

The role of the women in northeast Syria in the case of the missing persons



Content

- 4-3 Executive summary
- 6-5 Introduction
- 7 Methodology

First: A legal framework – the missing in national and international legislation

- 8 Missing persons in international law
- 9 Missing Persons in Syrian Law (Personal Status)
- 10 Military Missing Persons in Syrian Military Law
- 10 The missing in the laws of the Autonomous Administration of North and East Syria
- 11 Problems and obstacles in the Syrian legal framework

Second: The role of women in organizations working in documentation processes

- 13-12 Importance of the missing persons' file
- 14 The role of women in the file of the missing and its importance for them
- 15 Forms and mechanisms of assistance
- 16-15 Forms and mechanisms of direct assistance
- 17 Forms and mechanisms of indirect assistance

Third: Documentation and data collection

- 19-18 Participation in documentation and data collection work
- 20-19 Documentation and data collection problems
- 22-21 General recommendations

Executive summary:

With the outbreak of the protests in northern Syria in 2011 until the withdrawal and the defeat of the Syrian government forces in 2013, the number of missing persons increased in those areas, with reference to the involvement of the government forces in this issue, as dozens were missed in detention centers, including humanitarian workers, activists and defectors, while the phase in which ISIS took over large parts of Deir ez-Zor governorate, the entire governorate of Raqqa and parts of Hasakah governorate, until the end of its control in March 2019, witnessed a huge rise in cases of disappearances, killings and the disappearance of corpses, to the extent that foreign journalists and activists were also disappeared, in addition to women and children from the Yezidis of Sinjar, northwest Iraq, who were brought by ISIS to Syria and were sexually enslaved. The list of the missing was also included different ethnic communities like Arabs, Kurds, Assyrians, Yezidis, foreigners, and from various political and military groups.

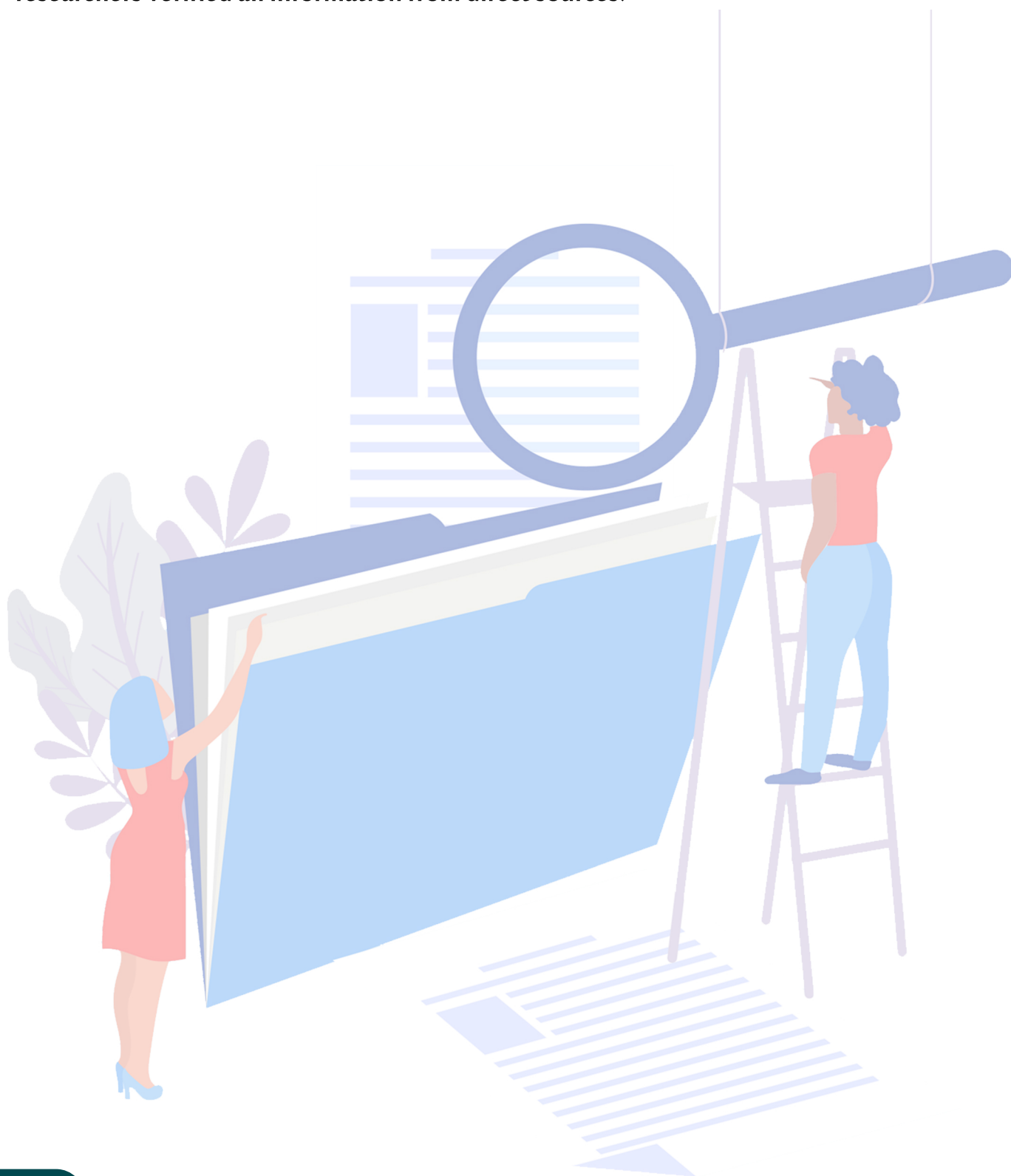
It is indicated that there are more than 100,000 missing persons, according to the UN estimates in 2021, as a result of the current conflict in Syria. With the Syrian government and the parties to the conflict are in charge of the crime of the enforced disappearance and the difficulty of relying on them in the process of revealing the fate of the missing persons, the burden has mainly become the responsibility of the families of the missing, civil society organizations and the efforts of the international organizations, and this comes in the absence of central data that contributes to determining the numbers of the missing accurately and neutrally, in a way that contributes to the search for those whose mortal remains have not yet been found, or to verify and reveal their fate.

As a result of the widespread participation of women in public life in northeastern Syria, they have come into contact with various issues of concern to the population, including the issue of the missing persons and the interaction with their families.

This research paper discusses the roles played by women working in civil society organizations in northeast Syria, especially the female activists in the fields of women's rights and human rights. The paper also stands on the role of the women in following up on the issue of missing persons and raising it to the international and local bodies, focusing on the work mechanisms they adopt to reveal the fate of the missing and forcibly disappeared persons, in addition to the problems facing women's participation and obstacles to providing assistance to the families of the missing, under the auspices of the International Commission on Missing Persons (ICMP) in cooperation with the Bureau of Democracy, Human Rights and Labor Affairs, the US Department of State (DRL).

The research relied on the qualitative approach by conducting structured and field interviews with leading women working in the field of women's rights, human rights, and female activists in the field of civil society. The research took into account the distribution of the female participants from the three governorates of Hasakah, Raqqa and Deir ez-Zor, and it focused on the diversity of the qualitative sample.

The research depended on publicly available materials derived from open sources, including articles and news reports. In case there was a discrepancy between information and numbers, the researchers verified all information from direct sources.



Introduction:

Among the catastrophic consequences of the armed conflict in Syria is the issue of the missing persons and the steadily increasing number of them since the start of the protests movement in March 2011 until now. It is indicated that there are more than 100,000 missing persons, according to UN estimates in 2021, as a result of the current conflict in Syria.¹ As part of its support to work to lay the groundwork for conflict-related missing persons – including the detainees, the ICMP has and preserves a central and secure data repository that includes information on approximately 50,000 families of the missing persons who have reported nearly 20,000 missing persons with issues in relation with the Syrian crisis. The repository grows as families add information.²

With the parties to the conflict involved in the crime of missing persons and enforced disappearances, and the difficulty of relying on the parties to the conflict in the process of revealing the fate of the missing, the greatest burden has become on the families of the missing, civil society organizations and the efforts of international organizations. This comes in the absence of central data that contributes in determining the numbers of the missing, accurately and impartially, in a way that contributes to the search for those whose mortal remains have not yet been found, or to verify and reveal their fate.

The search, investigation and disclosure of the fate of the missing men and women depend on the availability of data, such as personal data and the documents related to testimonies about the last place where the missing person was seen or the secret locations of the mortal remains, like the mass graves that were revealed in Raqqa and Deir ez-Zor, while the search for other secret graves continues.



1 Representatives of Syrian civil society and families of the missing persons discuss the way forward for detainees during the discussion facilitated by ICMP. ICMP Statement, 12 April 2021. <https://bit.ly/3oJBhmj>

2 Ibid

Civil society in north and east Syria has a role in this issue according to a similar role played by the civil society organizations in Iraq, Lebanon, the Balkans and other regions that witnessed armed conflict.

This research paper discusses the roles played by women working in civil society organizations in north and east Syria, especially activists in the fields of women's rights and human rights. The paper also stands on the role of women in following up the issues of the missing persons and raising them to the concerned international and local bodies, in addition to focusing on the work mechanisms they adopt to reveal the fate of these missing and the forcibly disappeared persons, the problems facing women's participation and obstacles to providing assistance to the families of the missing under the auspices of the ICMP in cooperation with the DRL.

The issue is particularly important for women as they are most affected due to the enforced disappearance of their husbands or sons. Also, the importance of the issue reflects women's empowerment and their ability to deal with vital issues.



Methodology:

The research relied on the qualitative approach by conducting structured and field interviews with leading women working in the field of women's rights, human rights, and female activists in the field of civil society. The research took into account the distribution of the female participants from the three governorates of Hasakah, Raqqa and Deir ez-Zor, and it focused on the diversity of the qualitative sample.

The research depended on publicly available materials derived from open sources, including articles and news reports. In case there was a discrepancy between information and numbers, the researchers verified all information from direct sources.



First: A legal framework – the missing in national and international legislation

Missing persons in international law

The ICRC defines missing persons as “those whose whereabouts are unknown to their families and/or who, on the basis of reliable information, have been reported missing in connection with an international or non-international armed conflict, a situation of internal violence or disturbances or any other situation that may require the intervention of a neutral and independent intermediary.”³

Rule 98 of the study on customary international humanitarian law published by the ICRC in 2005 (customary IHL study) affirms that enforced disappearance is prohibited, both in international and non-international armed conflicts.⁴



International law commitments are based on international humanitarian law and international human rights law with regard to the situation of missing persons, and "if international humanitarian law is specifically designed to deal with armed conflicts, human rights treaties apply at all times and circumstances to all persons within the jurisdiction of a state."⁵ These commitments emanate from the Geneva Convention of August 1949, which stipulates the commitments that parties to international armed conflicts must fulfill by taking all possible measures to clarify the fate of the missing persons, to search for persons who were declared missing by the adverse party, and to record information relating to those persons.

3 The Practical Guide to Humanitarian Law, Missing Persons and the Dead, <https://guide-humanitarian-law.org/content/article/3/missing-persons-and-the-dead/>

4 Ibid

5 Report by the Human Rights Council Advisory Committee on best practices in the matter of missing persons, February 21, 2011: <https://www.refworld.org/docid/4d8b43002.html>

Missing Persons in Syrian Law (Personal Status)

Article 202⁶ of the Syrian Personal Status Law defines the missing person as following, "The missing person is every person whose fate is unknown, whether he is dead or alive, or whose location is unknown." While Article 203 of the same law defines the person who is in absentia as "He is considered as a missing person who was prevented, by compelling circumstances, from returning to his place or managing his affairs by himself or a representative of him for more than a year, and thus his interests or the interests of others were disrupted."⁷



However, the problems arising from cases of loss necessitated the expansion of the Syrian legislator regarding the issue of legal provisions required by cases of absentees and missing persons, as in Article 204, which was keen to manage the interests of the missing or the absent person and the interests of those who deal with them, whether they are creditors, debtors, heirs or others. Appointing a person to represent the missing or the absent person was a must. The Syrian Personal Status Law stipulates in this article the appointment of a judicial agent,⁸ and here he is a person appointed by the Sharia judge in the event that the missing or the absentee did not leave a public agency, especially in cases where the missing person did not leave a public representative, the court becomes committed to establish this power of attorney.

While Article 205 of the Syrian Personal Status Law stipulates "the missing person is judged to be dead due to war operations or similar cases after four years from the date of his loss,"⁹ which requires his relatives, especially the absent or missing wife/mother, to initiate legal procedures to prove the absence or the missing case, which requires filing a lawsuit with a record of evidence from the police and two witnesses to the loss of the husband for more than four years, without any of the legal articles referring to the commitment of the state and its relevant institutions to search the missing or absent and seek to reveal their fate, especially in the years that witnessed cases of loss that has reached more than 100,000 missing persons, and to keep the matter in the hands of the families of the missing.

6 Personal Status Law No.59, 1952:

<http://parliament.gov.sy/arabic/index.php?node=201&nid=11333&ref=tree&>

7/8/9 Ibid

Military Missing Persons in Syrian Military Law

Separate from what is ratified about the military in the above mentioned civil articles, with the increase in the number of missing persons, Legislative Decree No. 15 of 2019 was issued, which stipulated in paragraph A of its first article describing the missing person as "the military person whose fate was unknown, whether he was dead or alive, or his location is unknown, because of war, military operations, or similar situations, or at the hands of a terrorist gang or hostile members, or because of military service." Thus, the missing person whose death was verified, has benefited from the advantages that are given to the "martyr" and his relatives from the rights and privileges stipulated in the laws and regulations in force, and paragraph (e) has equated "martyrs and the missing."¹⁰

The missing in the laws of the Autonomous Administration of North and East Syria

In turn, when the Autonomous Administration of North and East Syria (AANES) approved the law of the duty of self-defense, after it was approved by the members of the General Council, in June 2019, it defined the missing person in Article 1 of this law/paragraph (i), as the missing person is every person whose news is completely cut off and does not know if he is alive or dead. The provisions of Syrian law apply to the case of the missing, whether civilian or military, in the laws of the Autonomous Administration. ¹¹

¹⁰ Legislative Decree No. 15 of 2019 adding two articles to the Military Service and Internal Security Forces Military Service Laws, in addition to amending two articles from the Military Pensions Law and the Internal Security Forces Military Pensions Law, July 31, 2019 <https://bit.ly/3EKTjKt>

¹¹ In detail... The Law of Self-Defense Duty for the Autonomous Administration of North and East Syria, Hawar News Agency (ANHA), June 22, 2019: <https://bit.ly/3yexsZt>

Problems and obstacles in the Syrian legal framework

On September 16, 2021, the Minister of Justice of the Syrian government issued a circular No. 30, in which it is required to obtain a prior “security approval” in cases of a getting an agency for a missing person or absent, while this requirement violates the provisions of the Syrian Personal Status Law itself, as it does not require obtaining any security approval of any kind (Articles 202 to 206).

Syrian human rights organizations considered the circular as “violating the rights of the families of the missing and the absentee, and violating the Syrian law and the 2012 constitution,” while a Syrian human rights organization considered that Article 205 referred to the above mentioned harms women’s rights in the first place, as the requirement of security approval under circular No. 30 on wives and mothers increase “the risk of these women being subjected to verbal violence or physical and moral extortion of the wife/mother, and may sometimes transcend to other violations.” Also, the circular “will inevitably impede subsequent legal procedures, such as the transfer of inheritance or the issuance of identification papers and the movement of bank accounts.” Issuing a bank card and receiving salaries and pensions on behalf of the missing and absentee.”¹²

In the Syrian legal framework, there is little protection available to missing persons and their families. According to an assessment prepared by the ICMP, since 2011, families have been facing “increasing challenges in reporting missing persons, obtaining any information about their conditions, or obtaining court rulings to act as legal representatives in financial, property and financial affairs.”¹³

11 In detail... The Law of Self-Defense Duty for the Autonomous Administration of North and East Syria, Hawar News Agency (ANHA), June 22, 2019: <https://bit.ly/3yexsZt>

12 Syria: A circular of the Ministry of Justice imposing “security approvals” for doing agencies for the absentees and missing persons, Syrians for Truth and Justice, October 22, 2021: <https://stj-sy.org/en/syria-the-ministry-of-justice-newly-requires-security-clearances-for-receiving-powers-of-attorney-for-missing-and-absent-persons/>

13 Missing Persons in Northeast Syria: An Assessment Process, published by ICMP on 25 March 2020: <https://bit.ly/3EN4pOT>

Second: The role of women in organizations working in documentation processes

Importance of the missing persons' file

With the outbreak of the protests in northern Syria in 2011 until the withdrawal and the defeat of the Syrian government forces in 2013, the number of missing persons increased in those areas, with reference to the involvement of the government forces in this issue, as dozens were missed in detention centers, including humanitarian workers, activists and defectors, while the phase in which ISIS took over large parts of Deir ez-Zor governorate, the entire governorate of Raqqa and parts of Hasakah governorate, until the end of its control in March 2019, witnessed a huge rise in cases of disappearances, killings and the disappearance of corpses, to the extent that foreign journalists and activists were also disappeared, in addition to women and children from the Yezidis of Sinjar, northwest Iraq, who were brought by ISIS to Syria and were sexually enslaved. The list of the missing was also included different ethnic communities like Arabs, Kurds, Assyrians, Yezidis, foreigners, and from various political and military groups. ¹⁴

With the end of the actual control of ISIS and soon after the control of the SDF in partnership with the Global Coalition, the demands and campaigns calling for the disclosure of the fate of the missing began to emerge. The campaign “Where are the kidnapped by ISIS?” emerged, and came through an alliance of the families of the kidnapped and the missing, and claims were made to the ICMP in Syria, which has begun its work with the support of the European Union since 2016. ¹⁵



14 Missing Persons in Northeast Syria: An Assessment Process, published by ICMP on 25 March 2020: <https://bit.ly/3EN4pOT>

15 The Search For Truth - Searching for Truth After ISIS

As a result of the high demands of the families to reveal the fate of their missing persons, initial response teams were formed with the support of local councils in Deir ez-Zor and Raqqa, while the SDF announced in April 2020 the establishment of a civil working group called “Syrians for Detainees and Abductees,” in addition to local training programs in cooperation with international organizations. In the fall of 2019, the Syrian Center for Justice and Accountability received a grant from the Creative Associates project to implement a training program and evaluate the initial response program.¹⁶

The importance of the file of missing persons in Syria comes as an “investment in peace” as indicated by the ICMP in its report published on July 21, 2020.

Feminist trends in northeastern Syria link the release of prisoners of conscience, the detainees and the abductees, and the disclosure of the fate of the forcibly disappeared as the main basis for pushing forward confidence-building measures among the parties.¹⁷

16 Tracing the Missing Persons in Northeast Syria, Assessment and Recommendations of the Rapid Response Team, Syrian Justice and Accountability Center, February 2022: <https://bit.ly/33ejWtf>

17 Interview with Jihan Muhammad, co-chair of the Syrians for the Abductees and Detainees committee.

The role of women in the file of the missing and its importance for them

As a result of the widespread participation of women in public life in the areas of northeastern Syria, they have come into contact with various issues of concern to the population, including the issue of the missing and interacting with their families, especially since the families of the detainees and missing persons have become, according to the vision of the Director-General of the ICMP, Kathryn Bomberger.¹⁸

Through the interviews conducted to prepare this research with feminist activists and from the three governorates in northeastern Syria in order to explore the role of women in the issue of the missing, the participants in the research emphasized the importance of the missing file, for several considerations, as the early treatment of the file prevents “transferring it from a humanitarian file” to the issue of investment and political bartering”,¹⁹ and “the file of the missing in Syria is one of the most important files, after thousands of Syrians lost their lives and lost due to military operations, arrests and displacement”, while “the most affected by the file of the missing is the woman, as she is either a wife, a mother or a sister.” Most of the reports submitted to us come from women, who have lost their husbands, brothers, or fathers”²⁰ and this in turn makes the missing persons' file important to us because “the body that attaches this file the greatest importance are women and human rights activists, even in areas of political action.”²¹

There is a multiplier factor that pushes women to help with the issue of the missing, according to what Zozan Alloush who said, "What drew me to this file is the fact that I am a woman first, and secondly, the appearance of a number of women detainees in a prison during the infighting among the Syrian opposition factions.”²²



18 <https://www.icmp.int/ar/press-releases/syrian-civil-society-representatives-families-of-the-missing-discuss-way-forward-on-detainees-during-icmp-facilitated-discussion>

19 Interview with Zozan Alloush, member of the advisory board of the Special Envoy for Syria (date/place)

20 Interview with Avin Jum'a, head of the Human Rights Organization in the Jazira Region.

21 Interview with Avin Jum'a, *ibid.*

22 Interview with Zozan Alloush, *ibid.*

Forms and mechanisms of assistance

Efforts to help uncover the fate of the missing in northeastern Syria seem to have little impact and are dispersed, and the challenges facing organizations and individuals involved in the file of searching and tracing the missing seem insignificant in comparison to the size of the file and the degree of families' claims for their missing persons. What makes the issue difficult is the multiplicity of actors involved in the issue of concealment and evasion of responsibilities (government forces, the Free Army, al-Nusra Front, and ISIS), as well as the absence of documents indicating the fate of the missing, and all these issues weigh heavily on women/activists in the fields of women's rights and human rights.

Forms and mechanisms of direct assistance

Female activists interested in the issue of missing persons are divided into female employees in the AANES offices, and female workers and activists in civil society. They also believe that the nature of their role derives from that in the Social Affairs Office, which necessitates them through their work to achieve something for families who submit questions about the fate of their missing persons through "transferring requests to the office for the missing persons" (Syrians for Detainees and Abductees).²³

The work of female activists varies according to the position they occupy, and this assumes different mechanisms and roles; When reviewing families and how to provide them with the available information²⁴ as well as communicating with the (Missing Persons Committee), although the long period of time that has passed since the missing persons news was interrupted, this requires identifying the party that caused the disappearance of persons; If the subject is related to the missing during the period of ISIS control, the search begins with prisons. But if there is a person with this name, we know that there are many detainees since the ISIS period and their fate is unknown other than those who were killed, in addition to official visits to detention centers and prisons in order to clarify the fate of the missing, and in the event that: the wanted person was not found, we would inform his family that he was not present with the security and military authorities in the area, but if he was present, we would inform them of the circumstances of his arrest, his whereabouts and the reason for arrest according to what is being reported to us.²⁵ Direct action is an effective way to notify some families of missing persons.

23 Interview with Heivi Ismail, presidency of the bureau of the General Board for Social Affairs in Northeast Syria.

24 Interview with Mezgin Hassan, head of the Center for Research and Protection of Women's Rights.

25 Interview with Mezgin Hassan, *ibid*.

As for female activists in human rights organizations, their work is mostly limited to receiving complaints from families who have missing persons, and in turn they communicate with the concerned and security authorities of the AANES and the SDF, and asking about the names. "Sometimes we get answers and others don't." A council was established and we were participating in it, as well as a team of civil society organizations and the families of the victims. A council was established for those missed at the hands of ISIS, and the task of the council is to follow up on the situation and file of the victims, and cases have been filed or special courts have been established in order to work together to obtain their rights and claim them."²⁶

Women's councils within the Autonomous Administration have important activities for organizations, as they work to communicate with the areas inside and outside the Autonomous Administration to form a committee to follow up on the file of the missing and to transfer their file and convey the full picture of them to international forums and human rights organizations.²⁷

26 Interview with Avin Jum'a, *ibid.*

27 Interview with Fairouz Khalil, head of the Women's Bureau in Northeast Syria.

Forms and mechanisms of indirect assistance

In addition to direct communication with the concerned authorities such as the AANES institutions and those belonging to the Syrian government in northeastern Syria, another form of assistance appears in the activities of women by participating in campaigns and seminars and introducing the issue of the missing and the suffering of the missing's parents.

"By talking about participation, the participants in the research set aside a space to review their activities inside and outside Syria. In Deir ez-Zor governorate, there is a feminist participation in seminars and meetings."²⁸ Activities are repeated in Raqqa and Hasakah, but they lack specialization and are limited to general humanitarian aspects.

Among the activities, some initiatives are also supported such as the "Caesar Families" initiative, some families who sought to know the fate of the kidnapped by ISIS, and "Families for Freedom".

"Other female activists contribute to the implementation of some activities by supporting advocacy and mobilization campaigns and participating in seminars and meetings by some civil society organizations, but the interaction is still very weak, as the main problem lies in the absence of organizations specialized in support and search for missing persons, and there is communication and joint activities with Amnesty International and with the European Union, several sessions were held on the issue of the absentees and enforced disappeared."²⁹

Activists abroad play a parallel role by participating in vigils in European capitals. In Geneva, there was a solidarity participation with the Committee for Families of the Disappeared, and in Berlin, a number of the Committee's campaigns took place, and a number of small campaigns or meetings were held, but without getting the desired results. The campaigns start when a specific meeting is held for the "Syrian opposition and government" or on the day of the detainees, which makes the activities closer to a routine procedure.³⁰

28 Interview with Aysha al-Jakar, co-chair of Teachers' Union in Deir ez-Zor

29 Interview with Lina Barakat, General Coordinator for the Syrian Woman Council

30 Zozan Alloush, *ibid.*

Third: Documentation and data collection

Participation in documentation and data collection work

There are about 100,000 missing persons as a result of the current conflict in Syria, according to the UN estimates in 2021. In addition, the country has a legacy of cases of missing and disappeared persons linked to human rights abuses and other causes that occurred prior to the conflict, as well as of Syrians who went missing along migration routes to escape the fighting.³¹

The issue of documentation represents an important path in addressing the issue of the missing, and civil society plays an important role in the documentation work. However, participation is dependent on “security concerns, lack of funding and large-scale military campaigns,”³² which makes documentation take a “gradual and fragmented” character. However, documentation lacks the existence of an independent central data bank that can be referenced or added to, in addition to the fact that documentation may represent a “trap” for what one of the participants said, by inserting fake names that harm the credibility of activists or organizations operating in northeast Syria.³³

Among the documentation activities in addition to documenting the names of missing persons, a small number of organizations and initiatives have used ISIS documents, the information on the walls of ISIS detention centers, and other evidence to determine the fate of missing persons. Several organizations collected thousands of these documents and evidence in the hope of helping families determine the fate of their relatives.³⁴ Perhaps such documentation needs the efforts of male and female activists on the ground and in cooperation with families.

As for the female activists, there were cases of documentation that they learned about, and some of them provide direct assistance to the families. If they are asked for anything related to this, they provide the information they have.³⁵ In addition, there were several seminars in this regard, in which women participated in order to explain the reality of documentary work or to explain the obstacles facing their work.

31 Representatives of Syrian civil society and families of the missing persons discuss the method forward regarding the detainees, *ibid.*

32 Missing persons in northeast Syria, *ibid.*

33 Interview with Zozan Alloush, *ibid.*

34 Missing persons in northeast Syria, *ibid.*

35 Interview with Avin Jun'a, *ibid.*

Documentation takes a fragmented character, as documentation lacks a unified center in which documentation efforts are focused. It may also take a narrow regional character and cover small areas such as rural areas and towns, and sometimes parts of governorates. Some activists have data and information, but they are limited to the village only.³⁶ Of course, the village represents a model of societal cohesion, and data has been collected on the missing and their families, and there are several missing persons from the same area, not just one person. Therefore, the search process is carried out collectively, and those who search for a person from the village are also looking for others.³⁷

Documentation and data collection problems

What increases the difficulty of documentation is the multiplicity of parties that controlled the area, the hostilities, and the migration cases that the region witnessed. This increases the difficulty of discovering mass graves in Deir ez-Zor and Raqqa. The bodies and remains were exhumed from 28 mass graves in northeastern Syria, containing a total of 4,072 dead body. With the existence of 13 to 793 bodies in each grave. So far, no significant progress has been made in identifying the bodies. The possibility of damage to cemetery sites and bodies, whether by deliberate tampering or natural decomposition, makes the situation very urgent. Searching work is still going on,³⁸ and these numbers are only for the grave and the bodies in Raqqa governorate only. While such professional work is far from approaching feminist activists alone, participation in the missing/corpses identification effort is almost limited.



36 Interview with Ruqayya Mansour, activist in SY+.

37 Interview with Makarem al-Abdullah, Bahar Organization in the Peacebuilding, Mobilization and Advocacy group.

38 Tracing the missing in northeastern Syria, *ibid.*

Among the issues related to documenting missing persons whose death has been proven, additional problems arise, such as the issue of announcing the death of the missing person, and the absence of a party to go to as an office or body for the missing, as the number is very large. The issue of inheritance, establishing lineage, debts and financial problems related to death also arises.³⁹

Some female activists agree on the type of problems encountering the documentation process, which resulted from the change of the groups and factions controlling the land. In Deir ez-Zor and Raqqa, the forces of the Syrian government, the Free Army, al-Nusra Front and ISIS succeeded, which created confusion in documentation, especially during the change of dominant forces, and there were those who lost while crossing from one region to another, in prisons or arrests, or when they cross into regime-controlled areas, or while they were trying to cross out of Syria.⁴⁰ With the gradual withdrawal of the Syrian government from north of Hasakah governorate, and then with its defeat in March 2013 in Raqqa governorate, the Free Syrian Army took control of the governorate. Starting from January 2014, the ISIS occupied the governorate and parts of Deir ez-Zor and south of Hasakah, thus declaring its "state", and until the end of its rule in its last stronghold in Baghouz town in March 2019. Thus, the multiplicity of control over the land and their alternation formed confusion for activists in the field of documentation and data collection, especially during the transitional dates that witnessed the change of control.

The fears are divided according to the presence at home or abroad. Inside, the fears are great and they are security concerns, that is the security grips that exist in certain areas, and therefore these security facts seem frightening given the "black history of the owners of the fists." While workers are more comfortable abroad, there is no objection to working on this file in a transparent manner and in a manner that relies on human rights approaches.⁴¹

39 Interview with Lina Barakat, *ibid.*

40 Interview with Aysha al-Jakar, *ibid.*

41 Interview with Zozan Alloush.

General recommendations

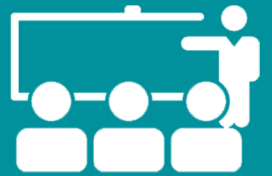
1

Seeking to establish a central, accurate and secure database, documenting the names of the missing persons and submitting official reports on the cases, distinguishing between those whose deaths were verified and those registered as missing, provided that the database contains the available and accurate information obtained by civil society organizations, male and female activists, international organizations, local teams such as the Initial Response Team, and other social actors such as clans and families of the missing.



2

Conducting technical and personal training for female activists and those interested in the issues of searching for missing persons, the method of collecting data and verifying information about the families' testimonies, provided that the training receives the support and sponsorship of specialized international organizations and is under the supervision of the UNIIC, in addition to transferring the activists' experiences in other countries that have witnessed similar cases of enforced disappearances and mass graves, such as Iraq, Lebanon, Bosnia, Mexico and Colombia.



3

Providing the required and necessary financial support to encourage the initiatives and organizations to move forward in the path of training, documentation, investigation and dealing with secret and mass graves and ruins.



4

Creating a framework for networking between female activists in the field of ascertaining the fate of the missing persons and framing the relationship among them, and networking and cooperating with search teams and with relevant AANES offices, so that a cell is formed that can exchange information and data and verify it before placing it in the central database.



5

Supporting forms of advocacy and mobilization, especially with international organizations and active local civil society in northeastern Syria, intensifying seminars and activities aimed at introducing the issue of the missing and not being satisfied with the International Day of the Disappeared and the annual activities.



6

Providing psychological support to the families of the missing, especially the women who pay the costs of the absence of their relatives, and organizing advocacy campaigns to support those families and publicize their suffering and make it part of a social struggle that extends to the rest of society.



7

Calling for changing Personal Status Laws to mitigate the legal impact of disappearance, and to abolish the requirement of prior “security approval” in cases of doing an agency of searching a missing person, because the requirement violates the provisions of the Syrian Personal Status Law. Also, issuing modern laws that are inspired from the laws set by countries that have suffered from the experience of missing persons, especially those related to women’s rights, such as the right to divorce without stipulating the time for proof of disappearance/absence, inheritance and guardianship of children, the right to travel, and the right to manage the husband’s property in case of proven loss.



8

The necessity of forming an office for missing persons affiliated to the AANES, as it is the authority controlling most areas of northeastern Syria, in cooperation and coordination with civil society organizations of common interest, and establishing a database belonging to the office that documents the cases, announces the deaths and updates the numbers continuously. And one of the office’s tasks is to communicate with international and local organizations and notify them of numbers and updates, in addition to communicating with the families of the missing persons directly, which in turn will turn the office into a reference point that works with organizations, families and activists.



© All Copyrights Reserved 2021

