

Special Report on the Case of the Nurse "Gossoon Murshid" and Depriving her of her Freedom in Eastern Ghouta

"Contradictory Statements and Conflicting Accounts about the Incident, after Accusing Army of Islam of Kidnapping as a Desire to Control All Aspects of Life in Douma"

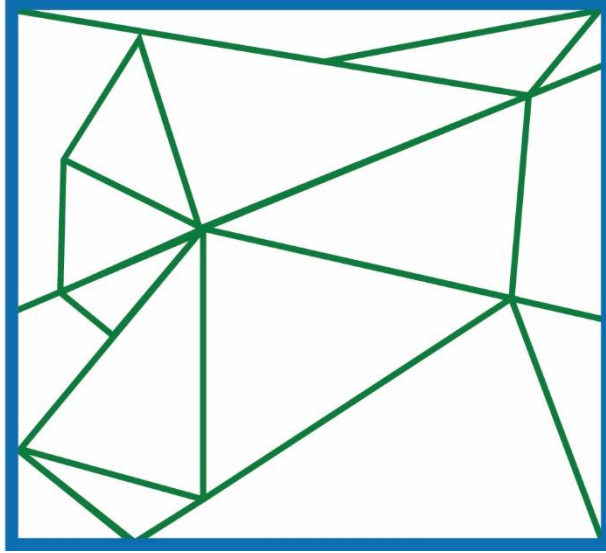
About Syrians for Truth and Justice/STJ

[Syrians for Truth and Justice /STJ](#) is a nonprofit, nongovernmental, independent Syrian organization. STJ includes many defenders and human rights defenders from Syria and from different backgrounds and affiliations, including academics of other nationalities.

The organization works for Syria, where all Syrians, without discrimination, should be accorded dignity, justice and equal human rights.

سوريون
من أجل
الحقيقة
والعدالة

Syrians
For Truth
& Justice





Preface:

On Wednesday afternoon, December 13, 2017, the nurse Gossoon Murshid, director of the Incubator Department at the Obstetric Hospital in [Duma](#)¹, was arrested while returning to her house located in Duma. [Syrians for Truth and Justice/STJ](#) reporter said that accounts conflicted about whether the arrest had been lawfully with a warrant or not, and accounts differed about the authenticity of the charges against her. Several testimonies obtained by STJ, specifically testimonies from **those who work for the Supreme Judicial Council² in Eastern Ghouta**, said that arresting Gossoon was with a warrant, on the basis of several civil complaints received by the Supreme Judicial Council about the "ill-treatment" that Gossoon practiced against children and their families in addition to being involved with other "*moral problems*". Moreover, there were some complaints about the wilful neglect of children, which led to the death of some of them.

On the other hand, many eyewitnesses denied what had been mentioned earlier, as several **activists from Duma** told STJ that agents of Army of Islam arrested the nurse in a "kidnapping" manner, and that she had not been arrested in a lawful manner. In addition, some of the activists indicated that the charges against her were purely malicious and fabricated, because the nurse is known for her harsh criticism of the Army of Islam. They noted that this incident reflected attempts by the Army of Islam to control all the aspects of life in Duma, specifically the medical point in the city, following controlling the local council, the judiciary and the police during the last months of 2017.

First: Conflicting Statements

On December 16, 2017, Army of Islam, through a statement issued on its Telegram channel, declared that it had nothing to do with the incident of arresting Gossoon, and that the arrest was carried out on the basis of an official warrant issued by the Court. Moreover, the statement said that the nurse was on remand and that the Medical Office in Eastern Ghouta has been informed on this matter.

¹ The Army of Islam fully controls Duma. Gossoon Murshid remained in detention until the end of the writing of this report December 2017

² The judiciary in Eastern Ghouta was established during several stages. At first, civil courts in towns and cities of Eastern Ghouta were formed in early 2013. In mid-2014, the so-called "The Unified Judicial Council" was formed, in which the courts were unified throughout Eastern Ghouta. After fighting among Syrian armed opposition factions in Eastern Ghouta on April 28, 2016, the judiciary was divided into two bodies, one within areas held by Faylaq al-Rahman, whereas the other body was within areas held by the Army of Islam. In 2017, the Supreme Judicial Council was formed throughout Syria, in areas out of Control of the Syrian regular forces. One of the councils involved within was the Judicial Council in Duma and its adjacent places.

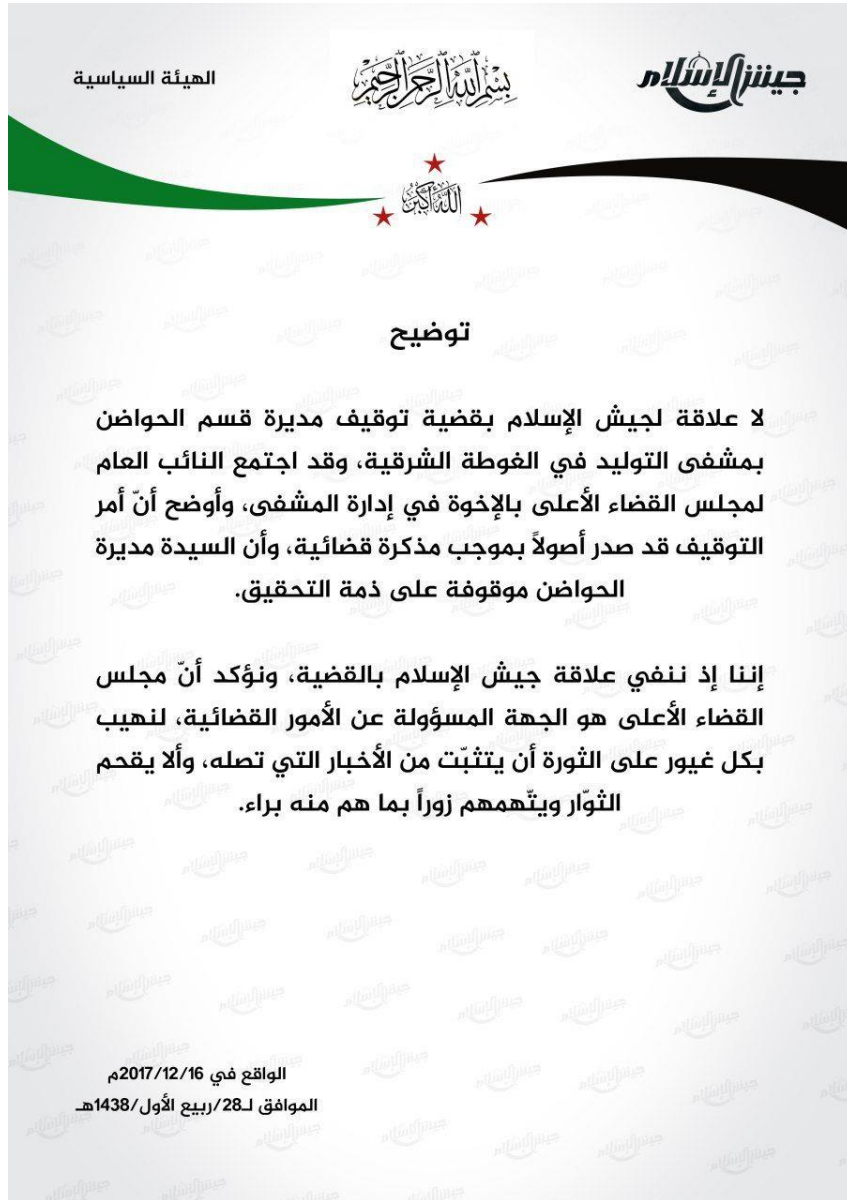


Image showing the statement issued by the Army of Islam on December 16, 2017, in which it denied any link with the case of arresting the nurse, and asserted that her arrest was made by a warrant.

Photo credit: [Telegram channel of the Army of Islam.](#)

For its part, the Directorate of Health in Damascus and Countryside, reserved on the case of the arrest in the first days, but on December 16, 2017, the Directorate condemned, through a statement, the arrest of without showing a judicial or security warrant to the nurse, or to the administration or side she works for. It also demanded all concerned parts to work for the release of the nurse and to bring her to justice if the accusations are proved.



Syrian Interim Government
Ministry of Health
Damascus and Rural Damascus
Directorate of Health



الحكومة السورية المؤقتة
وزارة الصحة
مديرية الصحة في دمشق وريفها

الرقم: ١٤٩/ص
التاريخ: ٢٠١٧/١٢/١٦

تصريح

حول اعتقال رئيسة قسم الحواضن في دوما

في يوم الأربعاء الواقع في ٢٠١٧/١٢/١٣ تم اعتقال الممرضة رئيسة قسم الحواضن في مدينة دوما واقتيادها لجهة غير معلومة أثناء فترة عملها في المركز، علماً بأنه لم توجه أي مذكرة قضائية أو أمنية للممرضة أو للجهة الإدارية والمسلكية التي تتبع لها الممرضة وفق الأصول القانونية والقضائية الواجب اتباعها، مما يجعل من هذا الاعتقال تعسفياً يخالف القانون.

وعليه فإن مديرية الصحة في دمشق وريفها ترفض هذا العمل الغير مسؤول وتطالب كافة الجهات المعنية في المدينة بضرورة الإفراج عن الممرضة وإحالتها للقضاء في حال وجود جرم يستوجب الإيقاف الاحتياطي على ذمة التحقيق ليتسنى للقضاء القيام بعمله المنوط به في تطبيق القانون وحماية الحقوق والحريات العامة في المجتمع، وإعلام مديرية الصحة بكل ما يتعلق بهذه القضية أصولاً.

مدير صحة دمشق وريفها
د. عماد قباني



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Image showing the statement issued by the Directorate of Health in Damascus and Countryside on December 16, 2017, in which it condemned the arrest of Gossoon Murshid, the nurse, and asked all those involved to work for her release and bring her to justice if the accusations are proved.

Photo credit: [Facebook page of the Directorate of Health in Damascus and its countryside.](#)



Second: Response of the Supreme Judicial Council and Clarification Circumstances of the Arrest

The statement issued by the Directorate of Health in Damascus and Countryside raised the wrath of the Supreme Judicial Council in Eastern Ghouta, thus it issued two separate statements. One of them was in December 16, 2017, in which it confirmed that the arrest of the nurse had been made by a warrant issued by a court of the Supreme Judicial Council. The statement also asked the Directorate of Health in Damascus and countryside to return to the court and the Public Prosecutor's Office, to understand the circumstances of the arrest rather than resorting to the media.

Moreover, the Supreme Judicial Council explained through a follow-up statement issued on December 16, 2017, that the meeting is in progress, with the doctors concerned to clarify cause of the arrest. It also requested the need to allow the work of the judiciary and not to hinder the investigation through the pressure exerted by the Directorate of Health in Damascus and Countryside. The Council noted that no investigative information could be published for the time being.



Image of the statement issued on December 16, 2017, by the Supreme Judicial Council, in which it explained that the arrest of Gossoon Murshid, the nurse, was based on a judicial warrant by a subordinate court.

Photo credit: [Telegram channel of the Supreme Judicial Council](#).



Supreme Judicial Council

مجلس القضاء الأعلى

بيان تعقيبي

بسم الله الرحمن الرحيم

تعقيباً على بيان مجلس القضاء الأعلى رقم 5 و الصادر بتاريخ ١٦ / ١٢ / ٢٠١٧ والمتضمن توضيحات على حادثة توقيف الممرضة والتي تعمل في قسم الحواضن في مدينة دوما نبين ما يلي :

١. أنه تم الاجتماع مع الأطباء في المركز المذكور لتبيين أسباب إصدار مذكرة التوقيف والتي صدرت بناء على شكاوي عدة من المواطنين .

٢. تم توجيه طلب لمديرية الصحة بضرورة إتاحة حرية العمل للمؤسسة القضائية وعدم التدخل في التحقيقات حيث أن القضاء جهة مستقلة لا يجوز التدخل في عمله ولا الضغط عليه إعلامياً .

٣. لا يمكن لنا كجهة قضائية نشر أي قضية منظورة أمام القضاء حتى يحكم فيها خاصة ما هو متعلق بالنساء .

٤. ندين الأسلوب الذي استخدمته مديرية الصحة والتعامل بفقوية وعدم احترامها للمؤسسات القضائية الرسمية .

٥. نحمل مديرية الصحة كافة الإشكالات الناتجة عن اتخاذ هكذا خطوة والتي من شأنها أن تعطل مجريات التحقيق في القضية .

والله ولي التوفيق

رئيس مجلس القضاء الأعلى في ريف دمشق
القاضي زين العابدين ابن الحسين



٢٠١٧ / ١٢ / ١٦

Image of the follow-up statement issued by the Supreme Judicial Council on December 16, 2017, in which it confirmed that meeting was ongoing with the doctors concerned to find out cause of the arrest, and called to allow the work of the judiciary.

Photo credit: [Telegram channel of the Supreme Judicial Council](#).



Third: Accounts of Eyewitnesses

According to STJ reporter, the incident of arrest of the nurse Gossoon Murshid sparked a split between the popular in Duma, between supporters and opponents. Some people spoke about her "behavioral wrongdoing" and her ill-treatment to children and their relatives in the Incubator Department. In this regard, a nurse, working in Eastern Ghouta who refused to disclose her name, accused Gossoon of negligence, disregard and violation of medical laws, and added that this had caused the death of a number of children³ in the Incubator Department. She added:

"The deaths may not be intentional, nor can be described as a medically error, since the nurse has extensive experience in this field, but what I can confirm is that she was so careless that she used to smoke near children, let alone her behavioral wrongdoing in dealing with both the employees and families of the children as well."

In another testimony, a mother of a child who died in the department of the Incubators, in which where the nurse had served, confirmed that her child had died since two years in that department without anyone giving her enough explanation about the causes of death. She told STJ:

"I delivered my child two years ago and it was born early, so I was forced to put the baby in the incubator, where they said I had to leave the place to ensure his safety, and that I could come back within two hours. However, after my return to the hospital, they gave me the baby dead without explaining the cause of death, and when I asked for the reason, they told me words, in a tactless way, and contrary to the humanitarian profession that they pretend. At the time, I did not thought that my child's death could be unnatural."

Mohammed al-Omar, an employee for the Supreme Judicial Council in Eastern Ghouta, told STJ that, about a month ago, complaints against Gossoon Murshid started to come to justice, mostly from some civilians in addition to some nurses. He continued:

"The content of these complaints was her ill-treatment of some children and their relatives in the Incubator department, as well as her involvement in moral problems. Therefore, we conducted a study through our research and investigation office, and once the study was received confirming that she smoked in the medical center, uttered obscene words frequently, as well as we received several complaints of wilful negligence of some children that caused their death, and upon all that above, we decided to arrest her under a warrant. The Criminal Security arrested her at 10:00 a.m., and when the first interrogation was conducted, we decided to arrest her, and we informed Abo Rateb ash-Shami, the Director of the Medical Office, about

³ STJ could not verify the allegations that claimed the deaths to be because of the negligence and disregard of the nurse.



that. We were surprised when the Directorate of Health in Damascus and Countryside issued statements attacking the Judicial Council because of the arrest incident. The preliminary investigation has now been concluded, and it has been decided to transfer her to the investigating judge for the offence of negligence during work causing the death of some children as well as the contravention of public morals and committing acts contrary to modesty. Currently, she is under investigation."

For its part, the Supreme Judicial Council in Eastern Ghouta indicated that it is ready to receive any complaint from relatives of the children who died in the Department of Incubator in the Obstetric Hospital in Duma. Subsequently, complaints followed; among them was the death of a child identified as Aisha Khaldoon al-Sulta without determining the time of her death.



Image showing the baby Aisha Khaldoon al-Sulta whom said to have died in the Incubator Department in the Obstetric Hospital located in Duma.

Photo credit: [Telegram channel for Awsat \(Middle\) News network](#).



Fourth: Different Eyewitness Accounts

On the other hand, there were testimonies and statements that denied what was mentioned previously. Dr. Fayez Orabi, the spokesperson for the Health directorate in Damascus and Countryside stressed to STJ, that arrest of the nurse had been for unknown reasons until this moment, noting that the Health Director in Damascus and Countryside had contacted the judiciary on this issue. However, there is nothing official concerning this case so far. He added:

"In general, it is a detention for an unknown reason, but the method was not proper to arrest a girl fundamentally. Concerning the attitude of the Directorate, the Legal Service in the Directorate of Health in Damascus and its countryside is following daily the case concerning the arrest of the nurse who is head of the nursing department in the Incubator Department. The last judicial review was on December 20, 2017, in order to be familiar with the indictment against the detainee, and the chief prosecutor promised to inform us about the charges and the evidence addressed to her on Saturday, 23 December 2017."

In turn, an activist from Duma, who refused to disclose his name for security purposes, said that fighters of Army of Islam arrested the nurse in a "kidnapping" manner", while she was returning from the medical point to her home in the city. In this regard, he spoke to STJ:

"If we want to talk legally, no doubt that all the charges against the nurse are invalid, since the arrest was not carried out lawfully. As for the charges of killing the children, the nurse Gossoon Murshid bears no responsibility, because she is the supervisor of the Incubator department, and not responsible for the Medical point and if there were mistakes, the person in-charge-of the medical center must be held accountable. Gossoon was very critical to the Army of Islam and not satisfied with its violations in Eastern Ghouta, and it is known that anyone who criticizes Army of Islam would be arrested. Nevertheless, the important point that must be referred to is that Army of Islam is trying to control all aspects of life in Ghouta, and has already managed to control the Local Council, the police and the judiciary in Duma, and it may now desires to control the medical point, to claim to the public that Army of Islam is the one who treats children and provides medical materials, the matter that will help it gain popular support since it has lost many supporters recently. According to the information available to me, Army of Islamic employed people from its part at the medical point and as a result, malicious reports were written against the nurse Gossoon to prepare for her arrest."

In a crosschecked testimony, an activist from Duma, who also refused to disclose his name for security purposes, confirmed that fighters of Army of Islam arrested Gossoon Murshid in a kidnapping manner. He stated that the latter denied at first and disclaimed its liability for the arrest, but on the next day, it stated that Gossoon is being held in a security office in Duma. Concerning the charges against her, he added:



"We learned later that the charges against Gossoon were killing children and the use of witchcraft and magic. These charges were very malicious, and I think they are due to her harsh criticism of the Army of Islam, besides, there are reports of a disagreement between the nurse and the mother of one of the commanders in the Army of Islam. We must not forget that Army of Islam controls all institutions in Duma, whether the Supreme Judicial Council, the Criminal Security among others."

One reliable sources told STJ commenting on the incident:

"Gossoon left the Incubator department at about 10:00 am, in order to buy some coffee, and she disappeared afterwards, which alerted all doctors at the center. They started asking about her everywhere, then some people contacted the security office of the Army of Islam inquiring about her, but the office denied her presence with them. Only minutes later, the police of the Army of Islamic contacted the same people again and told them that Gossoon was there. The incident was a kidnapping, as she was kidnapped from the street and in an untactful manner. After that, they searched her mobile, and based on the things found in it, they began to list the charges against her. Concerning, killing children, it is a professional medical subject, which must be verified by doctors who do not have such medical experience. There is also an important point: they searched her cell and saw her personal conversations, and based on them they increased the indictment. Moreover, Army of Islam attempted to defame all those who have tried to support Gossoon, specifically doctors and activists supporting her cause. One of the charges against her was "Killing Sunni children."

The official spokesman of the Health Directorate in Damascus countryside, Dr. Fayez Orabi, told Syrians for Truth and Justice/STJ that the legal service, that assigned to pursue the case of Gossoon, has received a commitment from the judiciary to have access to the investigation course of Gossoon case, which was actually done on Saturday, December 23, 2017, so the following day on Sunday, December 24, 2017, Gossoon was released on remand without any official statement by the judicial authority regarding the charges against her.