IN DEPTH

Gender impact of enforced disappearances in Syria

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The practice of enforced disappearances in Syria is not recent. Many cases were already reported previous to the 2011 protests. Long before Bashar Al Assad even came to power, his father was detaining political enemies and anyone who challenged his rule. However, the scale on which they were ripped from their families exploded due to the mass demonstrations and the subsequent war.

When the peaceful revolution began in 2011, the core demand of the very first protests were indeed the release of political prisoners. The mass protests erupted after some children were arbitrarily detained and tortured for drawing a graffiti. Syrians took to the streets to demand their release and soon many more demands emerged that had been boiling under the surface for many years: justice and freedom. As a response, Bashar Al Assad used the tactics which the regime was already well acquainted with: arrests and violence as well as torture in detention. This tactic is meant both as a punishment and as deterrence for others. It has always been clear to Syrians speaking up against the regime that detention is a likely consequence of any opposition. Entire families have shared stories of detention, if they were politically active even before 2011. In conversations with lifelong opponents of the Assad regime, stories of celebrations, family holidays and birthdays are interlaced with memories from visits to prisons.

“ Due to the lack of information provided by the security apparatus, arrests in Syria almost equal enforced disappearance ”

With the overwhelming number of protests during the revolution, the security apparatus geared up its arrests, as many thousands were detained. Often, they were released after a certain time period, but there are many that remain missing until today. It is noteworthy that arrests in Syria almost equal enforced disappearance. This is due to the lack of information provided by the security apparatus about arrests, places of detention, etc. So essentially, many Syrians know that someone was arrested but after this point, they do not have any information on this person’s whereabouts. Therefore, detention in Syria essentially is enforced disappearance, since “enforced disappearances occur when, with the involvement of State authorities, a person is forcibly removed from public view and his or her whereabouts is intentionally undisclosed. As a consequence, victims are placed outside the protection of the law. In most cases, the only verifiable information provided will relate to the circumstances in which the victim was last seen alive and free”[1].

This starkly illustrates why the issue of detention does not only constitute a violation of human rights of the person that was taken. Accordingly, the International Convention for the Protection of All Persons from Enforced Disappearance defines victims as “the disappeared person and any individual who has suffered harm as the direct result of an enforced disappearance.” art. 24(1). One person that is disappeared therefore creates many more victims[2]. We therefore need to also consider violations of the rights of those left behind. Those are mainly women and children, since a majority of detainees are male. Globally, 70-94% of disappeared individuals are male[3]. Even though we do not have numbers for Syria, the number is estimated to be very high[4].

The gender impact of enforced disappearance in the Syrian case

However, the impact of enforced disappearances on relatives of the missing person, in particular women and children, has until now not been given appropriate attention. Many Syrian families suffer in silence. The women who are left behind experience a compounded vulnerability. Because of the traditional gender roles in Syrian society, they are more likely to fall into poverty, depression and isolation. “Although amplified and intensified during the conflict, women’s experiences of enforced disappearance have their roots in the pre-conflict context of Syria’s patriarchal society. Consequently, gender inequalities and social injustices are a pre-existing part of the social, cultural, economic, and political structures within the country. This is reflected in Syria’s discriminatory and exclusionary laws, especially in relation to marriage, property rights, and sexual offenses which aggravate and deepen institutionalized inequality”[5].

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The gendered effects of disappearance in Syria are threefold: first, if the main breadwinner of the family is disappeared, women find themselves without income for their families and therefore are more vulnerable. Second, the psychological toll it takes on the women to continue being the caregiver to the children while living through fear, anxiety, and depression. Third, the legal impact it has on women means that they cannot remarry, inherit or even travel with their children from a place to another, as all of this requires either the consent of the husband or proof of his death. However, many Syrian women do not have any proof neither of the arrest, nor of a death and therefore remain in limbo. “In societies where gender-based discrimination in laws and policies hinders the full realization of the human rights of women and limits their autonomy and participation in aspects of public and political life, the social and economic impact of disappearances is felt more strongly and, in turn, renders women and their children more vulnerable to exploitation and social marginalization”, according to the former United Nations Deputy High Commissioner for Human Rights, Kyung-wha Kang[6].

Women as activists and torchbearers of the issue of the disappeared

According to recent research, gender roles are changing for Syrians. This has multiple reasons. One of them is that the sheer absence of men has forced all gender relations to morph. In many cases, the man is either missing (deceased, detained, or disappeared) or unable to move due to the strict laws relating to residency and work for refugees, for example in Lebanon[7]. Female relatives of the disappeared and the detained had to take on new responsibilities and roles in their families as breadwinners, and more importantly as decision makers for their dependents.

However, they only have access to low-paying, insecure jobs, often far away from their families, which in turn increases their risk of exploitation and jeopardizes their children's well-being and education. In addition, the uncertain legal status of the disappeared (who are not considered officially alive or dead) compounds the family's financial insecurity. Indeed, wives of those missing often cannot access family assets and bank accounts held in their husbands' names or are denied social benefits reserved for married women[8]. This is also true for aid to refugees, since married women get less access than widows. Since they are married on paper, relatives of the disappeared cannot access the same aid as single or widowed women.

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The only option for many wives would be to declare their husbands death, and even then, death certificates may not be available until some time after the disappearance. However, many women are reluctant to do this because of a sense of guilt of abandoning hope[9]. This illustrates the psychological burden they carry on a daily basis. They are essentially caught in a limbo between mourning their loss and hoping for a return of the loved one. This in fact shows another layer of their situation of

multidimensional vulnerability. Often, they serve as a support system to others through their community, while suffering gravely themselves. Families of the disappeared often know each other well and identify with each other over their common suffering.

Women had to start actively searching for their relatives, often through unofficial channels, such as the need to pay bribes. They are often themselves exposed to detention and mistreatment by the security apparatus. Despite the hardships faced by Syrian women due to a multitude of circumstances compounded by the disappearance of their relatives, women have found a way to go on and support their families, both financially and morally, despite the intense toll it takes on them[10].

Families for Freedom

As a result of an increased involvement of women in the issue of enforced disappearance, there was a will to come together and organize. One of the groups that formed as result is the Families For Freedom, which was founded in Geneva (Switzerland). This is a women-lead movement demanding the truth on the whereabouts of their missing ones. Despite an overwhelming fear of reprisals for their missing ones, their families and themselves, they continue to expand their movement to include every family with a detained or missing person, across religions, political beliefs or ethnicities. The movement began with a core group of fairly well experienced activists and community mobilizers. They began to work on developing demands and a shared agenda. In a second step, local chapters were founded in order to expand the movement to the grassroots.

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This core group of well-known activists managed to expand in number. There are now local groups in Lebanon, Turkey, Germany, the UK and inside Syria. This local work is essential since a movement can only be sustained through a solid bottom up

mobilization, in which many people identify with the demands, develop them further and contribute not just with their stories but also with their ideas. This has been clearly demonstrated by other well-known movements like the mothers of Plaza de Mayo in Argentina: “It all started with a group of 14 women who wanted to know where their sons and daughters were; whether they were alive or dead. They wanted to know the truth: when, why and who made them disappear”[11].

The demands of the families

When Families for Freedom was formed, the core group of activists began working on their joint demands[12]. They wrote and presented the following demands to the United Nations in Geneva[13]:

– To immediately release a list of names of all detainees, along with their current locations and statuses, and to immediately stop torture and mistreatment. In the case of death of a detainee, a death certificate along with a report on causes of death and burial location must be presented to the families.

– Pressure the Syrian government to allow international humanitarian organizations to immediately deliver food and medical aid, and to grant international rights groups access to detention facilities to closely monitor living conditions in order to guarantee civil detention facilities to meet healthy living standards.

– Abolish exceptional courts, especially field, war and counter-terrorism courts and guarantee fair trials under a supervision from the United Nations.

– Hold to account all those responsible from all sides, and particularly the Syrian government, for the violations they have committed and are continue to commit against the arbitrarily detained and their families as an essential step toward justice.

Based on the research done by Women Now for Development and Dawlaty about the female relatives of the missing, we can conclude that there are some commonly shared demands[14] among the families who were not mobilized yet around the issue as well, including the right to know the fate and whereabouts of the disappeared/detained family members and the need of special support schemes for the disappeared persons’

families, including pensions, education, medical treatment, and jobs for family members.

“ Especially on the local level, where female relatives are vulnerable, the idea of justice becomes more holistic than criminal accountability and includes social and economic justice ”

According to the Families for Freedom local chapter coordinator in Lebanon, Yasmine, families are discussing justice and how to hold accountable the parties detaining or disappearing their loved ones. Most of the female relatives in the local chapter in Lebanon are victims of the Assad regime, however there are also those who are the victims of armed groups[15].

Especially on the local level, where female relatives are vulnerable and lack access to basic services, the idea of justice becomes more holistic than criminal accountability. It includes social and economic justice, which requires a gender sensitive perspective on their lived experience as a whole[16]. They are refugees, female, deprived of their rights *and* a relative of a missing person, which compounds their vulnerabilities significantly.

Therefore, educational opportunities are a crucial element to navigate the responsibilities and a chance to alleviate the impact of the burdens. On a more basic level, literacy opportunities are critical for women with minimal to no formal education to be able to negotiate administrative procedures at security branches, administrative facilities, and prisons. Vocational training on the other hand can expand the number of jobs women can pursue and occupy. Increased educational opportunities can allow the female relatives to negotiate better compensations and salaries, as well as increase their self-reliance and confidence. Furthermore, access to higher education can for those with sufficient previous formal education be a key to become more resilient.

“ Through the shared sorrow and mutual support, the female relatives were able to encourage each other to become more active and outspoken ”

Both in the core group and the local chapters, through activities and advocacy work, there is a change in the women’s way of thinking and acting. According to Asmaa Al Farraj, who is both a member of the core group and a local chapter coordinator in Manchester, UK, the initial communication was hard between families as they felt a sense of hopelessness and helplessness. The way detention and enforced disappearance is used as weapon of war and oppression in Syria leaves relatives feeling completely powerless, especially if they have left Syria and therefore can no longer physically search for their loved ones. This often puts them in total isolation, emotionally and psychologically, longing for their loved one, but at the same time feeling guilty for having left and abandoned the search. But through the shared sorrow and mutual support, the female relatives were able to encourage each other to become more active and outspoken[17]. This is also echoed in the local chapter in Lebanon, where women are no longer willing to accept their position as victims and want to become more visible and ask for their demands loudly. As a consequence of their community mobilization, they develop ideas for activities and even advocacy work that has been carried out locally as well as internationally[18].

It has become clear through the mobilization of female relatives that the psychological suffering initially is the biggest hurdle for them to participate in these activities, because it asks the relatives to actively engage with the disappeared person. But after this initial challenge, we have witnessed psychological benefits (“I know I am not alone and there are other just like me”) and a sense of comfort (“These families are now my own family”).

1. Protecting women from the impact of enforced disappearances”, OHCHR, 2012.

2. The Disappeared and Invisible”, ICTJ, 2015.

3. Kapur, Amrita: "Overlooked and invisible: the women of enforced disappearances", 14 April 2015.

4. There are also smaller numbers of female detainees, however in this paper we will focus mostly on the relatives of detainees, rather than female detainees. The examination of the vulnerabilities of female detainees is important but goes beyond the scope of this paper.

5. *Shadows of the Syrian Disappeared: Testimonies of Female Relatives Left with Loss and Ambiguity*, Dawlaty and Women Now for Development, 2018.

6. "Protecting women from the impact of enforced disappearances", OHCHR, 2012.

7. *Gender Justice and Feminist Knowledge Production in Syria*, Women Now for Development, 2019.

8. Kapur, Amrita: "Overlooked and invisible: the women of enforced disappearances", 14 April 2015.

9. Ibid.

10. *Shadows of the Syrian Disappeared: Testimonies of Female Relatives Left with Loss and Ambiguity*, Dawlaty and Women Now for Development, 2018.

11. "Protecting women from the impact of enforced disappearances", OHCHR, 2012.

12. See Families for Freedom

13. "Detainees' Families Ask Geneva to Raise Issue of Detainees Above Negotiations", Enab Baladi, 2017.

14. *Shadows of the Syrian Disappeared: Testimonies of Female Relatives Left with Loss and Ambiguity*, Dawlaty and Women Now for Development, 2018.

15. Interview with Yasmine, 05/02/2020.

16. *Gender Justice and Feminist Knowledge Production in Syria*, Women Now for Development, 2019.

17. Interview with Asmaa, 08/02/2020.

18. Interview with Yasmine, 05/02/2020.

ABOUT THE AUTHOR

Anna Fleischer works on Syria and specifically women's rights and grass roots mobilization. In this context, she is particularly interested in amplifying local women's voices around issues like detention and enforced disappearance. In her previous role as Advocacy and Communications Manager at the Syrian women's rights organization Women Now for Development, she accompanied the Families for Freedom movement from its early days until today. She is now program coordinator at the Heinrich Böll Foundation Beirut Office. She studied Political Science, Middle Eastern Studies and the Arabic Language in Germany, the United Kingdom and Egypt.

Photography Visit in Lebanon.

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