

# Enforced Disappearance as an Ongoing Crime

## Towards a Comprehensive National Response to Address the Issue of Missing Persons in Syria



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## **Enforced Disappearance as an Ongoing Crime: Towards a Comprehensive National Response to Address the Issue of Missing Persons in Syria**

*This report analyzes the complexities of enforced disappearance in Syria, highlighting the involvement of multiple actors, and proposes a comprehensive legal approach to guarantee the rights of victims and their families within the framework of transitional justice*

## Executive Summary:

Enforced disappearance remains one of the darkest and most painful aspects of the Syrian conflict, leaving behind tens of thousands of missing persons and forcing their families to live between fragile hope and renewed despair. Despite the shifting maps of control up until the fall of the Assad regime on December 8, 2024, this issue has remained an open wound weighing heavily on Syrian society as a whole, given its direct connection to civil peace and the prospects of achieving comprehensive and sustainable transitional justice.

This report analyzes the complexities of enforced disappearance in Syria and the multitude of actors involved in this crime. Far from being limited to a single perpetrator, enforced disappearance has been a systematic practice carried out by various parties throughout different stages of the conflict. The diversity of those responsible poses major challenges to any national or international effort to address the issue—whether in terms of legal accountability, reparations for victims and their families, or the establishment of a robust and inclusive national database of missing persons.

Guided by the need for an evidence-based approach, the report relies on 20 documented cases of enforced disappearance across the governorates of al-Hasakah, Aleppo, Raqqah, and Deir ez-Zor, reflecting geographical and political diversity that provides deeper insight into the nature and scope of the violations.

The pain does not end with a person's disappearance; it is compounded by the financial and moral extortion inflicted on families by various actors, who demand exorbitant sums of money in exchange for empty promises to disclose the fate of their loved ones. This reality has had profound psychological, social, and economic consequences, turning the lives of many families—particularly women and children—into lives marked by constant hardship and an experience akin to a “slow death.”

The report confirms that enforced disappearance in Syria constitutes an imprescriptible crime against humanity. This underscores the need to place victims and their families at the center of the transitional justice process, ensuring its inclusiveness and impartiality. Accordingly, the report recommends several practical measures, including: establishing a unified and secure national database of missing persons; providing sustainable psychosocial and economic support to families; combating extortion networks; reforming legal and institutional frameworks; commemorating victims; and aligning with existing international efforts. At the same time, uncovering the truth and guaranteeing non-recurrence must form the foundation for achieving a just and sustainable peace in Syria.

## Introduction:

Since March 2011, Syria has been engulfed in a complex armed conflict, marked by frequent shifts in territorial control. Even after the fall of the Syrian regime in December 2024, political and security dynamics continue to evolve, with enforced disappearance and arbitrary detention remaining among the most severe and distressing human rights violations.

In Syria, arrests have often served as a dark gateway to enforced disappearance, a practice perpetrated by multiple actors against civilians. It is estimated that over 130,000 people are currently missing across the country. Their absence has left profound emotional, economic, psychological, and social burdens on their families and communities.

The fall of the Assad regime in Syria brought significant changes to the issue of missing persons. Many of the regime's prisons and detention centers were emptied, and several mass graves containing the remains of enforced disappearance victims were uncovered. This shift also created a vital opportunity for international organizations, Syrian civil society organizations (CSOs), and victims' associations to operate on the ground and engage directly with the families of the missing.

Despite these developments, thousands of Syrian families continue to suffer from enforced disappearance, torture, and ill-treatment perpetrated by various parties to the conflict. Prisons operated by these actors remain closed to independent investigations, while dozens of mass graves remain undiscovered, requiring systematic and sustained efforts to locate them and ensure justice and equity for all victims and their families.

This report aims to highlight the humanitarian, social, and psychological dimensions of enforced disappearance in Syria, with particular attention to women and children. It also provides practical recommendations to strengthen the search for truth, support families, and ensure accountability within the framework of transitional justice, thereby preventing further impunity for perpetrators.

## Methodology:

This report documents 20 cases of enforced disappearance across the governorates of al-Hasakah, Aleppo, Raqqah, and Deir ez-Zor, reflecting significant geographical and political diversity within the context of the Syrian conflict. Interviews were conducted with the victims' families, either in person or remotely, involving first-degree relatives (55% men and 45% women), allowing the provision of a comprehensive understanding of the multifaceted impact of enforced disappearance on families.



For this documentation effort, [Synergy](#) Association for Victims and the Missing Persons' Families Platform in North and East Syria ([MPFP-NES](#)) relied on comprehensive documentation forms designed to capture the various aspects of the issue. The forms included basic personal data, the circumstances of enforced disappearance, verifiable contextual information, and the social, psychological, and economic impacts on families. The team prioritized documenting cases that had not been previously recorded by Synergy Association, ensuring that sufficient information was available for inclusion in the report. This approach enabled the creation of accurate and reliable data while adhering to the highest standards of confidentiality and safety to protect witnesses and participants.

The results indicate that the parties responsible for the documented cases were diverse, including the Syrian regime, the Islamic State (ISIS), Armed Opposition Factions (notably the Turkish-backed Syrian National Army/SNA), and the Syrian Democratic Forces (SDF). Geographically, the cases were distributed as follows: al-Hasakah (7), Aleppo (6), Raqqa (5), and Deir ez-Zor (3). Ethnically, the victims were 55% Arab and 45% Kurdish.

These findings demonstrate that the issue of missing persons in Northeast Syria cannot be attributed to a single perpetrator. Rather, it reflects systematic violations committed by multiple actors, complicating efforts to uncover the truth and achieve accountability and justice for victims and their families.

### **Extorting Families of the Missing Persons:**

Testimonies obtained from many families, participating in this report, reveal that financial and psychological extortion has become the most prevalent violation accompanying the crime of enforced disappearance. Anonymous individuals and entities, and, in some cases, security forces or armed groups, have exploited the desperation of families, turning their suffering into a source of illicit profit.

The documented patterns of extortion include:

- Claiming to know the whereabouts of the missing person or can secure their release, demanding payments ranging from hundreds to tens of thousands of US dollars.
- Providing fabricated accounts of the missing person's death without offering any verifiable evidence.
- Asking for exorbitant amounts of money, between hundreds to tens of thousands of US dollars, often without proof or official documentation, and contact is frequently severed once the family requests verification.

In other cases, the testimonies indicate direct extortion by ISIS members, security officers affiliated with the former Syrian regime, or through intermediaries, such as lawyers and brokers, who exploited families' urgent need for information. Some families reported paying sums up to \$10,000, while others made multiple payments totaling around \$5,000, yet received no confirmation regarding the fate of their loved ones.

**“Yasser (a pseudonym) reported that his brother was arrested by the former Syrian regime in 2012, after which the family never received any news of him. He stated that officers from the military security branch, as well as lawyers and intermediaries, repeatedly extorted the family, demanding large sums of money in exchange for a visit with his brother or information about his fate. Despite paying substantial amounts, the family received no guidance or confirmation, which intensified their suffering—particularly as the missing brother had become the primary breadwinner following the loss of their parents and two siblings.”**

On the other hand, some witnesses reported that they were not subjected to direct financial extortion, but they faced psychological exploitation through the provision of misleading or contradictory information. This prolonged uncertainty and intensified their psychological distress.

Such practices are not limited to armed actors or security agencies; they also include a broader network of intermediaries and individuals who exploit the legal vacuum and weak accountability mechanisms. This turns the families' tragedy into a source of illicit profit, and hinders any subsequent efforts to uncover the fate of the missing persons or achieve justice.

These practices fall within the scope of composite crimes associated with enforced disappearance, where the original violation (disappearance) is compounded by subsequent abuses that undermine the dignity, economic, and social rights of families. They constitute a clear violation of:

- Article (2) of the International Convention for the Protection of All Persons from Enforced Disappearance (CED) that obligates states to prohibit and punish any forms of complicity or use of this crime.
- Articles (7 and 17) of the International Covenant on Civil and Political Rights on the prohibition of inhuman treatment and the exploitation of vulnerability.

### **The Psychological and Social Impact of Enforced Disappearance:**

Enforced disappearance represents one of the most severe human rights violations, affecting not only the direct victims but also their families and communities. Its consequences extend beyond the individual, plunging families into prolonged anxiety, deep sorrow, and the exhausting uncertainty of waiting without answers.

In most documented cases, the missing person was the main breadwinner of the family, and their disappearance disrupted the family's economic stability. This often forced families to shoulder responsibilities beyond their capacity, including the care of minor children or individuals with special needs.

The disappearance of a loved one under enforced circumstances has profoundly affected the mental and physical health of their families, intensifying their suffering. Documented cases reveal manifestations, such as severe depression, psychological disorders, and chronic illnesses arising from sustained psychological stress, particularly among elderly parents. This prolonged anguish, often described as a “slow death,” reflects a daily struggle between fragile hope of locating the missing person and the persistent fear of confirming their death. Over time, many families experienced social withdrawal and isolation, and social gatherings lost their natural significance, becoming recurring reminders of grief.

On the social and economic level, testimonies revealed that women bear the greatest burden in coping with the absence of the family breadwinner. Many are forced to seek alternative sources of income in an environment lacking institutional support, often through temporary work or relying on limited humanitarian assistance. In other cases, economic pressure has led some families to marry off young girls at an early age as a forced measure to reduce financial burdens, reflecting how the devastating impact of enforced disappearance extends to subsequent generations.

**A testimony recounted by Samira (a pseudonym), the sister of a woman who went missing by ISIS, illustrates the compounded impact when the victim is *female*. In addition to psychological suffering, the family faced social stigma and negative scrutiny, which in some cases escalated to direct harassment. To protect the missing woman’s daughters and mitigate the effects of social isolation and stigma, the family was compelled to relocate to another area.**

This violation did not spare children, as they were also direct victims. Testimonies indicate that many experienced early psychological trauma due to the loss of one or both parents, which adversely affected their academic performance and emotional well-being. Growing up in an environment marked by grief and deprivation, these children face a trajectory of trauma that may result in long-term social and economic vulnerability.

Some families reported being subjected to financial extortion by various parties, who offered false promises to reveal the fate of their loved ones, exploiting the absence of official and effective channels for verification or accountability. This exploitation compounds their suffering and underscores the significant gap between the humanitarian need for justice and truth and the prevailing reality of widespread violations and impunity.

These intertwined psychological, social, and economic impacts demonstrate that enforced disappearance is not merely a violation of an individual’s fundamental rights, but an ongoing crime that generates prolonged suffering, harms families and communities, and perpetuates vulnerability and loss across generations.

## The Legal Framework of Enforced Disappearance in Syria:

The [International Convention for the Protection of All Persons from Enforced Disappearance](#) defines enforced disappearance as: **"the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law."**

This violation is particularly severe, as it combines arbitrary deprivation of liberty, deliberate concealment of a person's fate, and the denial of legal protection to the victim. Consequently, states bear strict legislative and procedural obligations to investigate such cases, reveal the truth, and ensure accountability.

The [Office of the High Commissioner for Human Rights](#) classifies enforced disappearance as an "Ongoing Crime", meaning it is generally not subject to statutes of limitations or amnesties, and the obligation to disclose the fate of the victim remains in effect even after many decades. This creates a continuous duty for the state to conduct thorough investigations and to provide effective avenues for justice for the victims and their families.

Although Syria has not ratified the International Convention for the Protection of All Persons from Enforced Disappearance, the customary rules of the International Humanitarian Law (IHL) and international human rights law (IHRL) impose binding obligations, including the protection of the right to life, liberty, and human dignity, and the prohibition of arbitrary detention and extrajudicial disappearance. Consequently, Syria's failure to ratify these agreements does not exempt its authorities—including those who assumed power after December 2024—from international legal responsibility.

The situation in Syria presents a unique challenge due to the variety of actors responsible for enforced disappearances. The state holds direct responsibility for the violations committed by the previous regime and its security branches. At the same time, armed groups and other factions are also legally accountable under IHL, which criminalizes enforced disappearance as a serious violation, regardless of the perpetrator's status. Accordingly, the international community is obligated to activate accountability mechanisms, whether through national courts applying universal jurisdiction or through specialized international or hybrid tribunals.

From a transitional justice perspective, enforced disappearance represents a challenge that cannot be resolved through political settlements or amnesty laws, as international standards exclude this crime from any form of amnesty or statute of limitations. Therefore, any future path to justice in Syria must guarantee victims' rights to truth and reparation and enshrine these rights in the constitution and national legislation.

Legal recognition of cases of disappearance and enforced disappearance is a fundamental necessity—not only to uphold human dignity, but also to reduce the burdens on families



facing challenges related to inheritance, guardianship, registration of births and deaths, and access to compensation. Countries such as Bosnia, Chile, and Colombia have adopted specific legislation recognizing the disappeared, granting families temporary legal rights without replacing their right to seek the truth. Adopting similar models represents an urgent need in the Syrian context.

However, any legal framework remains inadequate without effective implementation mechanisms and institutional guarantees. Legal texts alone are insufficient unless backed by independent investigative structures, transparent archiving of records, and comprehensive reform of the security and judicial institutions historically implicated in these violations. Establishing a strong institutional connection between the National Commission for Transitional Justice and the National Commission for the Missing in Syria is a crucial step toward unifying efforts and preventing the fragmentation of cases or their use as bargaining tools among conflicting parties.

## Recommendations:

### 1. Establish a Unified and Secure National Database for the Missing:

- Developed in line with international standards of privacy, confidentiality, and data protection.
- Placed under independent civilian oversight, ensuring the participation of victims' associations and families of the missing in its management.

### 2. Launch Comprehensive and Sustainable Psychosocial and Economic Support Programs, for Families, that:

- Provide specialized, long-term psychological care.
- Deliver direct social and financial assistance, and ensure children's access to education and protection.
- Empower women economically through creating job opportunities and alternative livelihoods that prevent their marginalization and position them to become key actors in society.

### 3. Address the Financial and Psychological Extortion Faced by Families: through the establishment of an independent and secure complaints mechanism, the implementation of a robust witness and victim protection system, and the prosecution and accountability of all perpetrators—whether official state or non-state actors—within a transparent legal framework.

- 4. Ensure the Inclusivity and Impartiality of the Transitional Justice Process:** by mandating the [National Transitional Justice Commission](#) (established under Decree No. 20 of 2025) to address violations committed by all parties—including the former regime, armed groups, and other factions—while upholding the principle of equality as outlined in the Constitutional Declaration and international human rights standards.
- 5. Strengthen Institutional Coordination and Complementarity between the Transitional Justice Commission and the National Commission for the Missing:** through establishing a formal coordination mechanism that integrates the processes of truth-seeking, accountability, reparations, and memorialization, while preventing the fragmentation of justice or its selective or political use/manipulation.
- 6. Ensure Victims' Centrality in Decision-Making:** through structurally and permanently engaging victims' associations, families of the missing, and survivors in shaping and developing policies, setting institutional priorities, and designing monitoring and evaluation mechanisms, recognizing them as active and leading partners rather than mere beneficiaries.
- 7. Reform the Legal and Institutional Framework:**
  - Amend legislation to legally recognize cases of disappearance and enforced disappearance.
  - Grant access to official archives, burial sites, and related information.
  - Reform security and judicial institutions as a guarantee against recurrence and ensure accountability.
- 8. Commemoration and Recognition of Victims:** through implementing programs for collective memory, such as memorials, memory museums, a national archive, and integrating this issue into educational curricula, to ensure recognition of all victims without discrimination and to prevent narratives of denial or justification.
- 9. Integration with Existing International Efforts:**
  - Collaborate closely with the [Independent Institution for the Missing in Syria](#) (IIMP), which reflects the efforts of victims and their families and holds a mandate under the UN General Assembly.

- Leverage its expertise and resources, and build on prior accomplishments to strengthen national efforts while avoiding duplication or weakening of existing initiatives

#### **10. Truth, Accountability, and Non-Recurrence as Foundations for Sustainable Peace:**

- Recognize that the absence of justice perpetuates the presence of conflict in collective memory.
- Affirm that the right to information, accountability, and reparations is a cornerstone for national reconciliation and social peace.
- Utilize justice as a tool to rebuild social cohesion and promote long-term stability.