

# AMNESTY INTERNATIONAL PUBLIC STATEMENT



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## **Syria: All sides must protect captured or detained individuals in their custody**

Amnesty International has called on all parties to the ongoing armed conflict in Syria, including members of the Free Syrian Army (FSA), or other parts of the armed opposition, to ensure that any individuals they may hold in their custody are not harmed in anyway and are protected from torture or other forms of ill-treatment.

The call came amid fears for the lives and wellbeing of individuals held by both sides. Both sides in the conflict have engaged in hostage-taking, abductions, and the torture or other ill-treatment and summary killings of detainees, captives and others.

Treating captives as hostages or harming them in any way is a violation of the rules of international humanitarian law (IHL) which applies to all parties in an armed conflict.

### **Threats to kill Iranian hostages**

Members of the al-Baraa' brigade, who are reportedly affiliated with the FSA who say that they operate in Damascus and its suburbs, released a video on 4 October in which they threatened to kill over 40 Iranian nationals they have held since August 2012, if the Syrian authorities did not release detained opposition supporters and did not stop the shelling and killing of civilians within 48 hours.

A spokesperson for the Revolutionary Military Council in Damascus Province, part of the FSA, announced on 8 October 2012 that the executions were postponed pending ongoing negotiations.

Amnesty International is calling on the Baraa' brigade, which has repeatedly threatened to kill the Iranians, to ensure that the men remain unharmed and are protected from torture or other forms of ill-treatment. The organization said they must be treated humanely, provided with all necessary medical treatment, and allowed to communicate with their families.

The Baraa' brigade has held the Iranian men since 4 August 2012. It has accused them of belonging to the Iranian Revolutionary Guard Corps and of being in the country to provide military support to the Syrian government. The Iranian government has insisted that the men - some of whom they say are retired Revolutionary Guards officials - are pilgrims who were travelling to the Sayyida Zainab shrine in the suburbs of Damascus. The brigade said on its Facebook page on 6 August that three of the Iranians they were holding had been killed during shelling by government forces.

The brigade is a signatory to the FSA "Code of Conduct", a pledge to respect human rights and international humanitarian law including laws governing "prisoners of war".

The fact that human rights abuses, including war crimes and crimes against humanity, committed by government forces are on a much grander scale, does not justify the abuses committed by opposition groups – including cases such as this where hostages are being threatened with death. Amnesty International is also concerned at videos which have been - and continue to be -

circulated on the internet showing individuals captured by some opposition brigades being tortured or otherwise ill-treated or, in some cases, killed.

Although it is not possible to corroborate the circumstances in which any of these individual videos were made, their existence indicates a lack of protection for individuals in custody, including captured members of the security forces, particularly in the initial period after their capture or detention. Amnesty International calls on all armed opposition groups in Syria to treat all detainees humanely and not to harm them in any way.

Other foreign nationals are also being held as hostages by armed groups in Syria. Nine Lebanese nationals have been held near Azaz since May 2012 by a group calling itself the 'Asifat al-Shimal brigade'. The group, which claims at least some of the men are members of Hizbullah, an influential Shi'a political and military organization in Lebanon which is supportive of the Syrian government, has demanded that Hizbullah "clarify its position with regards to the Syrian people and revolution" as a condition for their release. Two other men held with them have since been released. Hizbullah has denied having links to the men.

### **Fears for foreign nationals believed held by government forces**

Other foreign nationals missing or believed detained by government forces are also at risk. Freelance Turkish cameraman Cüneyt Ünal and journalist Bashar Fahmi Amin al-Qaddoumi, a Jordanian national of Palestinian origin, went missing while working together in Aleppo, in northern Syria on 21 August. A Japanese reporter, Mika Yamamoto, who was with them, was shot dead by government forces, who reportedly captured the two men.

A week later, Cüneyt Ünal appeared on the pro-government al-Ikhbariya TV channel 'confessing' to entering Syria as an armed insurgent. He is believed to be in the custody of one or other of Syria's numerous security forces but his exact whereabouts are unknown.

Bashar Fahmi Amin al-Qaddoumi's fate has remained unknown since his disappearance and there are fears for his safety.

Another journalist, US national Austin Tice, is also held in unclear circumstances. He disappeared while accompanying armed opposition fighters in Damascus in August. Czech Embassy officials in Syria, who oversee US interests in Syria, later said that they believed he was in the custody of Syrian forces. A video in which he appeared was uploaded on YouTube on 26 September shows him in the hands of unidentified armed individuals purporting to be an unidentified armed group. This video, posted by an unknown individual who has posted nothing else before or since and later circulated on a pro-government social networking site, is unlike most videos posted by opposition forces), and appears to be an attempt by those holding him to deny responsibility for his detention.

The Syrian authorities must immediately inform the families of anyone they are holding. In the case of foreign nationals, the appropriate consular mission should also be informed. Amnesty International has recorded the names of over 590 people who have reportedly died in the custody of Syrian authorities since March 2011, many of whom were subjected to torture and other forms of ill-treatment.

A recent report by the organization<sup>1</sup> also noted a sharp rise in government forces' use of extrajudicial and summary executions against civilians as well as members of the FSA, citing a

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<sup>1</sup> See Amnesty International, *Civilians bearing the brunt in the battle for Aleppo*, Index: MDE 24/073/2012, 23 August 2012, <http://www.amnesty.org/en/library/info/MDE24/078/2012/en>

number of occasions where hand-bound bodies were discovered near the air force intelligence headquarters in Aleppo.

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