors such as lying, theft, aggressive or isolated behavior disorders, behavioral disorders, and depression). While it is expected that there will be differences in the mental health outcomes of children after arrest depending on the child’s developmental age

66. Article 23 The Syrian Civil Status Law

67. The text of the article is explicit in Law No. 20 of 2011 amending the Civil Status Law, where article 28 of paragraph A states:

(A) In the case of a child born of an unregistered marriage, it shall not be registered until after the marriage has been duly registered;

(B) If the child is illegitimate, the name of the mother or father or both shall not be mentioned together in the birth register unless at the express request of the parent or by a court order

or a document from the local delegate in the region where the couple got married, in addition to the consent of the recruitment division of the husband. In the absence of any paper, they cannot get their marriage confirmed, not to mention the high cost of this type of litigation.

Things are worse in cases of customary marriage, divorce, etc., especially for girls, when the marriage is not officially confirmed by government departments or registered in the besieged areas controlled by the other parties. Children remain without registration and without any official documents proving their identity. Children who have a forcibly disappeared father, are deprived of the right to exercise his or her rights because of doubts about his or her identity. Here, there is children's reprisals or stigmatization as children of those accused of being terrorists according to government bodies. This places them under the pressure of discrimination and sanctions based on the status of their parents, guardians or family members, their activities or even their views. And, one of the consequences of doubts about identity is the issue of guardianship of minor children and the right to manage the property of the disappeared person.

The impact of detention of children under the age of 18 on women

This issue affects women in particular. The pain associated with mothers' loss of their children cannot be envisioned. The lack of information about the identity of the violator and the evidence linking the victim to the offender confuses them and creates fear within them. They do not know how to protect those disappeared. In addition, the silence of women is usually reflected on the entire local communities that shuts them up.

The two brothers, Salem, 9, and Ghanem, 11, belong to a family that is among the dozens of families that have migrated to Jarablis. The two boys disappeared during their visit to the kitchen where Da'ash distributes food to the poor and the needy. This coincided with the entry of the Democratic Syrian Forces to the region, and since then they do not know anything about them. Despite the mother's belief that the Syrian Democratic Forces detained them during the takeover of the area, she does not even dare to question them, fearing that the family will be accused of association with the terrorist organization if they asked about her children who was taking from the distributed food. The mother kept her silence in fear of revenge.

Women are responsible for searching for disappeared children or following up on the detainees. Men are afraid to face the same fate if they are not already disappeared; sometimes the whole point of the abduction and holding children is to exert pressure on the males in the family. If the women knew the children's place later they are also responsible for the legal

procedures, and visitation.

Therefore, women endure the difficulty of traveling to inquire about their children in court-houses and military police on a regular basis, waiting for an indicator on the whereabouts of their son or brother. They may be at times in danger of arrest and financial extortion by brokers. They also face the risk of sexual abuse by the influential persons or those who claim to be people of power just to take advantage of the psychological situation of the lady, who suddenly had to deal with this category, to find herself negotiating and demanding. Some of them become activists unintentionally and bear the psychological pressure to be the first to receive the bad news and transfer it to the family members or to stay quiet in some cases to not disturb them. And even after the release of the child, they are prone to attach to their children even more, for fear of losing them once again. The mothers then, choose to move to a safer place to protect them and themselves from swallowing the bitterness of pain again, yet women still cannot adapt easily to this reality.

Hamed was in the eighth grade when the security raided his school in (Mashro' Al Slaybeh) in Lattakia and arrested a number of his classmates. Even though he wasn't arrested at the time there was a potential possibility of detention. A year later he was abducted by Shibha and members of military intelligence in front of his school where he received many blows and insults during a tour in their car for two hours and then he was thrown near the school. His mother lived a struggle between her fear for his life and her concern for his future. She prevented him from going to school for a while and made up for what he had missed at home. However, when he was arrested from his house, she decided not to stay after his release, and sure enough, the family did not stay. They paid money to release him and only a few days later they left the country. Even though they are in Europe, the mother still suffers from obsessions and anxiety every time he is late or if he is on a school trip, or if he doesn't have network on his phone.

When women are detained or disappeared, they bear the responsibility of their children who are with them, which is an extra heavy burden because of the inadequate conditions of detention and the lack of children's needs. They must bear the burden of securing them in a compelling environment where they are targets and are often subjected to investigation and thus vulnerable to psychological and physical harm that increases with the possibility of their children being exposed to it.

Sometimes the detained mother's family is asked to take the child or the children and sometimes they are placed in children's villages. When the children are placed in children's village, no one is notified, and the children remain as disappeared. Moreover, there is no standard that determines this. The decision is made according to what security sees and

according to the purpose of holding the woman herself.

Women who have a child who is detained or disappeared face social stigma. They do not participate in social events such as weddings, engagements, and parties. They are often uncomfortable, and are vulnerable to the social isolation that they impose on themselves, or others impose on them.

THE LEGAL FRAMEWORK FOR THE CRIME OF ENFORCED DISAPPEARANCE AGAINST CHILDREN

Enforced Disappearance in the Syrian Constitution and Syrian Laws

Although Syria is not a signatory of the International Convention for the Protection of Persons from Enforced Disappearance, the prohibition of enforced disappearance also applies in the territory under the jurisdiction of the Syrian government since this prohibition constitutes a rule of public international law⁶⁸. Syria is also a founding member of the United Nations and is legally bound by the United Nations Charter as well as the Human Rights conventions and treaties that it ratified especially the Convention on the Rights of the Child and the Optional Protocol on the involvement of children in armed conflict on 17 October 2003 in addition to the Optional Protocol to the Convention on the Rights of the Child, on the selling of children, child prostitution and child pornography⁶⁹. According to Decree No. 12 of the year of 2007, the Syrian government repealed its reservations to articles 20-21 of the Convention on the Rights of the Child. However, nothing has changed in the laws concerning children in Syria since the signature and ratification of the Convention. The Syrian legislation on the juvenile law is, in theory, somewhat compatible with the substance of the Convention on the Rights of the Child and its two additional protocols to which it is bound, with regard to determining the age of juvenile and theoretical reform measures.

The Syrian Constitution also explicitly states that freedom is a sacred right, as set out in the Code of Criminal Procedure in articles 242 and 252, when it states that freedom of individuals may not be reserved in places other than those designated for this purpose and the duty of citizens to report this. In reality, the practical application of these constitutional and legal texts has completely disappeared, and since the rights of children are an integral part of the rights of the Syrian society, where humanitarian and juridical reality is deteriorating, children are also suffering from exceptional courts and laws, the continued policy of arrests, enforced disappearances, restrictions on public freedoms and violations of human rights and fundamental freedoms, are affecting all civilians, whether they are public affairs activists or others, such as children.

There was no explicit provision in the Syrian laws criminalizing enforced disappearance as included in international law. Any clear legal description of this crime and its elements in the

68. General Comment No. 29: Article 4 (Non-compliance with the provisions of the Covenant during emergency situations) of the Human Rights Committee

<http://hrlibrary.umn.edu/gencomm/hrc29.html>

69. United Nations website - Office of the High Commissioner for Human Rights http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Treaty.aspx?CountryID=170&Lang=EN

case of its widespread and systematic practice disappeared. Children were not assigned specific provisions regarding the crime of enforced disappearance. Definition of abduction and concealment committed in individual cases by individuals or gangs in specific cases were mentioned in a number of Syrian criminal laws⁷⁰. The Criminal Procedure law ⁷¹ stipulates the obligation of presenting an arrest warrant at the time of arrest and the reasons for issuing it, mentioning the offense attributed to the detainee and its legal basis, not to delay the investigation with the detainee and presenting them to the Public Prosecution within 24 hours or they would be held accountable. However, the judicial officer and those who carry out their duties did not comply with this, under exceptional laws and customary provisions that violated the Constitution and Syrian legislation. In fact, the government issued legal texts some of which are unpublished facilitating impunity such as Decree No.14 of 1969 about the establishment of the State Security Administration and the Internal Regulations of the State Security Administration, and Decree 55 of 2011 on the amendment of the rules of criminal proceedings relating to the powers of the judicial police⁷², where the security services were widely given the powers of the judicial police.

Under article 72 of the Code of Criminal Procedure, an investigating judge may also prevent contact and communication with the defendant for a period of 10 days, renewable, not including the defendant's attorney. The Penal Code stipulates in article 357 that any employee who arrests a person other than those prescribed by law shall be punished by temporary hard labor. Under the provisions of Penal Code 358 and 359, prison administrators, prison guards, disciplinary and penitentiary institutes as well as all those who carry out their duties

70. Articles 500 to 503 of the Syrian Penal Code define the abduction and clarify the penalties for it:

Article 500 :

1. Every person who abducts a girl or woman by deception or violence for the purpose of marriage shall be liable to a term of imprisonment of three to nine years.

2. The penalty shall also be applicable in the case of an attempt to commit the offence in question.

Article 501 :

Every person who abducts any person, male or female, by deception or violence for the purpose of committing an indecent act shall be liable to nine years at hard labour. Where the indecent act is actually committed, the penalty shall be not less than 21 years.

Article 502 :

The above penalties shall be applicable where the offence is committed without deception or violence if the victim is a minor under 15 years of age.

Article 503 :

Every person who returns the victim of his own accord within 48 hours to a safe place and releases him or her without having committed an indecent act or other offence, whether felony or misdemeanour, shall be eligible for the mitigating circumstances set forth in article 241. http://moj.gov.sy/index.php?option=com_content&view=article&id=11%3A2013-10-01-20-45-36&catid=3%3Acriminalgroup&Itemid=6

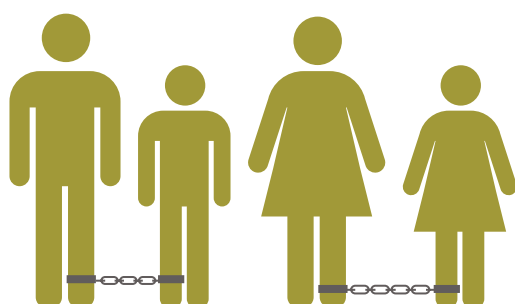
71. Code of Criminal Procedure issued by Decree No. 112 of 1950 <http://www.syrianbar.org/index.php?category=6>

72. Legislative Decree 55 of 2011 <http://www.parliament.gov.sy/arabic/index.php?node=201&nid=4443&ref=tree>

must be punished, if they accept a person without a warrant, or hold him beyond the limit of one to three years' imprisonment, including all General Force officers. This includes all officers and members of the General Force and all administrative personnel who refuse or delay the bringing of a detained person or a prisoner before a judge. The competent judge, who is required to do so, shall be punished with imprisonment from one month to one year. Anyone who does not immediately comply with the request of the judge to present the prison record and all the records of the places of detention to which they are associated with, shall be punished by the same penalty.

All of these texts in favor of impunity, were a contributing factor to the increase in cases of enforced disappearances against children in a systematic and widespread way. The majority of the security branches of the Syrian government and its forces and militias have committed this crime in various forms, such as the concealment following arbitrary detention directly or at a later stage of detention or when reviewing the children of detainees and disappeared to the Syrian government authorities to inquire about the fate of their children. This crime reached citizens of countries residing on Syrian territories, such as Palestinian refugees or other nationalities.

The number of cases documented by Urnammu are quite frightening, although they do not include all the disappeared children. This is what we were able to register only. This is due to the parent's fear of the consequences of submitting judicial complaints and the lack of the legal culture among Syrians and the seriousness of this issue and its consequences for the Syrian government and its security services, in addition to the weakness of human rights organizations in Syria, the paucity of their numbers, the difficulty of carrying out their work on the ground, and the absence of official public records.



In its database, Urnammu documented the detention of 85,478 detainees:

78596 male adults
 2138 males under the age of 18 years
 4438 female adults
 306 females under the age of 18 years

Most of the detainees and disappeared by government authorities at the beginning of the uprising were opponents, opinion makers, human rights activists, aid workers, medical staff or their families or spontaneous participants in the demonstrations, such as children.

In a non-serious attempt to stop this crime, which has risen with the spread of armed con-

flict and insecurity, the Legislative Decree No. 20 of 2013⁷³ on the abduction of persons was issued. There were no focus on the status of the abductor as kidnappings carried out by the Syrian government forces and its security services and its affiliated militias were not covered, not to mention that this decree provided exemption for of all those who kidnapped⁷⁴ and released the abducted within fifteen days from the date of issuance of the decree to the competent governmental authorities. In addition, several amnesty decrees were issued for perpetrators of abductions, including amnesty decree No. 22 of 2014⁷⁵. And, again Child protection was absent from this decree.

Enforced disappearance of children in international human rights law

International human rights law is a set of laws applicable in times of peace. It continues to be applied during armed conflicts with the possibility of partial disruption in certain cases.

Regardless of gender, race, nationality, religion or even age, this crime, which includes everyone, including children, undermine the deepest values in any society committed to respecting the rule of law, human rights and fundamental freedoms. The practice of this and other systematic violations is a crime against humanity⁷⁶. Extrajudicial execution or death under torture during disappearance, cruel treatment and lack of care is a direct violation of

73. Syria Lawyers Forum <http://www.damascusbar.org/AlMuntada/showthread.php?t=24911>

74. This amnesty also applies to the perpetrators of the offense provided for in Article 556 of the Penal Code and amended by Decree No. 1 of 2011 and Law No. 21 of 2013 which states:

1. The perpetrator shall be sentenced to temporary hard labor:

(A) If the deprivation of liberty exceeds one month.

(B) If the person deprived of his liberty was subjected to physical or mental torture.

(C) If the offense was committed against an employee in the course of his or her job or while starting it.

2. The penalty shall be ten to twenty years' imprisonment and a fine of twice the value of the person who has been abducted by violence or deception by a person for the purpose of asking for a ransom and shall be sentenced to the maximum penalty if the act is committed against a juvenile under the age of 18, <http://www.moj.gov.sy/images/%D9%85%D8%B1%D8%B3%D9%88%D9%85%20%D8%A7%D9%84%D8%B9%D9%81%D9%880001.pdf>

75. Link: http://www.moj.gov.sy/index.php?option=com_content&view=article&id=37%3A-22-2015-&catid=8%3Aamnestydecrees&Itemid=22

76. Declaration on the Protection of All Persons from Enforced Disappearance, United Nations General Assembly Resolution 47/133 of 18 December 1992 <http://www.ohchr.org/EN/ProfessionalInterest/Pages/EnforcedDisappearance.aspx>

one or more of the rights to life, liberty, and personal security⁷⁷. All of which are violations of article 3 of the Universal Declaration of Human Rights, which states that “everyone has the right to life, liberty and personal security”.

As well as articles 6 and 9 of the International Covenant on Civil and Political Rights, in addition to article 9 of the Universal Declaration, which states that no one shall be exposed to arbitrary arrest, detention or exile.

77. Universal Declaration of Human Rights <http://www.un.org/en/universal-declaration-human-rights/index.html>

Article 3. Everyone has the right to life, liberty and security of person.

Article 6. Everyone has the right to recognition everywhere as a person before the law.

International Covenant on Civil and Political Rights <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>

Article 6

1. The right to life is an inherent right of every human being and the law shall protect this right and no one shall be arbitrarily deprived of his life.

2. In countries which have not abolished the death penalty, sentence of death may be imposed only for the most serious crimes in accordance with the law in force at the time of the commission of the crime and not contrary to the provisions of the present Covenant and to the Convention on the Prevention and Punishment of the Crime of Genocide. This penalty can only be carried out pursuant to a final judgement rendered by a competent court.

3. When deprivation of life constitutes the crime of genocide, it is understood that nothing in this article shall authorize any State Party to the present Covenant to derogate in any way from any obligation assumed under the provisions of the Convention on the Prevention and Punishment of the Crime of Genocide.

4. Anyone sentenced to death shall have the right to seek pardon or commutation of the sentence. Amnesty, pardon or commutation of the sentence of death may be granted in all cases.

5. Sentence of death shall not be imposed for crimes committed by persons below eighteen years of age and shall not be carried out on pregnant women.

6. Nothing in this article shall be invoked to delay or to prevent the abolition of capital punishment by any State Party to the present Covenant. Article 9 1. Everyone has the right to liberty and security of person. No one shall be arbitrarily detained. No one shall be deprived of his liberty except for reasons prescribed by law and in accordance with the procedure established therein.

2. Any person arrested shall be informed of the reasons for such arrest at the time of his arrest and shall be promptly informed of any charge against him.

3. A person arrested or detained on a criminal charge shall be promptly brought before a judge or an officer authorized by law to exercise judicial functions and shall have the right to be tried within a reasonable time or to be released. Detention of persons awaiting trial should not be the general rule, but release may be suspended to ensure that they are present at any other stage of the judicial process and to ensure that the sentence is implemented when necessary

4. Any person deprived of his liberty by arrest or detention shall have the right of recourse to a court in order for this court to decide without delay on the lawfulness of his detention and to order his release if the detention is unlawful.

5. Any person who has been the victim of unlawful arrest or detention shall be entitled to compensation.

“Enforced disappearance constitutes a violation of the prohibition of torture even in the absence of evidence that the disappeared person has been ill-treated. In the light of the assumption that the victim of enforced disappearance is subjected to inhuman or degrading treatment, or in the light of the fact that long isolation and denial of communication are in themselves cruel and inhuman. In addition to that, enforced disappearance causes severe mental tension that violates the right of family members not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment”

Difficulties grow in the fight against torture because it is often made in secret or inaccessible places of detention, and even detainees under common law may also be subjected to torture in countries that do not care much about human rights, especially when their sex, age, socio-economic groups or legal status -Refugee status - increases their vulnerability.

Similarly, enforced disappearance deprives a person of the right to be recognized as a legal personality. The law cannot be applied to those whose fate and place are unknown. This deprives them of the right to equality before the law and the equal protection of the law without any discrimination⁷⁸. Enforced disappeared are considered to be outside the legal scope, which is contrary to the requirements of Article 7 of the Universal Declaration, which states “All are equal before the law and are entitled without discrimination to equal protection of law.”

Meaning that the deprivation of the right to a fair trial before competent national courts, con-

78. Universal Declaration of Human Rights <http://www.un.org/en/universal-declaration-human-rights/index.html>

Article 7. All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

sidering his/her right to the fundamental rights granted by the law⁷⁹, where everyone has the right to access competent national courts to effectively bring justice towards any acts that violate these fundamental rights, as provided for in article 8 of the Universal Declaration and article 4 of the International Covenant on Civil and Political Rights and the special rights of children in this context according to the four Geneva Conventions and the Additional Protocols thereto.

Enforced disappearance also affects adults in general and children, eliminating the human right to live in a natural family - including the maintenance of their members and the raising of children - and other economic, social and cultural rights⁸⁰. This contravenes the Universal Declaration and the International Covenant, in particular with the requirements of child support and education. This causes sadness and injustice expressed by the detained child or the forcibly disappeared, hurts the dignity of all members of the family and brings harm to their equal rights. This is caused by Government officials or organized groups in favor of the Syrian Government or by non-governmental private individuals acting on behalf of or with the support of the Government directly or indirectly, with the government's knowledge and acceptance or even without it, by the government neglecting its duty of protecting children. They then refuse to disclose the fate or whereabouts of the persons concerned or refuse to recognize their deprivation of liberty, depriving them of the protection of the law and the protection accorded to victims of armed conflict in general and children in particular.

79. Universal Declaration of Human Rights <http://www.un.org/en/universal-declaration-human-rights/index.html>

Article 8. Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

International Covenant on Civil and Political Rights : <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>

Article 4 :

1 . In time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the States Parties to the present Covenant may take measures derogating from their obligations under the present Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin.

2. No derogation from articles 6, 7, 8 (paragraphs 1 and 2), 11, 15, 16 and 18 may be made under this provision.

3. Any State Party to the present Covenant availing itself of the right of derogation shall immediately inform the other States Parties to the present Covenant, through the intermediary of the Secretary-General of the United Nations, of the provisions from which it has derogated and of the reasons by which it was actuated. A further communication shall be made, through the same intermediary, on the date on which it terminates such derogation.

80. International Covenant on Economic, Social and Cultural Rights : <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>; Universal Declaration of Human Rights <http://www.un.org/en/universal-declaration-human-rights/index.html>

Enforced disappearance of children in international humanitarian law

International humanitarian law is a set of rules that seek, in times of armed conflict, for humanitarian reasons to protect persons who do not take part in hostilities or no longer participate directly in hostilities and restrict the means and methods of warfare under the four conventions that recognize children's right to basic guarantees even in non-international armed conflicts. The Fourth Geneva Convention focused on the need for special protection of children, including good treatment during deprivation of liberty.

In accordance with the Convention on the Rights of the Child, States must respect and ensure respect for the rules of international humanitarian law relevant to children and must take all feasible measures to protect and care for children affected by armed conflict⁸¹. In Syria, the ICRC defined the nature of the conflict as a non-international armed conflict, which makes the application of the rules of international humanitarian law mandatory, in particular the provisions of Common Article 3 of these four Geneva Conventions, to which Syria acceded on 2 November 1953⁸² and the First Additional Protocol in November 1983⁸³.

81. Article 38 of the Convention on the Rights of the Child <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CRC.aspx>

82. https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/vwTreatiesByCountrySelected.xsp?xp_countrySelected=SY

83. https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/vwTreatiesByCountrySelected.xsp?xp_countrySelected=SY

Since the declaration of this classification of the conflict between Syrian government forces and opposition forces in July 2012, the application of the rules of international humanitarian law and international human rights law has become a duty, on all parties of the conflict. This is confirmed in Common Article 3 of the four Geneva Conventions to which Syria is a part of, and which apply in the case of non-international armed conflicts⁸⁴. Not mentioning explicitly missing and forcibly disappeared persons in this article does not prevent them from being applied in such cases. Depriving civilians in general and children in particular of their special protection under international humanitarian law, is considered a violation of the belligerents' obligations under international humanitarian law, Common Article 3 of the Geneva Convention and customary international law. Additionally, even if the children lose the general protection afforded to civilians because of their participation in hostilities, they should still enjoy a special protection as children.

Although Syria has not ratified the second Additional Protocol on the Protection of Victims

84. Common article 3 of the Geneva Conventions:

In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions:

(1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed 'hors de combat' by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.

To this end, the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

(a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;

(b) taking of hostages;

(c) outrages upon personal dignity, in particular humiliating and degrading treatment;

(d) the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.

(2) The wounded and sick shall be collected and cared for.

An impartial humanitarian body, such as the International Committee of the Red Cross, may offer its services to the Parties to the conflict.

The Parties to the conflict should further endeavour to bring into force, by means of special agreements, all or part of the other provisions of the present Convention.

The application of the preceding provisions shall not affect the legal status of the Parties to the conflict.

<https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/vwTreaties1949.xsp?isProtocol=1&=>

of Non-International Armed Conflicts of 1977⁸⁵, this text is applicable as an integral part of the customary international humanitarian law. Article 4 of the Protocol stipulates that “care and assistance shall be provided to children as much as they need”. Under article 117 of customary international humanitarian law, parties to an armed conflict must take the necessary measures to report persons reported missing as a result of the conflict and provide their families with any available information.

This law also affirms that children under the age of 15 do not lose their protection even if they participate directly in the hostilities. Therefore the death sentence cannot in any way be applied to children⁸⁶, as per the provisions of the International Covenant on Civil and Political Rights Article 6 of the International Covenant on Civil and Political Rights⁸⁷ joined by Syria on 21-4-1969⁸⁸

85. Article IV of Additional Protocol II on the Protection of Victims of Non-International Armed Conflicts of 1977 :

3- Children’s care and assistance shall be provided to the extent they need, in particular

- (a) They shall receive an education, including religious and moral education, in keeping with the wishes of their parents, or in the absence of parents, of those responsible for their care;
- (b) all appropriate steps shall be taken to facilitate the reunion of families temporarily separated;
- (c) children who have not attained the age of fifteen years shall neither be recruited in the armed forces or groups nor allowed to take part in hostilities;
- (d) the special protection provided by this Article to children who have not attained the age of fifteen years shall remain applicable to them if they take a direct part in hostilities despite the provisions of sub-paragraph (c) and are captured;
- (e) measures shall be taken, if necessary, and whenever possible with the consent of their parents or persons who by law or custom are primarily responsible for their care, to remove children temporarily from the area in which hostilities are taking place to a safer area within the country and ensure that they are accompanied by persons responsible for their safety and well-being. <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Treaty.xsp?documentId=AA0C5BCBAB5C4A85C12563CD002D6D09&action=openDocument>

86. Rules 135-136-137 of customary international law https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul

87. Article 6 of the International Covenant on Civil and Political Rights <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx>

88. See the OHCHR website http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Treaty.aspx?CountryID=170&Lang=EN

LITIGATION PROCEEDINGS

The trial of children who are forcibly disappeared and detained in exceptional courts

Children are subject to the same procedures as adults and are tried before all exceptional courts that have existed and are still in Syria. Perhaps the most dangerous is the Field Military Court and the Court of Terrorism.

Eight of the juvenile offenders who were followed by Urnammu for the report were subjected to the Field Court, and 7 were sentenced to death. As a juvenile, the sentence was commuted to 12 years' imprisonment and one of them was subject to two trials at the same time, before both the Court of Terrorism and the Field Military court!

The organization has six summaries of judgment and one statement of claim.

Military Field Court

By the application of the Legislative Decree No. 109 dated 8-17-1968, this court considers crimes within the jurisdiction of the military courts which the Minister of Defense decides to refer to in one of the following cases: (wartime - during military operations against the enemy). And the legislator gave those courts the right to investigate the crimes committed as of 5-6-1967 which was before they were created, which is contrary to the principle non-retroactivity of laws.

The trials are conducted in secret, and the persons who are tried before them are not allowed to hire lawyers to defend them so that no one can review them at all, and their verdicts are issued in an irrevocable manner. There is no clear criterion or mechanism for the persons who are referred to trial before them. It is entirely up to the opinion of the Minister of Defense or the head of the security branch in practice, who is entitled to decide the trial of whoever he pleases before the courts of the field, whether military or civilian, whether Syrian or foreign, and often referred to them according to the opinion of the security services. The penalty could even be death. All these rules also apply to children. There is no regard for their age. They are sentenced to death or life imprisonment before the same judicial body.

Since the outbreak of anti-government protests in Syria, children have been referred to this court directly by the security services and placed in military and civil prisons. Due to over-

crowding, the children referred to the court can be placed inside the same security branches, where they are tried and sentenced.

I was transferred to Sednaya Military Prison, and I was not thinking of the field judge as much as I thought about a way to get some eggs and bread on the way out of the lockup ⁸⁹

There were two juvenile dormitories in Sednaya (from 12 to 18 years old) the first one had (36) juveniles and the second had about 13 juveniles, and we were 5 added to them.

Court of Terrorism Cases

It was established by Law No. 22 issued on 26/7/2012. Its headquarters are situated in the capital Damascus, with the possibility of the establishment of other courts of terrorism in the rest of the provinces. The law included nine articles that organized the work of the Court and the procedures followed before it. The court consisted of a president and advisers, one of them a military colonel. Its decisions are inconclusive and subject to a special chamber of the Court of Cassation, which is also composed of a president and advisers, one of whom is a military officer.

As for Judgments in absentia, it becomes revocable only if the sentenced person surrenders himself voluntarily to the court⁹⁰. The decree establishing this court did not exclude children. The same provisions are applied. In 2016, Decree No. 290 was issued for the year 2016⁹¹, where the number of investigation chambers in this court was increased. In addition, for the first time it included the creation of an investigation room for juvenile delinquents in the court of terrorism cases. It is supposed to refer the detained child to trial before the criminal court of terrorism if the charge against the child is described as misdemeanor. If it's a criminal offense, they are referred to the juvenile criminal court which is the ordinary criminal court. Here, children are deprived of the stage of litigation before the referral judge, as is the case before the ordinary criminal court. But this is not always the case since the Criminal Court for Terrorism continues to consider criminal charges against children.

89. Ali's interview for Urnammu – Lebanon

90. Law No. 22 of 2012 establishing a court of terrorism cases <http://www.damascusbar.org>

91. Decree 290 of 2016 <https://hashtagsyria.com>

THE DUTIES OF THE SYRIAN GOVERNMENT AND NON-GOVERNMENTAL PARTIES PARTICIPATING IN THE INTERNAL ARMED CONFLICT IN SYRIA AND THE DUTIES OF THE INTERNATIONAL COMMUNITY

The duties of the Syrian government

Syrian government must comply with the rules of international humanitarian law and international human rights law. This is achieved through:

- » The release of children to return to their families and revealing the fate of those who have been forcibly disappeared.
- » Not depriving children of the special protection provided by international humanitarian law.
- » The treatment of children is humane in all circumstances.
- » Not giving the order of not keeping anyone alive.
- » Prohibition of exposing children to death ,torture ,mutilation or any form of corporal punishment ,collective punishment ,acts of terrorism ,rape ,forced prostitution ,looting or taking children hostage.
- » Compliance with safeguards for the protection of children taking part directly in hostilities.⁹²
- » Providing information to the family members on the fate of their children and their parents who have been deprived of their liberty ,if they are detained.
- » Pro-government armed groups must comply with the required standards on places of detention and apply humane treatment and non-discrimination.
- » Investigate all cases of ill-treatment of detained children and hold perpetrators accountable.
- » Ensure that civilians in general and children in particular enjoy the protection accorded to them under international humanitarian law and the protection given to all victims of armed conflict ,in accordance with the Geneva Conventions of 12 August 1949 and their Additional Protocols of 1977 ,in addition to the customary rules of international humanitarian law as well as the Convention against Torture and Other Cruel ,Inhuman

92. Customary international humanitarian law <https://ihl-databases.icrc.org/customary-ihl/eng/docs/home>

or Degrading Treatment or Punishment ,⁹³ which states countries that are Parties must take effective measures to prevent and punish acts of torture ,especially if they are exercised in secret places on forcibly disappeared persons.

- » Adherence to the Code of Conduct for Law Enforcement Officials ,⁹⁴ as well as the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials ,⁹⁵ United Nations Basic Rules on the Use of Force and Firearms by Law Enforcement Officials, the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, and the Minimum Standards Rules for the Treatment of Prisoners.
- » Considering the special protection of children under the Convention on the Rights of the Child of 1989 and its Additional Protocols ,especially since Syria has acceded to the Convention on the Rights of the Child from the outset.
- » Respect of the relevant provisions of the Rome Statute of the International Criminal Court in relation to crimes against civilians ,including children and their families ,such as the crime of enforced disappearance ,slavery ,torture ,sexual slavery ,forced prostitution ,forced pregnancy ,forced sterilization or any other form of sexual abuse of children or their relatives who are forcibly disappeared.
- » The Government must take measures to prevent enforced disappearances in general, and enforced disappearance of children in particular ,by adhering to the Body of Principles on the Protection of All Persons under Any Form of Detention or Imprisonment, and the Principles on the Effective Prevention and Investigation of the Legal and Arbitrary Executions and Procedures outlined in the Annex to the Economic and Social Council resolution 1989/65 of 24 May 1989 ,endorsed by the General Assembly in its resolution 44/162 of 15 December 1989 and in the relevant resolutions of the Security Council on the protection of children in armed conflict” resolution 1314) 2000 - (resolution 1612 2005 - Resolution 1674 of 2006 - Resolution 1882 of 2009 - Resolution 1894 of 2009 - Resolution 1894 of 2009 - Resolution 2068 of 2012 - Resolution 2143 of 2014 - Resolution 2314 of 2016”
- » The Syrian Government must amend national laws in conformity with the general principles and articles of the Convention on the Rights of the Child and its Additional Protocols ,through abolishing reservations to the Convention and its Additional Protocols.
- » The Syrian government must fulfill its commitments” ,particularly those expressed during the periodical review of Syria in 2011 and 2016 ,“through the ratification of the International Convention for the Protection of All Persons from Enforced Disappear-

93. Syria acceded to this agreement a year ago http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Treaty.aspx?CountryID=170&Lang=EN

94. Code of Conduct for Law Enforcement Officials <http://hrlibrary.umn.edu/instreet/i1ccleo.htm>

95. Basic Principles on the Use of Force and Firearms by Law Enforcement Officials <http://www.ohchr.org/EN/ProfessionalInterest/Pages/UseOfForceAndFirearms.aspx>

ance.

- » Allow the Working Group on Enforced Disappearance to enter the Syrian territory to monitor and document violations ,especially after 2011.
- » The Government of Syria must treat children as protected civilians and allow them to enjoy special protection and ,accordingly ,have the right to reside in the same detention centers with their parents ,to provide them with appropriate conditions for their age ,to receive adequate food appropriate to their needs .And ,they should not be punished for their direct participation in the hostilities .The death penalty should not be carried out even if it is issued .Children who are detained and disappeared must be released immediately after the disappearance of the reasons for their arrest ,in accordance with the Geneva Conventions .The parties to the conflict must also work - even during hostilities - to conclude agreements to release certain categories of detainees or return them to their families.

Duties of non-governmental parties

It must abide by the rules of international humanitarian law and international human rights law, and accordingly:

- » Release the children and hand them over to their families and uncover the fate of the disappeared.
- » Children are not deprived of the special protection provided by international humanitarian law.
- » The treatment of children is humane in all circumstances.
- » Not giving the order of not keeping anyone alive.
- » Prohibition of exposing children to death ,torture ,mutilation or any form of corporal punishment or collective punishment ,acts of terrorism ,rape ,forced prostitution ,looting or taking children hostage.
- » Compliance with safeguards for the protection of children taking part directly in hostilities.⁹⁶
- » Provide information to the family members on the fate of their children and their parents who have been deprived of their liberty ,if they are detained.
- » Armed groups must comply with the standards required on places of detention and apply humane treatment and non-discrimination.

96. Customary international humanitarian law <https://ihl-databases.icrc.org/customary-ihl/eng/docs/home>

- » Investigate all cases of ill-treatment of detainees and hold perpetrators accountable.

Duties of the international community ,the international coalition states, and sponsoring countries ,that are financing the parties to the conflict in Syria

- » Pressure the Syrian government to stop grave violations of children and to ensure its compliance with international conventions it is part of ,to respect the rules that grant children special protection and to emphasize the need to consider their limited capacities by virtue of their age ,which requires taking measures in their favor.
- » Adhere to the means of protecting the special rights of the child established in international law ,in addition to the implementation by States intervening in the Syrian conflict of the obligations under the international conventions they are part of .Syria and all these countries are members of the United Nations General Assembly ,and it is within the competence of this General Assembly .Including intervention in all matters of States.
- » The Security Council must play its role as the holder of primary responsibility for the maintenance of international peace and security ,and take a decision to stop the armed conflict in Syria and oblige its parties to respect its decisions regarding the protection of children during armed conflict under Chapter V and to refer the Syrian file to the international judiciary to hold perpetrators accountable ,especially in cases of children.
- » Specialized international organizations ,non-governmental organizations ,as well as various international bodies ,such as the United Nations Children's Fund) UNICEF(and the International Committee of the Red Cross) ICRC ,(must act urgently to address the urgent needs of children who are detained and forcibly disappeared ,to ensure the return of disappeared persons to their families ,or to carry out searches and reunite families or release detainees ,or even provide medical assistance ,food and clothing, and to take care of children who have no relatives supporting them because they are forcibly disappeared.
- » On the other hand ,the inclusion of child protection should not be overlooked in the peace negotiations that have been underway for years ,during which talking about the fate of forcibly disappeared persons ,including children or their families ,and holding accountable perpetrators of grave violations of children in Syria have avoided.

CONCLUSIONS

- » The Syrian government has adopted a policy of enforced disappearance of children and hundreds of them are still being held illegally. The spread of this crime may amount to a crime against humanity.
- » Persons under the age of 18 are treated as terrorists and tried before military courts that lack the minimum standards of fair trials. Children are also sentenced to death.
- » Boys and juveniles are tried on suspicion of being members of armed groups and are held accountable for crimes they have not committed without complying with juvenile justice standards.
- » International humanitarian law and customary international law apply to the situation of children in Syrian armed conflict to ensure that they are protected from all violations, including enforced disappearances.
- » All parties involved in the Syrian conflict are accused of committing the crime of enforced disappearance, although the proportions and targets vary.
- » Children are killed in government and non-governmental detention centers as a result of torture and other inhuman treatment.
- » Children in detention centers are deprived of their right to adequate food and medicine needed for their growth and development.
- » Children in detention are forced to follow curricula suitable for those who hide or detain them.
- » Many cases of enforced disappearance and arbitrary detention against children were either for the purpose of collective punishment or a hostage exchange or gain and were not a sanction for an act committed by the victim herself.
- » All groups and segments of society were victims of arbitrary arrest and enforced disappearance or both.
- » The role of the United Nations, with all its bodies, was not sufficient or close enough to ensure that children were protected from the crime of enforced disappearance and its consequences, particularly the United Nations Children's Fund (UNICEF), and the role of the International Committee of the Red Cross.

RECOMMENDATIONS

To the Syrian government

1. To release all children detained and forcibly disappeared ,specifically those detained since the beginning of the popular uprising.
1. To end immediately the practice of enforced disappearances ,torture and arbitrary detention of children.
2. To allow international organizations and UN missions unrestricted monitoring of all official and unofficial detention facilities.
3. To establish an impartial and transparent investigation into violations of international human rights law and international humanitarian law committed by the security services and armed groups allied with the Government ,hold accountable those responsible for serious violations ,regardless of their rank and activate the principle of individual criminal responsibility under international law.
4. To amend the Syrian laws to conform to international laws regarding enforced disappearances ,increase the sanction of perpetrators against children ,and repeal laws that help impunity.
5. To take serious measures to identify the fate of the disappeared children and inform their families of their places of detention or the burial places of the children who died during their periods of detention and the preservation of all private information and data.
6. To stop all prosecutions in military courts for individuals under 18 years of age and direct the military prosecutor to refer all cases to civil courts.
7. To ensure that children are not detained and prosecuted solely on suspicion of belonging to an armed group without evidence of any crime.
8. Compliance with juvenile justice standards when persons under the age of 18 are prosecuted in all cases.
9. To support efforts to find alternatives to detention and judicial proceedings ,including conversion and rehabilitation programs ,community service and community supervision ,and educational and vocational training programs.
10. Children in cases of arrest for reasons of armed conflict are put in places separate from

those that are for adults ,except for the cases where members of the same family are there ,in that case ,they must reside together.

11. To establish a mechanism to report on cases of missing children and record their data regularly and make it available to enable their families to follow their fate ,including identification of their remains.
12. To create a DNA database for the disappeared children and their families.
13. Accession to the International Convention for the Protection of All Persons from Enforced Disappearance.

To Non-governmental parties

2. To release all detained and forcibly disappeared children.
3. To end immediately the practice of enforced disappearances ,torture and arbitrary detention of children.
4. To adhere to the Convention on the Rights of the Child and to ratify and implement the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

To United Nations bodies and the Security Council

1. To make continuous effort to put an end to the conflict in Syria and bring justice to the victims.
2. To refer the Syrian file to the international judiciary to hold accountable the perpetrators of violations in general and the perpetrators of the violation of the rights of children in particular.
3. To not overlook the issue of the detainees and the disappeared, specifically children, in the negotiations that have been going on for years
4. To pressure the Syrian government to be able to regularly access detention facilities and to monitor places of detention and trials involving children.
5. To support the establishment of a child-centered judicial system and ensure the implementation of training programs for judges, prosecutors and civil lawyers on juvenile justice standards.

6. To create new mechanisms and activate existing ones, to ensure the protection of children in detention and their families, and not only texts and legal rules without application.
7. Coordination with UNICEF and the International Committee of the Red Cross regarding the call for the release and rehabilitation of detained children.
8. Cooperation and coordination with the Syrian non-governmental organizations that monitor child rights violations.
9. To create a DNA database for the disappeared children and their families.
10. To establish a flexible mechanism to report on missing children, register their data and make it available to families of victims to follow up on their whereabouts.

Finally, children are the hope and the future of Syria, so they deserve the best protection against all violations and the increase of opportunities of them benefitting from this protection.

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This report is dedicated to supporting justice in Syria

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