Syrian Human Rights Committee

SHRC اللجنة السورية لحقوق الإنسان

Cases of kidnapping, raping and assaulting women in Syria

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Recommendations

The aim of this study is to introduce a legal and human rights' vision regarding the kidnappings and assaults against women in Syria. In addition, it aims to introduce a realistic study regarding many factors such as: the methods used in these crimes, the motives of the abductors, the treatment of the victims and the negative and psychological effects these incidents have. These issues will be presented from a number of documented cases which reveal the horrendous effects and results of these crimes.

Chapter one: Crimes committed against women in Syria

Section one: Kidnapping

1. **Definition**

Kidnapping can be defined as any act in which the victim is forced to be transported or is actually transported from one place to another against their will, preventing them from leaving, with the intent to either marry them, rape them, or prevent them for practicing any of their personal freedoms.

2. **Criminal elements**

For a kidnapping to be described as a crime the following elements should be proven:

a. The kidnapping: the criminal act of taking an individual and transporting them from one place to another.
b. That the kidnapping was carried using means of deception or violence.
c. Having the criminal intent where the abductor has the intention to kidnap the victim using violence or compulsion.

Section two: Rape

1. **Definition:**

Rape is one of the most offensive crimes against honour. At the same time it is an assault against public freedoms and a violation of the human body. The aim of this crime can be to damage the physical, psychological or mental wellbeing of the victim and to assault their honour. It might lead to a decrease in marriage and it affects the stability of families in society. It can also lead to producing illegitimate children, a fact that has financial and sentimental effects. In conclusion, rape is a crime that affects the stability of society and is considered a violation of all religions, legislations and laws.

Rape can be defined as having sexual intercourse or other forms of sexual penetration between a man and woman without the woman's consent.

2. **Criminal elements**

Rape consists of several elements such as:

a. The physical act of sexual intercourse.
b. The use of violence, threats and compulsion (compulsion has two forms: physical and sentimental).

Section three: Methods of kidnapping and rape as taken from documented cases

The Syrian regime has resorted to using collective punishment through continuous cases of kidnappings and rapes in many of the revolting cities, villages and neighbourhoods. In order to do this several groups were recruited and can be divided as follows:

- The Shabiha
- The intelligence agencies
- The Syrian Armed Forces

Victims of these crimes include girls and women who belong to the revolting cities, villages and neighbourhoods. These crimes take place individually and collectively in the cities, village squares, raided houses, prisons, detention centres and in allocated houses used for this purpose only. Victims of these crimes also include the families of active members of the revolution in addition to female activists who are involved in any humanitarian or medical relief or who join the demonstrations and express their desire to topple the regime.

This chapter will present documented testimonies of some the offenders who carried out the kidnappings and rapes in addition to certain incidents documented by this study.

- **The Shabiha**

"The Shabiha are a group of criminals, mercenaries and ex-offenders with criminal backgrounds who are motivated to commit these crimes for sectarian purposes. They are deployed all around the country to help the Intelligence agencies and to commit acts of suppression, murder, torture, kidnappings and rapes in exchange for a certain amount of money. They are given orders by the governmental forces which turn a blind eye to their crimes against anti-regime civilians".

Below is part of a testimony given by one of the abductors called Ulfat. Ulfat worked with the Shabiha to kidnap women in Homs and narrates how the kidnappings were carried out.

Name: Ulfat Fantour

Father's name: Asif Fantour

Mother's name: Iktimal Dibab

Ulfat was born in 1986 and belongs to the Alawite sect. She was captured by activists in Bab Alsbaa' in Homs while she was preparing for another case. Her confessions were documented on 16 December 2012.

Ulfat said that she received a call from a man called Abu Ali Munther who assigned her with the task of monitoring and observing the area of Bab Alsbaa' in Homs in order to kidnap two women there. She confessed that Abu Ali Munther was the first assistant in the external department of one of the intelligence branches functioning in Homs. He asked her to check the side roads in the area before heading towards the main road to kidnap the women.

This was done using deceptive methods. Ulfat sat in a taxi next to the taxi driver and told women that she would not mind sharing a taxi with them as she would soon arrive at her destination. Once they got into the taxi the doors were locked and the women were threatened and taken to a meeting point.

Ulfat named Um Mohammed, Um Mos'ab and Abu Ali Munther as her collaborators. They formed an organised crime group and had aliases in order to protect their identities if they were captured. Ulfat only got in touch with them via the phone and during face to face meetings where she would hand them her victims. They paid her the amount after each kidnapping.

Ulfat confessed that she five girls, three of them from Alkhalidiyya and two from Bab Alsbaa'. Her first kidnapping was made in Alsouk in Homs using the same method. She took the victim to Alsakan Alshababy in Homs where she delivered them to the others. Her second kidnapping took place in Bab Alsbaa' also using the same method. The victim was also taken to Alsakan Ashababy in Homs.

She did not target specific names, but targeted women who belonged to the Sunni sect and the anti-regime areas. For each victim she was paid 5000 SYP.

Ulfat added that her collaborator known as Um Mus'ab kidnapped four women and sent them to the same place in Alsakan Allshababy in Homs. Ulfat was unaware of the details of the rapes and assaults or of the fate of her victims. Her role was confined to kidnapping the women and handing them to Abu Ali Munther for which she would receive an amount of money. However, she mentioned that she believed these women were kidnapped in order to blackmail their families and ask them for large sums of money and possibly to rape them.

She stated that her motives behind committing these crimes were financial and that she targeted women who wore headscarves in areas that witnessed anti-regime demonstrations.

This study also documented the confessions of Abdulkarim al-Nabhan, former head of the air force intelligence branch following his capture by activists in the Syrian revolution. His confessions were recorded on video and mentioned the following information.

Brig. General al-Nabhan confessed that the Shabiha used by the regime kidnapped Syrian women in order to exert pressure on their families. This was mentioned in a video activists published online in which al-Nabhan was seen with his ID card. He was asked a question by an activist behind the camera to which he answered: "The Shabiha take these women to Qaryat Al-Mazra'a (an armed Shiite village protected by the intelligence agencies and the armed forces). They are aware of the fact that the Syrian people reject such horrendous crimes against honour, so they exert pressure on the citizens by kidnapping women and girls and blackmailing their families in addition to punishing activists in the revolution by raping their women".

From Ulfat's confessions, it can be concluded that the gang of which she was part of consisted of three management levels that were financially supported and protected by the governmental armed forces. These levels consisted of:

The first level: the actual kidnappers such as Ulfat, Um Musa'ab and those who did the kidnappings in exchange for sums of money. Their roles were confined to following the orders of their superiors.

The second level: the heads of the Shabiha who plan, supervise and finance the kidnappings then assault the victims or blackmail their families. They are in regular contact with governmental bodies and intelligence agencies that protect them and cover their crimes.

The third level: the intelligence references which direct the Shabiha, protect them and cover their crimes.

This study found three incidents in which three women were kidnapped and raped. Their names are: Sumayyah, Um Abdullah and Shaheera.

1. Sumayyah

Summayah gave this alias after giving her real name which she asked to remain unknown in order to protect her family and protect herself from a society which tends to be merciless towards raped and kidnapped women.

Sumayyah, twenty four, is a civil engineering graduate. When she was contacted for this study she refused to talk about the incident at first as she was in a poor state and her story was tragic. After a long discussion she agreed to narrate her story in segments to one of the researchers of this study.

Sumayyah is a pretty girl and is an engineer who lives in Hama. She worked in one of its engineering offices and was engaged to a man working in Saudi Arabia. She was organising her wedding preparations and was getting ready to live with her husband in Saudi.

The problem began when Sumayyah had an argument with a female Alawite colleague about the revolution and the regime's stance towards it. Her colleague threatened her and told her that she will pay the price for supporting the revolution and that she will regret the words she uttered for the rest of her life.

At 12 noon in mid-April, Sumayyah was heading towards one of the governmental institutions to finalise her travelling papers. On the way back from the Almarkaz Althaqafy area near Hama close to Alfaisal roundabout, Summayah sensed that she was followed by a car from the moment she left her home, so she called her brother in law and asked him what to do. These words were her last cry for help.

Sumayyah described the car and said that it resembled the cars used by the intelligence agencies. The car had four passengers in it; two of them attacked her and drugged her quickly, preventing her from asking for help. They took her into the car in broad daylight. She did not know where she was taken but said that the place resembled a storehouse or an old prison or a basement of a large damp building. She mentioned that a large number of victims from Homs, Hama and Alrastan were kept in there. She added that a thirty five year old woman and her sixteen year old daughter were there as well.

Sumayyah narrated how her captors brutally beat her and threw her against the wall then beat her again and pulled her hair before raping her. She was tortured in this manner on a daily basis for a week. On the eighth day she was taken in a car while she was unconscious as a result of the ongoing beatings, torture and rapes she went through. She was thrown out of the car in a remote area in Manbaj in Halab's countryside.

She was found in an extremely bad state by a shepherd who was looking after her flock in that area. The woman took her, cleaned her and treated her with whatever she had available. She then contacted Sumayyah's family to inform them of her whereabouts so they could collect her.

Sumayyah's body and face were severely bruised as a result of the beatings and torture. Fortunately she did not suffer from any fractures. She said that she was kidnapped so they could humiliate her. She believes that they only spared her life so she can suffer from the social disgrace imposed upon women who have been raped. Indeed this was the case; the society did not tolerate Sumayyah and her fiancé broke off his engagement with her. Sumayyah secluded herself and refused to meet anyone. She avoided speaking about her experience at first, even to her family. Every time she remembered what she went through she would go into a hysterical state. She became very quiet and refused to eat or drink until she was very ill. She wanted to die so she could erase the disgrace imposed upon her.

Sumayyah was supported by her family and her cousin rushed to propose to her. However, Sumayyah still suffers from the effects of this horrific incident which she will never forget.

2.Um Abduallah

Um Abdullah is also an alias as the victim refused to give her real name. Um Abduallah insisted on narrating her story so the world can be aware of what Syrian women are going through under Assad's regime.

Um Abduallah is from a conservative village in Homs. She lived in a remote area in the village with her parents. She has one son, Abdullah, and her husband is deceased.

At three o'clock on Friday, 25 May 2011 Um Abduallah's parents went to attend a funeral of her cousin who was killed by the Syrian armed forces following the violent shelling of the village. An hour and a half later, she heard the sound of heavy gunshots. Her son Abduallah was terrified and started crying so she took him to a room and shut the door. She began reciting verses of the Quran to calm him down, as well as herself. Minutes later, she heard knocking on the door so she rushed to answer it thinking it was her parents. When she opened the door she was surprised to find five men dressed in black with machine guns (Kalashnikovs) who began questioning her about a young man hiding in the house and whether she had any weapons.

Um Abdullah was terrified and was close to a nervous breakdown. She replied "no sir we don't have any weapons, we're a simple poor family". The armed men insisted that she was hiding weapons so they broke into the house, searched it and wrecked it but were unable to find anything. One of them then attempted to get hold of her son and then threatened to kill him. He took her headscarf off and said to her: "this child isn't called Abdullah (slave of Allah), he's called Abd Bashar (slave of Bashar), you are all slaves of Bashar".

He then ripped Um Abdullah's clothes off and put out his cigarettes with her body. Then all five of them raped her brutally, threw her to the floor and left the house.

Um Abdullah said that the main reason behind her refusal to remain silent about the incident was that she believed this was not the first or last incident that took place and that what happened to her happened to many others. She wanted the world to know what Syrian women are going through under the regime's forces.

3. Shaheera:

The Shabiha do not consist of Syrians only. It has been found that other nationalities support the regime in its war against the people. An incident involving a woman from Duma in Damascus's countryside was documented. Her alias was Shaheera.

Shaheera is from Duma, from Damascus's countryside. She is married with two children. On one of the Fridays, a day when Syrians usually attend the streets to demonstrate, she and her husband agreed to go out to the streets with their children, especially that all the families used to do so in Duma. When the demonstrations started, heavy gunfire began. Shaheera's husband feared for his family's life so asked her to go back to their house as soon as possible. When she arrived home with her children, four men raided her house and pushed her and her children in. Her children then started to cry and scream because they were terrified of these strangers. The four men started wrecking the house and searched it while the children continued to scream and cry. Shaheera tried to calm them down.

She mentioned that the men were wearing military clothes but their accents were clearly Lebanese. The man in charge of the group called another man called Haidar and asked him to shut the door and take the children to the other room and lock them in. Shaheera pleaded with the Lebanese Shabiha to leave her children unharmed. She heard their cries from the other room calling her "mama...mama..." and started crying. She begged them not to harm them.

The man in charge of the group spoke and said "we won't harm the children if you allow us to enjoy your body and do whatever we please with you". Shaheera cried to them: "I'm a married woman. I'm a Muslim and I fear Allah". She begged them not to assault her honour and asked them: "don't you have women whose honour you fear for?"

Her pleads were fruitless and the three men attacked her and ripped off her clothes, leaving her totally naked. Shaheera cried frantically as she narrated this. "They were like animals. Hizbullah's animals..." she said. They raped her one after the other. "I ask Allah to avenge me from them. May He disgrace them like they disgraced me" she cried.

After their barbaric attack, they left her lying on the ground and left the house. At this stage Shaheera hoped "the earth would open and swallow me in and that I died". She then paid attention to her children who were crying and screaming, so she dressed herself in what remained of her clothes and ran towards them despite the state she was in. "I will never forget this incident" stated Shaheera. A while later, as she was tidying the mess they left behind, she found a small booklet which she showed the researchers of this study. It had "Ziyarat Alsayyida Zainab" (visiting Sayyida Zainab) written on it. She concluded: "I knew from their accents that they weren't Syrians or from Syria and that they were from Nasrullah's followers".

Shaheera carried on: "Since that day I've not mentioned a word about it. Why would I? The disgrace of it will live for me; eat on me for the rest of my life". She decided not to speak about it and for her secret to follow her to her grave. However, as time went by she decided to reveal the secret "so people are made aware of this issue, so that these monsters could be stopped and so people can protect their daughters from them". She added: "I was raped, and I know I was not the first or last one to be raped". She asked anyone able to stop these heinous crimes that assault people's honours to act immediately. She hopes that her message is clear to everyone, that she was a victim and that many other mothers, daughters and sisters will be targeted next. Someone needs to put an end to these criminals.

Shaheera currently lives with grief and sorrow with her husband's relatives because since that day her husband has gone missing. She has no information about him at all and does not know whether he is alive, dead or detained.

- **The Armed Forces**

This study also documented the confessions of several members of the armed forces who took part in the kidnappings and rapes at checkpoints, raided houses, detention centers, intelligence

branches, remote villages and village squares. Testimonies of the victims of these crimes were also documented.

The confessions of Hasan Rajab, member of an intelligence branch functioning in Homs.

Hasan Rajab is from Mesyaf. He was captured with the help of a defected army captain who is now affiliated to the Free Syrian Army (FSA). Hasan volunteered to the pro-regime intelligence agencies when the uprising in Syria began. Recruits were paid generously to participate in the suppression, murder, kidnappings and torture incidents. Hasan also mentioned that the main reason behind his involvement (and other people's involvement) was due to sectarian purposes. They were told that Sunnis would slay the Shiites if Assad's regime fell.

Hasan volunteered directly and did not go through any training, briefing or lecturing of any type. He was immediately given a Kalashnikov and a gun. He was captured by the FSA ten days later. Hasan mentioned that the kidnappings targeted a certain type of women: Muslim women wearing headscarves that participated in and supported the revolution. He received orders to target these women from the head of the intelligence branch.

Hasan confessed that several cases of rape took place in the intelligence branch he worked in, particularly in the interrogation department. He said that women were usually raped by the intelligence patrol that kidnapped and detained them and then they were raped again by another intelligence patrol.

Hasan stated that the young and pretty girls were sent to the head of the intelligence branch who would also rape them. He then said that in the ten days he worked in, there were 25 girls in the branch. The majority of them wore headscarves and were from areas such as Alwa'er, Alghoota and Alhamra.

He mentioned that on the day he was captured by the FSA, a girl from the Ghalyoon family was kidnapped because she belonged to the family of one of the main opposition figures.

The last question Hasan was asked was regarding the number of men who were recruited in the same way to carry out similar orders. Hasan answered: "There are a lot of us who were recruited in the same way and who carry out everything their intelligence superiors order them to".

This study also documented the incident involving Zainab Alhisny whose story became well known following the live interview with her brother, Abu Maher Alhisny.

The details of her incident were sent to several human rights organisations. Zainab came from a family in Bab Alsbaa' which revolted against the ruling regime in Syria. In Homs they call her "al-Shaheeda" (the Martyr). She was born in Homs, 1992.

The intelligence agencies raided Bab Alsbaa' on 17 August 2011, searching for Mohammed Deeb Alhisny. However, they were unable to find him in his house so they followed his sister Zainab Alhisny and kidnapped her to persuade her brother (who they later killed) to hand himself in.

One month later, her father was summoned to the infamous Military Hospital in Homs. This hospital is known for keeping the bodies of citizens tortured in the intelligence branches. It is also used for interrogation and torture, leading in some cases to the victim's death. Zainab's father was shocked when he saw his daughter's body. Her body parts and head were decapitated and he was forced to sign papers that stated that terrorist groups were behind his daughter's kidnapping and death.

On the same day Zainab's incident was documented, her brother Abu Maher stated that one of the Shabiha assigned to assassinate an activist in Bab Alsbaa' was captured. His confessions were recorded and he stated that 18 women from different parts of Homs were detained in a field in Qaryat Almazar'a in Homs's countryside and that they were raped on a daily basis. He added that the Shabiha killed one of them daily and that twelve of them were already dead while six of them remained alive.

Al-Hayat Newspaper in London published stories of Syrian women being raped and murdered and managed to obtain "rare" testimonies from them and their families.

In a small room in one of the compounds that contained Syrian refugees in Ar-Ramtha, a Jordanian city adjacent to the Syrian borders, Amal sat on a small balcony starting into a city overwhelmed with murder and deportation. She remembered the "nightmare" of how her daughters were raped before being slaughtered with knives.

She sobbed as she spoke and said "The Shabiha and members of the intelligence evicted entire families from the rubble of their homes. They started forcibly undressing my little daughters and then raped and killed them". She added "They would ask us: do you want freedom? This is the best type of freedom".

She added: "The wails and cries that surrounded the place, the pleadings of women and children did not stir their feelings". She did not explain how she managed to escape, "I couldn't take it when they slaughtered them with knives, and I fainted".

"My daughters Aisha, Duaa and Ruqayya were killed with cold blood because their father was involved with the rebels" she said, adding that "thousands of women were detained, raped and humiliated in the regime's prisons".

Muneera, thirty nine, had a similar story to Amal's. Both of them were mothers who lost their children after they were raped by members of the intelligence and Shabiha. She stood helplessly as they raped and killed her daughter. Muneera, who uses this name as an alias, fearing the disgrace that might follow her family, narrated the horrific story as she sat in the small room in the compound, which was provided by a charity in Ar-Ramtha for Syrian refugees.

Muneera is from Hama. She mentioned how her daughter, Tasneem, who was in her twenties was raped fifteen times by the Shabiha before they choked her to death. She raised her hands and prayed to god that her people's misery will end soon. She continued narrating similar stories of rape that Syrian women went through.

Asma, twenty, managed to escape the massacres taking place all around Syria, but spoke about her story and how she was raped by four soldiers in front of the people of the Hay Alkhalideyye neighbourhood in Homs.

As she sat in this place in the city of Mafraq near the Syrian borders, she described how she escaped "inevitable death". She was targeted because of her brothers' involvement in the revolution. She remembered the dark and foggy night when she escaped into Jordan with her family and three hundred others from her destroyed neighbourhood, all of them "living proof of the brutality of the situation in Syria". Painfully she added: "What they did was barbaric, and it killed my future and dreams. They killed the joy I had in me".

Basma, twenty six, escaped with her old mother from one of the small neighbourhoods of Daraa Albalad which is only 2K away from Jordan. Basma narrated another similar story with a pale and frightened face. "On 5 April last year, a group of tanks were roaming around the area we lived in. They were firing everywhere. Tens of citizens were killed with cold blood" she said. Basma would have preferred death over being undressed and violated by those inhumane criminals. She said that the Shabiha and members of the intelligence were escalating their barbaric campaigns in remote and unknown villages away from the main cities. Stores and schools were closed and women and children were raped.

Zayed Hammaf, chair of the Quran and Sunnah organisation which supports thousands of Syrian refugees in Jordan, said that the organisation is providing medical and psychological treatment services to many of the female refugees who were victim to rape. He also informed Al-Hayat newspaper that two clinics were being opened in Ar-Ramtha to provide services for rape victims.

Hammad mentioned that according to social studies conducted by the organisation, the age range of the victims is from fifteen to twenty nine. He then told the tragic story of one of the victim's mother who was receiving regular support from the organisation. "Her daughter was raped ten times by soldiers before being killed in public on the main road" said Hammad.

According to Hammad, there are no precise statistics that reveal the number of victims who came to Jordan. However, the continuation of the violence in Syria will increase the numbers (Al-Hayat).

In an apartment in Amman, Noor (a rape victim), her doctor and a female Syrian activist in charge of a programme that deals with raped women told Al-Jazeera some of the horrific events of her story.

Noor, thirty, is an alias name for a woman from Homs.

Her story began at the end of last year when she was passing through a security checkpoint in Bab Al-Dreeb. A boy who looked no older than thirteen years was asking for the help of another girl who passing through to be released from security. She said: “we tried to release the boy from them telling them to have mercy upon him which is when one the security members ordered our arrest”.

According to Noor, she was taken to a flat in Homs which was guarded by men. Inside the flat 15 women were detained and supervised by a woman whose job was to prepare them to be presented as personal gifts to unknown men from the intelligence.

Painfully she continued: “once we’re put in the flat we are undressed. I was raped in the flat for the first time, but then I resisted this woman and told the other girls to disobey her so she would ask for me to be moved outside the flat”.

She then mentioned how she was transported to an intelligence branch. When she left she was able to identify it as the “Falasteen” military intelligence branch. Noor lived indescribable horrors there. “All the detained women in there were in their undergarments only despite the cold, which was one of our main enemies” said Noor. She added: “Being beaten, tortured, electrocuted and raped was a daily event for me and the detained women. We were injected with needles that would heat our bodies up like fire and with needles in our knees which paralysed us before we were raped”.

Noor was silent for a while then said: “I was raped many times. Sometimes the officers would force the recruits to rape the women. I heard some of the recruits say that they had sisters and daughters but the officers would tell them that it was an order”.

Noor continued talking about the disgusting sadist methods the officers and recruits used with raped women. She decided to refrain from mentioning the details but said that rats and cats were used when they were beaten and raped. She added that she could no longer stand the sight of bread because they were given hard bread to eat. When they told their captors that it was inedible they would urinate on it and force them to eat it.

Noor’s great achievement was that when she was released, she was able to identify the man responsible for these horrors as Basel Hazlaqi, also known as Abu ‘Ahed. She demanded human rights organisation to prosecute him as a war criminal.

Noor mentioned that she was able to escape with someone’s help. However, she refused to mention who this was in order to protect his identity. He managed to get her to a group of people who helped her flee into Jordan at the end of last February.

Noor is currently undergoing physical and psychological treatment but her misery continues. Syrian activists in Amman were able to get in touch with her younger brother in Lebanon, but he refused to cooperate with them after he found out his sister was raped.

- **The Syrian Armed Forces:**

This study documented the testimonies of soldiers who defected from the Syrian Armed Forces. The first is by a lieutenant who escaped Syria six months after the revolution erupted. He gave his first name but asked for it to remain unknown, fearing for his family's safety in Syria.

When the researchers sat with the defected officer who was also a doctor, he began speaking about his military service that was at the Syrian-Israeli border in Alquneetra. They were given orders to head towards Banyas to fight the "armed groups" there. However, when they arrived to Albeda in Banyas they did not find any. Even though the village was full of peaceful demonstrators only, they were given orders to fire on them. He was then transported with his brigade to Homs for the same reason: fighting armed groups. The defected lieutenant spoke about the orders they received which gave the soldiers the green light to do as they pleased in the villages and in Homs in specific. He mentioned how he tried to control the soldiers who were under his command but was unable to. The lootings, killings and kidnappings continued. At the same time, sectarianism played a role as non-Alawite officers and recruits were supervised by Alawite officers and recruits. He was no longer able to stand the environment he was in so he coordinated his escape with some of the local families and then escaped to Lebanon.

He said: "There were no rules with regards to anything: homes, houses, stores, civilians, men and women". He tried to avoid participating in these crimes and to hear about them. He heard in his brigade about the kidnappings and rapes but was unable to even speak about them because of the Alawite soldiers that were observing him. The only thing he could do was escape when he could.

The testimonies of Azad, a member of the ground forces in the Syrian Armed Forces who refused to mention his real name fearing for the safety of his family who remain in Syria.

2 April 2012.

Azad said that in addition to firing on unarmed civilians, members of the armed forces would rape women and girls on a regular basis. They also tortured children and encouraged their forces to loot the homes that were shelled.

He mentioned that ten soldiers were given orders to break into the citizens' homes and arrest a number of men who were wanted by the intelligence agencies. The orders gave them absolute freedoms to do as they pleased. He added that at the beginning of last July, his unit detained and tortured five to ten people daily. "We had a torture chamber in our base, we used physical and psychological torture" said Azad, a Syrian Kurd who escaped in March. He added: "they brought the kidnapped women and girls and locked them in a room and asked the soldiers to rape them. They usually killed them afterwards".

Cases of rape by the Syrian Armed Forces

Another Syrian woman called Salma narrated the horrors she had to go through at the hands of the armed forces. She refrained from mentioning anything other than the two villages she, her

husband and her relatives lived in. She sobbed and said: "I complain to Allah, the One who will help the helpless. Where are the Muslims? We are carrying illegitimate children in our wombs!"

Salma added that thirty six women were raped when the armed forces raided villages, Sahl Alruj and Koreen, after they were shelled by tanks a few kilometers away. "I can't picture it or remember it. We're carrying illegitimate children in our wombs" said Salma with a pale face. She then said: "I'm 28 years old and a widow to a martyr. I'm a mother of four, three girls and a boy. We lived a peaceful life in our village until Friday, 22 February 2012 when our village was shelled early morning. Through the megaphones of our local mosques we were advised to remain in our homes, in our basements and underground shelters to avoid the shelling. Anyone able to move out to the wilderness or mountains was advised to do so too".

"The gangs attacked my husband. I heard my son crying so I couldn't stay in the place I was hiding in. I left my daughters in the basement. I begged them and swore to them that we were civilians, that we didn't do anything or hide anyone from the Free Syrian Army" said Salma.

She went on: "One of them said to me that our existence was a mistake within itself. That whoever created trash like us alongside them was mistaken". She added how she saw her husband on the ground. They jumped on his body and said "Where is your god now?" They told her that if she wanted to be spared then she had to allow all five of them to do whatever they pleased with her in front of her husband and children. She refused and told them she was like their sister, a free Syrian. She asked them how they could do something horrific to their sister. One of the men then beat her on her head with his machine gun and said that she was not their sister. They then shot her husband and he bled. They took a knife out and placed it on her son's neck so she begged them not kill him and do whatever they pleased with her.

"They barbarically ripped my clothes off. Five soldiers took turns in raping me and when they were done they told me that if they came back and found me here they will kill me" she said. Salma started sobbing hysterically and wondered: "Where are the Muslims? Do they not know what we are going through? Do you not know what Bashar and his men are doing to us? We are your sisters; God will hold you accountable for letting us down. I complain to Allah alone, may He avenge us from Bashar and his people".

Um Yusuf had a similar story. She also refrained from giving her real name in order to protect her family in Homs.

Um Yusuf was actively involved in supplying medicines and medical aid. She is thirty two and is from Homs. She was kidnapped on 5 May 2012.

Um Yusuf was on her way to the hospital. After she delivered the needed medicines she was stopped at a checkpoint on her way back home in Qasyoon inside the capital, Damascus. One of the security officers on the checkpoint asked her where she was from. She told him she was from Homs. They asked her for an ID card which she did not have with her at the time, so they arrested her and

the taxi driver, Ahmed, who was helping her deliver the medicines. They seized their car and took Um Yusuf to the military intelligence branch in Damascus.

Um Yusuf said that the checkpoint was run by the Syrian Army. It contained both people in military uniform and others who were dressed as citizens, all of which carried Kalashnikovs. An officer there and the group of soldiers around him had a distinctive coastal accent. She was detained in the same taxi with the driver.

Um Yusuf said that she was sent to four intelligence branches. She identified one of them as a military intelligence branch. She was interrogated in each branch for two to four hours. She was eventually detained in the military intelligence branch.

Her mobile phone was confiscated and she was prevented from contacting her family or a doctor or a lawyer. She was denied visits and was banned from contacting anyone outside the intelligence branch. None of her family members knew of her whereabouts for three days. She completely refused to speak about those three days and started crying uncontrollably.

Her captors blackmailed her family and asked them for 1,200,000 SYP in exchange for a medical report which stated that Um Yusuf was not raped. They then asked for another 250,000 SYP to release her. Her family paid the money, but her release was postponed. They asked for another 150,000 SYP to release her.

Um Yusuf's family paid all the money they were asked to so she can be released. No direct contact was made between her family and the intelligence officers. An old man mediated everything between them.

Um Yusuf mentioned that she was not physically tortured, but was under immense psychological pressure. The prison conditions were very dire. She was without food or water for the first three days. She was given food after the first installment was paid. She said that the prison she was detained in had very poor conditions that even animals could not survive in. She said that there were many girls whose ages varied and who were detained in different branches.

Um Yusuf completely refused to speak about the first three days she experienced in the presence of her sister. Her situation worsened after her release. She tends to stay alone and secludes herself from the people around her. She lives on tranquilising pills and refuses to see her children and husband. She does not allow her husband to touch her and has even asked him for a divorce. She does not speak to anyone and her psychological state is very shaky. She sleeps constantly and wakes up for no longer than four hours a day. She is always exhausted and refuses to eat or drink. Whenever she speaks to any of her family members she begins to cry, even with her parents. She lost 22 pounds and to make things worse, the military intelligence branch she was in contacted her and asked her to visit them again. This left her in a state of constant terror until she managed to escape to Damascus.

More cases were reported and documented with the coordination of Dr Hadi Albahra, an activist in the field of kidnappings and rapes in Syria. They include the following cases:

1. A twelve year old girl and her fourteen year old sister were raped in their home by members of the intelligence and the Shabiha in front of their mother and brother. They took turns in raping them and beat everyone in their home. They were fortunate enough to be spared and not killed. Two of the girls' brothers wanted to kill them after the rapists left to "erase their family's disgrace" but their mother called the neighbours to save them and helped them escape to Jordan and hide there.

2. A seventeen year old girl from the same governorate was raped in her home in front of her parents after it was searched and then she was kidnapped. She was transported from one apartment to another for fifteen days. Each apartment was guarded and had a woman who was in charge. Each apartment contained five to ten women who the Shabiha and intelligence officers raped. She lived like this for two weeks. She said that before the women were raped, they were injected with a substance in their thighs that would keep them conscious but paralysed. She described how a "group of monsters" tied her up, undressed her then brought an iron which they used to burn her internal and external sex organs. She lost consciousness and woke up the next day naked on a bed which was later identified as the "Falasteen" branch. After a period of time, she was released and she and her parents escaped to Jordan. After her case was fully documented, funds were secured to carry out the needed surgical treatments to restore and repair the affected areas of her body. However, it was found that the effects of the substance she was injected with in her thighs several times in different areas remained and that it led to internal bleeding and to a blood disease. It is believed that she will still suffer from this disease for a long period of time.

3. A fifteen year old girl arrived to the hospital after being transported to the borders by good doers. Her family was killed and she was raped for ten days in different apartments in her governorate before being transported to the "Falasteen" branch. They used and inserted their heads in her genitalia. The mice harmed her and spread diseases in her body. She was transported to the "Falsteen" branch and had internal womb infections. She was then thrown out in a remote area in the suburbs of Damascus to die, but fate kept her alive so she could tell her story. A group of men found her and provided her with shelter and treatment. They then fled her to Jordan where her medical condition was documented. She was treated there but still suffers from stomach infections. She also has the same injection marks and carries the same blood disease. One of the activists mentioned that some of the rapists were identified through a reliable source.

There are tens of cases that have been documented which are similar to the three cases mentioned above. All the victims are in desperate need of surgeries and treatment in addition to long term psychological therapy. Some doctors in the USA have taken over some of these cases.

Kidnappings made by anti-regime individuals:

With regards to kidnappings committed by individuals who oppose the Syrian regime, a study found that these cases were limited and were usually committed in order to free kidnapped women from the intelligence forces or the Shabiha. Some of them were aimed at women who carried out the kidnappings or assisted in them and at women who harmed their colleagues at work by writing reports about them that led to their disappearance or detention.

In the mentioned report, a story was mentioned about Ulfat, who was captured as a result of the kidnappings she arranged. She was captured whilst preparing for another kidnapping in Bab Alsbaa' in Homs which is known for its anti-regime demonstrations. Her confessions were presented above.

Similarly, two employees in a company called Delta Homs were kidnapped as reported by activists. Both of them were Alawite and were kidnapped on their way to work because they wrote reports about their colleagues and delivered the names of any protesters in their company to the intelligence agencies, especially that many of their relatives work in the intelligence agencies and the armed forces.

It is worth mentioning that these kidnappings were rare, were carried out to protect people and aimed to end the injustice they were going through at the hands of the regime and its Shabiha, especially in the absence of any laws or regulations that hold them accountable or punish them for their crimes and transgressions.

Women who were kidnapped in this manner were not raped while they were captured or after they were released. The kidnapped women testified that they were treated well by the anti-regime activists. Despite the crimes they committed, they were exchanged for women who were kidnapped and raped by the Shabiha and members of the intelligence.

In addition, a few cases were recorded in which Alawite women in Homs were kidnapped by the families of women who were kidnapped by the Shabiha and intelligence. After speaking to some of the people who carried out these kidnappings they explained that they saw their daughters and sisters detained in Alawite villages and that they were very reluctant to carry out the kidnappings but found no other solution amidst the absence of justice and the law in prosecuting the Shabiha and intelligence agencies. On the contrary, they were supported and encouraged by the government to carry out the kidnappings. The activists said: "We had to regain and defend our honour and our women and defend what any person would defend". After a few days, these young men kidnapped Alawite women and placed them under surveillance by a number of trustworthy guards. This did not last long as an exchange was arranged and the activists' female relatives were released.

The activists spoke of their good treatment towards the Alawite women but they were advised by the Committee to refrain from using this method as it violated basic human rights regardless of the fact that the women who supported the regime, the Shabiha, the security forces, army forces and external fighters practiced it.

Chapter two: Analysis of kidnappings and rape incidents in Syria and the International Humanitarian Law's position towards them

Section one: Analysis of kidnappings and rape incidents in Syria

Crimes committed by the Syrian regime in Syria violate basic human rights. These crimes include killings, torture, detentions, collective deportation, house demolitions, targeting civilians, using medium and heavy weaponry, oppressing popular movements on the streets and terrorising citizens. All these crimes together violate thousands of national and international rights in addition to all human rights charters. In addition to all these crimes, the regime used a disgraceful inhumane method to suppress the revolution which targeted Syrian women and their honour. Women and girls were humiliatingly kidnapped and taken to detention centres, apartments and public squares where they were threatened and assaulted. This method can be called: **using rape as a weapon, punishment and revenge.**

It must be noted that researching and recording these cases was extremely difficult due to two main reasons:

1. Many Syrian cities and villages are still suffering from large scale intelligence and military incursions. Check points are set up in all the revolting areas as part of a systematic policy practiced by the regime to deny people the freedom of movement. Anyone seeking to expose these violations or crimes, including the kidnappings and rapes which have been recorded abroad, is prosecuted.

2. Kidnappings and rapes are considered crimes against honour. It is part of the Syrian society's tradition to conceal these crimes as the family's honour and reputation could be tarnished as a result. The research conducted in this study found many cases in which women refused to mention the topic or discuss it. One of the victims clearly stated: "Do you want my family's reputation to be tarnished for three or four generations to come? If I speak my daughters' futures will pay the price of this crime". This reason was as harmful as the first reason, as many of the contacted families adamantly refused to discuss the topic.

Despite the many challenges, a small yet brave number of women agreed to narrate their stories to make their voices heard to all Syrians and to the local, regional and humanitarian communities and organisations. They wanted to expose the Syrian regime's violations against women and social and religious traditions.

One thousand five hundred cases of kidnapping and rape committed by the Shabiha, intelligence agencies and armed forces have been recorded so far by local organisations and activists. However, there are hundreds of other cases which have not been recorded due to the reasons mentioned above.

Research conducted regarding the harsh reality Syrian women are going through as documented in this study shows that kidnappings and rapes were widespread in Syria, especially in the revolting governorates, villages and cities, as part of a suppressive and barbaric policy of collective punishment. The numbers and brutality of the cases increase in the more active cities and villages which have been revolting for long durations. The further these villages are from the main cities and residential areas, the more likely these crimes will occur in them.

Furthermore, the families, sisters, wives and daughters of activists and rebels are specifically targeted as are the female activists who are involved in the anti-regime demonstrations.

Cases based on sectarianism have also been recorded in areas that consist of Alawites and Sunnis. Revolting cities which are adjacent to Alawite areas have become a base for kidnapping and rape especially in Banyas, Homs and villages in its countryside such as Telkalakh, Al-Quser and Al-Hula. Sectarian crimes such as these have been ignored by governmental and intelligence forces which in most cases participate in them. Non-Syrian sectarian militias from Iran, Lebanon and Iraq also participate in them.

These sectarian crimes took several forms such as using brutal and sadist methods in torturing, kidnapping and raping Syrians. Criminals raided houses whilst terrorising the people, which put women and children in vulnerable situations in front of the Shabiha, security forces and army. Women in the revolting cities are being physically exploited by being kidnapped, tortured and sexually abused in order to blackmail their families. Their sex organs are deformed and their bodies are undressed in detention centres. They get raped in front of their families and in public places such as check points. They are left with illegitimate children and with certain diseases and is come cases are killed afterwards.

The study found that the motives behind committing these crimes and targeting women in such a systematic way are as follows:

1. Women are targeted by the Shabiha and intelligence and armed forces to fulfill their sexual desires. These criminals take advantage of the situation and instability the cities and villages are going through and use violence to kidnap or/and rape women, knowing that their crimes will be ignored and go unpunished.
2. Kidnappings and rapes are committed by the Shabiha and intelligence and armed forces to send a message to the revolting cities. Women, their culture and sect are humiliated and their family's reputation gets tarnished. By committing these crimes, the criminals consider themselves victorious over the citizens and activists in the revolution. These crimes serve a harsh punishment for cities calling for freedom.
3. Intelligence and armed forces are given orders to rape women and kidnap them in detention centres as means of pressure so they reveal any information or intelligence they have. Armed and intelligence forces are also given the green light to do as they please with the kidnapped women. Even in cases where the victims did not have any information they were

raped as a punishment for belonging to a revolting neighbourhood or family, or for simply supporting the revolution.

4. Similar cases have been reported to have sectarian motives behind them. This was proven from the language and vocabulary used by the criminals such as: “where is your god now?”, “Bashar is your god”, “you are a group of Islamist scum” and “we’re going to exterminate you just like we did in Hamah in the eighties”.
5. As a result of all the motives above, women carry illegitimate children. This could be done deliberately to disgrace the victim and tarnish her family’s reputation.

Section two: The negative effects of kidnapping and rape

Victims of rape have most likely witnessed the most horrific moments of their lives during the incident. They faced death and their honours were assaulted leaving them psychologically shaken. Following the incidents, they tend to be very confused, absent minded and unstable. In some cases they are unable to form coherent sentences. When they regain their calmness, they have mixed feelings of shame, disgrace, humiliation and anxiety. In some cases they have anger attacks and then calm down, while in other cases they go into crying fits and sometimes attempt suicide. They tend to be suspicious of the people surrounding them, they only look into their relatives’ eyes for a few moments then look away, as if they are asking for their forgiveness. The more they regain their senses, the more guilt and self-blame they feel. They blame themselves for what happened and wonder if it really happened, if they succumbed to it or resisted it, if they were present somewhere they shouldn’t have been, and if they committed some kind of sin to which they are now being punished for.

As a result of this unstable emotional state, the victims tend to usually be exhausted, unfocused and suffer from lack of appetite and insomnia. On the long run, victims develop post-traumatic syndrome in which the memory of the events affects their psychological wellbeing. Images of the incident continuously reoccur in both their daydreams and nightmares. Whenever they see or hear or witness anything that reminds them of the incident, they get into a state of anxiety and fear. Their heartbeat rates increase and they start sweating. To prevent this, they attempt to avoid any elements that remind them of the incident in any way. In some cases, the victims go into medium or severe depression accompanied by symptoms of anxiety and OCD, which prevents them from practicing their daily lives in a normal manner.

Any type of sexual assault or harassment affects the way the victim views the other sex. Victims of rape might view men as animals and sexual relationships as an aggressive filthy animalistic relationship. This view discourages women from marriage as they fear that their sexual relationships with their husbands will be similar to what they went through, which will lead to problems.

In cases where the women are married they usually refuse to have any sexual intercourse with their spouses and often ask for divorce.

Dr Saleh Alharbi, consultant in family and community medicine, stated that any rape victim goes through the following phases:

1. The incident: victims go into a state of psychological and neurological trauma in which they feel depressed, disorientated and terrified. They despise themselves, their societies and their surrounding environments so they seclude themselves.

2. The healing phase: this period lasts from four to six weeks in which the state of nervousness and depression might continue. Victims retrieve images of the incident and suffer from emotional distress. They continue to seclude themselves form their societies and their surrounding environments and get disturbed easily by small things. They fear remaining at home on their own and lose any desire to work or enjoy their hobbies. They also tend to argue with their families.

   They might also want to change their place of residence, school or job. They begin using tranquillisers and other drugs. They might also go into a state of severe depression and develop a phobia of men. They feel very unhappy and that they have no future or happiness to look forward to. They feel ashamed from disagreeing with others and alienate themselves from them. They no longer desire to work or live and sometimes lose self-respect and confidence.

Psychological and neurological scars developed from the incident remain for life. Victims never forget this trauma and in some cases are never able to overcome it or live with it.

The negative effects of rape can be divided into the following:

1. Physical effects
2. Psychological effects
3. Social effects

1. Physical effects:

These consist of the physical harm victims suffer from such as:

- The breaking of the hymen
- Pregnancy
- Abortion
- Killing newborns
- Addicted to drugs (or tranquillisers)
- Psychological illnesses, depression and sometimes suicide
- Cuts, bruises and fractures
- Internal injuries and bleeding
- STDs

2. Psychological effects:

Confining the psychological effects is difficult as they are many and have several forms. However, the most prominent of them are:

- Loss of confidence and self-respect
- Constant feeling of guilt
- Feelings of extreme contempt towards men and viewing them as monsters
- Depression
- Constantly feeling helpless
- Constantly feeling humiliation
- Having a sense of insecurity and psychological and mental instability
- General deterioration in psychological health
- Hesitation in decision making and taking initiative

3. Social effects:

These effects are dangerous because of the damage they leave on the victim's social life:

- Divorce
- Family disintegration
- Deterioration in the relationship between the victim's family and her in laws
- Deterioration in the victim's relationship with her husband
- Decline in school attendance by the victim's children
- Inability to raise children in a balanced social and psychological environment
- Some family members which grow up in this environment might become offenders
- An increase in social violence against rape victims which harms effective family planning

Chapter three: International Humanitarian Law's position towards crimes against women

This chapter summarises how the International Humanitarian Law (IHL) protects women and how the crimes committed by the Syrian regime as documented by this study flagrantly violate it and violate all international treaties and conventions which it consists of, therefore describing these crimes as war crimes and genocide. This chapter consists of 3 sections:

- International Humanitarian Law
- International Humanitarian Law and women
- Protection of internees

International Humanitarian Law

International Humanitarian Law (IHL) is a collection of laws which protect neutral persons who do not participate or are unable to participate in combat. The main objective of IHL is to reduce the suffering caused by armed conflicts. Governments and armed forces are bound to the International Humanitarian Law as are any other armed parties including the opposition.

There are many definitions of the International Humanitarian Law such as:

"A collection of conventions which protect certain groups of individuals and assets and prohibit any assaults they may be exposed to during armed conflicts whether these conflicts were non-international or international. These conventions are based on customary international law and treaties" - Dr. Mahmoud Shareef Basyooni.

"A collection of internationally agreed laws and principles which aim to reduce violence in armed conflicts by protecting individuals participating or no longer participating in the conflicts, wounded individuals and civilian persons. It also aims to limit the violence so that it does not exceed necessary acts for military purposes" – Dr. Mohammed Noor Farhat.

Hans-Peter Gasser, former Senior Legal Adviser at the International Committee of the Red Cross defines International Humanitarian Law as: a law applied in armed conflicts consisting of a collection of international laws and conventions related to solving humanitarian problems in a direct manner during international and non-international armed conflicts.

Based on the definitions above, International Humanitarian Law can be defined as:

"A collection of international laws (agreed or customary) applied during international and non-international armed conflicts which aim to restrict the rights of the conflicting parties with regards to their weaponry and methods. It also protects individuals and assets in armed conflicts in order to limit the damage caused and preserve human rights, basic rights and dignity".

The International Humanitarian Law consists of the following treaties:

- The First Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, 12 August 1949.
- The Second Geneva for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, 12 August 1949 12 August 1949.
- The Third Geneva Convention relative to the Treatment of Prisoners of War, 12 August 1949.
- The Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, 12 August 1949.
- Protocols I and II of the Conventions.

- The Hague Conventions which are two international treaties signed at the First Hague Conference in 1899 and Second Hague Conference in 1907 in the Netherlands. They focused on the usage of permitted weapons during an act of war.
- The Convention on the Prevention and Punishment of the Crime of Genocide, 1948.
- The International Convention on the Elimination of All Forms of Racial Discrimination, 1965.
- The United Nations Convention Against Torture, 1984.
- The Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity, 1968.
- The Universal Declaration of Human Rights.
- The International Covenant on Civil and Political Rights, 1966.
- The International Covenant on Economic, Social and Cultural Rights and its first and second Optional Protocols, 1966.

In addition to a number of regional treaties signed by regional and international organisations such as:

- The European Convention on Human Rights, 1950.
- The American Convention on Human rights, 1969.
- The African Charter on Human and Peoples' Rights, 1981.
- The Arab Charter on Human Rights, 1994.

Further to the conventions and charters above, the UN continues to make efforts that ensure human rights are respected during armed conflicts and that the use of certain weaponry and certain crimes (such as war crimes and genocide) is limited.

International Humanitarian Law and Women

This section mentions some legal articles from the International Humanitarian Law which provide protection to civilians in general and women and children in specific form crimes such as kidnapping and rape, similar to those that are committed in Syria by the Shabiha and intelligence and armed forces.

There are a set number of guarantees placed by the International Humanitarian Law which protect individuals who are protected by either side of the armed conflict. Civil and military figures are prohibited from ordering any of the following acts at any time or place:

1. Using violence to threaten peoples' lives, wellbeing and physical and mental health, especially torture, physical punishment and mutilation
2. Violating human dignity
3. Taking hostages
4. Using collective punishment
5. Threatening to use any of the above

Article 3, common in all the four Geneva Conventions prohibits the following at any time and place in armed non-international conflicts:

(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.

In addition, Protocol II from the Geneva Conventions provides extra protection as stated in Article 4 entitled "fundamental guarantees".

Women are usually easy victims to various forms of sexual violence in armed conflicts due to the instability and psychological effects created by war and the collapse of national institutions.

Article 27 from the Fourth Geneva Convention stated that protected persons are entitled to be treated respectfully and humanely and that women shall be especially protected against any attack on their honour, in particular against rape and enforced prostitution.

Furthermore, Protocol I from the Conventions signed on 12 August 1949 provides special protection to victims of international armed conflicts. For example Article 76 entitled Protection of women states that:

1. Women shall be the object of special respect and shall be protected in particular against rape, forced prostitution and any other form of indecent assault.

2. Pregnant women and mothers having dependent infants who are arrested, detained or interned for reasons related to the armed conflict, shall have their cases considered with the utmost priority.

3. To the maximum extent feasible, the Parties to the conflict shall endeavour to avoid the pronouncement of the death penalty on pregnant women or mothers having dependent infants, for an offence related to the armed conflict. The death penalty for such offences shall not be executed on such women.

In addition, the Declaration on the Protection of All Persons from Enforced Disappearances was adopted by the UN General Assembly resolution 47/133 on 18 December 1992, which is a vital declaration to protect people from enforced disappearances. Its articles include:

Article 1:

1. Any act of enforced disappearance is an offence to human dignity. It is condemned as a denial of the purposes of the Charter of the United Nations and as a grave and flagrant violation of the human

rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights and reaffirmed and developed in international instruments in this field.

2. Any act of enforced disappearance places the persons subjected thereto outside the protection of the law and inflicts severe suffering on them and their families. It constitutes a violation of the rules of international law guaranteeing, inter alia, the right to recognition as a person before the law, the right to liberty and security of the person and the right not to be subjected to torture and other cruel, inhuman or degrading treatment or punishment. It also violates or constitutes a grave threat to the right to life.

Article 2:

1. No State shall practise, permit or tolerate enforced disappearances.

2. States shall act at the national and regional levels and in cooperation with the United Nations to contribute by all means to the prevention and eradication of enforced disappearance.

Article 7:

No circumstances whatsoever, whether a threat of war, a state of war, internal political instability or any other public emergency, may be invoked to justify enforced disappearances.

Protection of internees:

Special protection should be provided for internees including women especially with regards to the following:

1. Residency: the Third Convention, Fourth Convention and Protocols I and II include additional regulations regarding the conditions of detaining civilian persons and war prisoners. These conditions need to take the detainees' customs and traditions into accounts. Article 3, common in all the four Conventions and Protocol II provide fundamental guarantees which respect the right to live, honour, beliefs and dignity.

   Furthermore, Article 82 from the Fourth Convention highlights an important matter and states that:

   Throughout the duration of their internment, members of the same family, and in particular parents and children, shall be lodged together in the same place of internment and that Throughout the duration of their internment, members of the same family, and in particular parents and children, shall be lodged together in the same place of internment.

2. Men residing with women:

   According to Article 76 from the Fourth Convention and Article 5 from Protocol II, women should be detained in separate quarters than men and should be under the direct supervision of women, and that when in exceptional and necessary cases when men and

women who are not part of the same family share the same quarters, there should be separate sleeping and hygiene arrangements made for each.

3. Practice of religion:

   Detainees and war prisoners should be provided with appropriate space to practice their religion.

4. Hygiene, medical attention and nutrition:

   The captors are responsible for supporting the detainees for free and for providing them with the medical care needed. The Third Convention has many details and articles regarding medical care provided to war prisoners and regarding returning injured, seriously ill and wounded prisoners back to their countries.

   The Fourth Convention includes similar articles which mention providing medical care to detailed civilian persons in specific. It stated that "Maternity cases and internees suffering from serious diseases, or whose condition requires special treatment, a surgical operation or hospital care, must be admitted to any institution where adequate treatment can be given and shall receive care not inferior to that provided for the general population" and that the needs pregnant women, nursing women and children should be met and that they should be given larger portions of food to keep them in good health.

6. Inspection: female detainees should be searched by women only.

7. Releasing and returning internees to home country or neutral country:

   Conflicting parties should sign agreements that return detainees, especially pregnant women, nursing women and young children, back to their countries, or back to their homes or to a neutral country.

   From a legal perspective, all cases documented in this study discuss the policy followed by the Syrian regime which consisted of kidnapping and rape. These crimes are flagrant violations which should gain the attention of the international community and international legal and human rights organisations. These atrocities against the Syrian people in general and against women in specific should be stopped.

   The fact that this policy which targets women, kidnaps, rapes and tortures them has continued for more than 16 months is appalling, as it violates all humanitarian, social, ethical, religious, natural and political values. The most vulnerable segments of society, women and children, are targeted by this inhumane policy which does not recognise them as people who share the same honour and country.

Recommendations:

As a result of the findings of this study, the SHRC is deeply concerned about the critical developments in Syria, which target women and aim to kidnap them and rape them. The SHRC strongly condemns these crimes which target vulnerable segments of the society regardless of which side it is committed by and the motives behind them. Therefore the SHRC demands the following:

From the Syrian regime:

1. To cease all acts of kidnap, rape and assault against Syrian women.
2. The immediate release of all kidnapped women in intelligence branches and detention centres.
3. Viewing these acts of kidnapping and rape as war crimes punishable by Syrian law and by international conventions and treaties.
4. Presenting all those responsible in carrying out these crimes or aiding in them to an independent international judiciary committee entitled to prosecuting them.
5. Providing financial and psychological support to the aggrieved victims of these crimes.
6. Providing the victims with compensation for the physical, psychological and sentimental damage caused.
7. Giving an official apology to the victims and repairing their reputations.

From the relevant organisations:

1. Declaring these crimes committed against Syrian women as war crimes.
2. Issuing arrest warrants to all those proven to be involved in these crimes to the International Criminal Court, including the heads of intelligence branches and the senior officers in different governorates who turn a blind eye to the violations and protect the criminals behind them.
3. Collecting the names of all those involved in these crimes and issuing arrest warrants in their names.
4. Issuing a warning to the countries which support the Syrian regime and handing in any collaborators in these crimes to the International Criminal Court.
5. Considering any members or non-Syrian organisations and parties which support these crimes as collaborators in war crimes and taking the needed measures to stop and punish them according to international standards.