

‘i wanted to die’

syria's Torture
survivors speak out

AMNESTY
INTERNATIONAL



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1. INTRODUCTION

'I wanted to die'

A sentiment expressed by "Tareq ", who told Amnesty International that it was the reason that he did not inform guards or officials in the detention centres in which he was held of the medication he needed daily. Another former detainee said he considered suicide while detained. Two others said they would prefer to die than find themselves again detained by Syrian security forces.

A grim catalogue of torture and other ill-treatment has emerged from Syria's detention centres in a year of unrest against President Bashar al-Assad's government.

Demonstrations, predominantly peaceful protest at the outset, began sporadically in February 2011 but picked up frequency after the first killings of demonstrators the following month. Since then, the unrest has turned increasingly violent, with armed opposition groups, many loosely under the umbrella of the Free Syrian Army (FSA), which is based in Turkey, carrying out attacks mainly against Syrian security forces. Amnesty International has received the names of over 6,500 individuals reportedly killed during the unrest, most killed by Syrian security forces during demonstrations.¹ The Syrian authorities dispute these figures and said in February 2012 that 2,493 civilians and 1,345 members of the security forces had been killed since the start of the unrest.

The actions of the Syrian security forces have been widely condemned by many members of the international community, but this has done nothing to stem the tide of repression. Since 4 February 2012, when China and the Russian Federation vetoed a draft UN Security Council resolution expressing grave "concern at the deterioration of the situation in Syria" and calling for all violence to cease was vetoed by Russia and China, some 1,179 people are reported to have died, 632 of them in Homs, Syria's third largest city. Neighbourhoods of Homs – notably Baba 'Amr, Insha'at and Khaldiye, which were largely under the control of opposition forces – have been pummelled by the Syrian military, which at the time of writing in early March 2012 appeared to have driven out the opposition forces.

While the overwhelming majority of alleged human rights violations have been committed by the state's security forces, there have been some reports of abuses committed by members of armed opposition groups, including the kidnapping and killing of some individuals or their relatives, apparently because they were outspoken about their support of the government or were members of the armed gangs known as *shabiha* which are believed to operate on behalf, or with the acquiescence, of state forces. Amnesty International is investigating these reports which, if true, are deeply disturbing. The organization condemns without reservation serious abuses by armed groups, including attacks that target civilians, indiscriminate and disproportionate attacks, torture and other ill-treatment, hostage-taking, and the killing of captives.²

The testimony presented in this report, taken in the context of other human rights violations committed against civilians in Syria, is yet further evidence that torture and other ill-treatment in Syria form part of a widespread and systematic attack against the civilian population, carried out in an organized manner and as part of state policy and therefore amount to crimes against humanity. The independent international commission of inquiry on the Syrian Arab Republic, established in August 2011 to investigate all alleged violations of international human rights law since March 2011 in Syria, stated in two reports published on 28 November 2011 and 22 February 2012 that crimes against humanity have indeed been committed "with the apparent knowledge and consent of the highest levels of the State."³ These reports echoed Amnesty International's earlier conclusion on 26 April 2011 that human rights violations committed by the Syrian authorities included murder and torture, and appeared to be part of a widespread – as well as systematic – attack on the civilian population. As such, these violations would amount to crimes against humanity. In July 2011 Amnesty International also concluded that human rights violations committed in Syria, which the organization documented in its report issued that month entitled *Crackdown in Syria: Terror in Tell Kalakh*,⁴ amounted to crimes against humanity if taken in the context of other crimes and human rights violations elsewhere in Syria.

According to the many testimonies gathered and received by Amnesty International over the past year, people are almost invariably beaten and otherwise tortured and ill-treated during arrest, often during the subsequent transportation to detention centres, and routinely upon arrival at the detention centres and afterwards. Among the victims are children aged under 18. The torture and other ill-treatment appear intended to punish, to intimidate, to coerce "confessions" and perhaps to send a warning to others as to what they may expect should they also be arrested. In almost all cases the detainees are held in incommunicado detention, often for lengthy periods, with no access to visits from their families or lawyers in conditions which all too often amount to enforced disappearance.

In scores of cases, the torture or other ill-treatment is so severe that victims have died in custody, leading to a staggering rise in the number of such deaths reported. Amnesty International documented this disturbing trend in its report *Deadly detention: Death in custody amid popular protest in Syria*, published in August 2011.⁵ Since then, the number of reported deaths in custody has continued to rise and at the time of writing had reached 276. Given the number of people believed to be held in conditions amounting to enforced disappearance in Syria whose families have had no information concerning their fate for months, the true figure is likely to be higher.

Individuals are particularly at risk of arbitrary detention and torture and ill-treatment if they take to the streets to protest or in any other way promote protests, record or disseminate information about them, or document government violations. Others run the risk of such abuses if they try to provide medical assistance to people shot by the security forces or otherwise injured in the protests. Yet others are at risk for their real or suspected support of the FSA or other armed opposition groups.

Torture and other ill-treatment continue to be routinely practised by all the various security forces, whether Air Force Intelligence, Military Intelligence, Political Security, General Intelligence (which is usually referred to as State Security), Criminal Security or the armed forces. Air Force Intelligence – currently headed by Major General Jamil Hassan – has the

most feared reputation.⁶

Even in hospitals, individuals injured in the protests needing medical assistance may suffer torture and other ill-treatment; some are even killed or are subjected to enforced disappearances. Amnesty International documented how the Syrian authorities have turned hospitals and medical staff into instruments of repression in its October 2011 report *Health crisis: Syrian government targets the wounded and health workers*.⁷ The report also documents how medical staff who defy the government may themselves face arrest, incommunicado detention, torture or other ill-treatment and other prosecution for their attempts to carry out their obligation to put their patients' welfare first.

Although the methods of torture or other ill-treatment reported are generally not new, the scale of arrests since widespread unrest broke out in March 2011 has seen a concomitant rise in the number of reports of individuals subjected to torture or other ill-treatment by security forces, army and *shabiha* around the country.

Amnesty International has been documenting the extensive resort to torture and other ill-treatment in Syria for decades. For example, a 1987 Amnesty International report, *Syria: Torture by the Security Forces*, listed 38 types of torture reported to the organization.⁸ That decade was particularly bleak for human rights in Syria, with widespread extrajudicial executions, enforced disappearances and other violations also widely reported.⁹

Although reports of torture declined somewhat after the assumption of power by President Bashar al-Assad in 2000, it remained the case that the security forces resorted to such methods when confronted by mass demonstrations or unrest, such as that which broke out among members of Syria's Kurdish minority in March 2004. More than 2,000 people were reported to have been arrested, many of whom were tortured, as documented by Amnesty International in its 2005 report *Syria: Kurds in the Syrian Arab Republic one year after the March 2004 events*.¹⁰

In its 1987 report, Amnesty International made nine detailed recommendations to the Syrian authorities which, if implemented, would have done much to ensure that no detainee was tortured or otherwise ill-treated at the hands of Syrian officials. Since then, the Syrian authorities have implemented only two: to accede to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention against Torture), and to review the provisions for the preventive detention of political prisoners specified in the State of Emergency Law of 1962. The state of emergency was ended in April 2011, after almost five decades. However, this opportunity for the review of detention provisions did little to alleviate the situation for those arrested, as a new law was passed extending the maximum period of detention without charge to 60 days. The same law permits the police to pass their powers of arrest and detention to any other agency they see fit to do so, thereby enabling the multiple security and intelligence agencies to continue their regime of torture and other ill-treatment unabated.¹¹

Such a law, alongside existing legal provisions examined in this report that grant effective impunity to all members of the security forces who commit torture, makes the words of Article 53(2) of the new Syrian Constitution, approved by a referendum on 27 February 2012, that "No one may be tortured or treated in a humiliating manner, and the law shall

define the punishment for those who do so", ring hollow.

As is clear from the testimonies contained in this report, these limited actions by the Syrian authorities have done nothing to end the systematic use of torture or other ill-treatment in Syria. Amnesty International is therefore making only two essential calls on the Syrian authorities: to end the arbitrary arrest and incommunicado detention of those who peacefully express their opposition to the government; and to end the systematic use of torture or other ill-treatment. As a first step towards this end, the Syrian authorities should grant access to independent international human rights monitors, including UN human rights mechanisms and non-governmental organizations (NGOs) such as Amnesty International which would be able to assess at first hand the human rights situation in the country.

Amnesty International is calling on the international community to accept their shared responsibility towards protecting the human rights of people in Syria. In particular, the international community should:

- Refer the situation in Syria to the Prosecutor of the International Criminal Court to investigate crimes under international law, including reported crimes against humanity.
- Impose and enforce a comprehensive arms embargo preventing the transfer to Syria of all weapons, munitions, and military, security and policing equipment, training and personnel.
- Implement an asset freeze against President Bashar al-Assad and others who may be involved in ordering or perpetrating crimes under international law.

ABOUT THIS REPORT

Amnesty International has not been able to conduct research on the ground in Syria; like other international human rights organizations the organization has been effectively barred by the government from visiting Syria since the ongoing unrest broke out in mid-March 2011. Likewise, the independent international commission of inquiry on the Syrian Arab Republic, established in August 2011, had still not been allowed to visit by early March 2012.

Nonetheless, since March 2011 Amnesty International has publicized considerable information regarding human rights violations in Syria. In addition to the three reports referred to above, information concerning many individuals who have reportedly been tortured or ill-treated has been published in scores of Urgent Action appeals, press releases and public statements, as well as in media interviews.¹² Harassment of and attacks against Syrian opposition figures abroad and their relatives in Syria were also documented in an October 2011 report, *The long reach of the mukhabaraat: Violence and harassment against Syrians abroad and their relatives back home*.¹³

Amnesty International's findings have been mirrored by reports of other bodies, such as that by an Arab League observer mission to monitor the implementation of an agreement between Syria and the Arab League aimed at ending the violence. The Arab League observer mission, which visited the country between 24 December 2011 and 28 February 2012, submitted a report to the Arab League on 22 January 2012 covering the first three weeks of their work. This is reported to have cited clear evidence of human rights violations

by the Syrian government, including excessive use of force against protesters, as well as continuing reports of torture of detainees. Some international journalists, previously barred from entering the country to report on the situation, were allowed to enter under the terms of the agreement with the Arab League. Their reports have amplified the testimony of many Syrians, as well as footage of citizen journalists in the country that has been posted on the internet since March 2011, although such footage is difficult to verify from outside.

This report is based on testimony obtained by Amnesty International during a research visit to Jordan in mid-February 2012, during which delegates met dozens of Syrians, some 25 of whom said they had been tortured or otherwise ill-treated in detention before they fled across the border. More than half were from Dera'a governorate, which borders Jordan and where protesters were first killed in March 2011. Others were from the governorates of Damascus, Rif Dimashq, Hama, Homs, Latakia, al-Suwayda and Tartus.

At the time of the visit, the Syrian military had launched its assault against neighbourhoods in the city of Homs. In addition to many eyewitness accounts of a variety of military and security operations against demonstrations and various towns and villages over many months, during its February 2012 research trip to Jordan Amnesty International also received testimony concerning the shelling of civilian areas; the shooting of live ammunition at peaceful protesters and others; extrajudicial executions; the burning and looting of houses; arbitrary arrests; the targeting of medical professionals; the denial of medical treatment to injured protesters and others; and enforced disappearances. This report, however, focuses solely on the torture and other ill-treatment that have been a central feature not only of the government's crackdown in the past year but also of decades past.

2. PATTERNS OF ABUSE

'I was beaten with cables, especially on my head, and told to kneel before a picture of Bashar al-Assad.'

Former detainee "Abu al-Najem" (see below)

As noted above, torture and other ill-treatment have been rife in Syria for decades, and were particularly widespread in the 1980s and early 1990s. Although the situation improved somewhat in the late 1990s and 2000s, with several large scale prisoner releases during the 1990s and 2000s, many of the 38 types of torture reported to the organization and published in its 1987 report continued to be reported, such as against Kurds arrested following protests in March 2004. Regrettably, the year since March 2011 has witnessed a return to the high levels of repression and violations witnessed in the 1980s.

By 1 March 2012, Amnesty International had received the names of well over 6,500 people reported to have been killed since mid-March 2011; many more have been injured. Tens of thousands of people are believed to have been arrested, many if not most of these have been detained arbitrarily, held incommunicado for lengthy periods, tortured and ill-treated. Many are held in conditions amounting to enforced disappearance. Deaths in custody have rocketed from an average of four or five reported cases a year over the past decade to 276 reported to the organization since March 2011 up to the time of writing.

Based on testimony received since March 2011, certain patterns and methods of torture and other ill-treatment which had declined in use, particularly since the accession to power of President Bashar al-Assad in 2005, have once again become commonplace. For example, most released detainees interviewed by Amnesty International said that, upon arrival at detention centres, they suffered prolonged and repeated beatings with fists and various instruments including sticks, rifle butts and electric cables, as well as kicks. The beatings are usually accompanied by insults and other verbal abuse. For several decades these initial beatings have been referred to as "receptions". During these "receptions", detainees are usually stripped to their underpants and are sometimes left for prolonged periods, overnight or for 24 hours, exposed to the elements in the courtyard of the detention centre.

Also more commonplace in recent months is for men and women alike to be detained in excessively cramped conditions with other detainees, with access to toilet or bathroom facilities severely restricted. Most former detainees say they were permitted just one or two visits to the bathroom daily, for the duration of 30 seconds or at most two minutes, with journeys to and from the bathroom usually accompanied by beatings and insults. Food was routinely described as meagre and very poor quality, a common experience of detainees

and prisoners in Syria over decades. Typically, meals consist of a small amount of dry bread, rice or potato and occasionally lentils.

Another practice that appears to have become more common since March 2011 is for detainees to have their religious beliefs denigrated.

Fairly usual over many years and continuing to be so is the torture method known as the *dulab* (tyre),¹⁴ whereby the victim is forced into a vehicle tyre which is often then hoisted up and the individual is beaten on the feet – a method of abuse itself often referred to as *falaqa* – or elsewhere on the body with fists, sticks, whips or cables.

More common now than in recent years is *shabeh*, whereby the victim is hung in one of a number of ways, for example from a raised hook or handle or door frame, or by manacled wrists, so that the feet just hang above the ground or so the tips of toes touch the floor. The individual is then often beaten with various instruments. Other forms of suspension, such as crucifixion, were also reported.

There have been more frequent reports of some torture and ill-treatment methods that were previously rare, including electric shock. Survivors interviewed by Amnesty International in Jordan described three forms of electrocution: after water is sprayed onto detainees and the floor, an electric charge is applied to the floor and the current rushes through to those covered in water; via electric prods; and in one case in a metal "electric chair". Such methods often cause the victim to collapse and pass out.

A method also reported was *bisat al-rih* (flying carpet), whereby the victim is strapped face-up onto a foldable wooden board, the two ends of which can be moved towards each other bringing the head towards the feet and causing significant pain to the lower back, during the process of which the victim is beaten. Another method described was being slashed, including with the fixed bayonet on a Kalashnikov-type rifle. Also more frequent than in recent years are electric shocks and cigarette burns.

Rape and other torture and ill-treatment of a sexual nature have been reported more frequently than for many years. Several of those interviewed in Jordan said it was quite common to be hit in the genital region with truncheons, including while hanging in the *shabeh* position. In one case, a former detainee told Amnesty International that he was forced to watch as a male detainee was raped in front of him. One released detainee said that he shared a cell with a young man who had been forced to have a glass bottle with a broken top inserted into his anus. Two separately said that their cellmate had been raped with a metal skewer. Others spoke of a detainee with whom they had shared a cell who, while hanging in the *shabeh* position, had a cord attached to a large bag of water tied around his penis.

Amnesty International also heard accounts of methods of torture and other ill-treatment not heard of for many years. One man showed lesions on his leg and ankle that he said were caused by a pincer. Another said he was kept for a night in a cell with what seemed to be a corpse.

In total, former detainees (men and women) from Syria interviewed by Amnesty International

in Jordan said that they had been direct victims of or witnesses to 31 methods of torture and other ill-treatment:

- Beatings on all parts of the body, involving punching, slapping and/or kicking, administered with fists, feet, sticks, truncheons, braided cables, whips or butts of Kalashnikov-type weapons
- Hair being pulled or pulled out
- Cigarettes stubbed out on the body
- Flesh gouged by pincers
- *Dulab* (tyre), whereby the victim is forced into a vehicle tyre which is often then hoisted up and the individual is beaten
- *Falaqa*, beating on the soles of the feet
- *Bisat al-rih* (flying carpet), whereby the victim is strapped face-up onto a foldable wooden board, the two ends of which are moved towards each other causing significant pain to the lower back; during the process, the victim is beaten¹⁵
- *Shabeh* whereby the victim is hung by manacled wrists, or from a hook or over a door, or occasionally by the feet, often for long periods and usually beaten; sometimes in a stress position where the detainee must keep his toes on the floor
- Crucifixion – another form of suspension torture where the victim is tied to a wall or frame with the arms outstretched in a crucifixion position
- Stress positions, such as being forced to stand for hours on tip-toe
- Exposure to excessive cold, such as being kept outside often only in underwear overnight or for other long periods
- Being subjected to sexual violence, including forced anal examinations
- Being forced to watch the rape of another detainee
- Being subjected to sights and sounds of torture being inflicted on others, including of friends and family members, and being exposed to killings of torture victims
- Electric shocks to parts of the body via an electric prod or other hand instrument
- Electric shocks via an electric charge applied to a wet floor
- Electric chair: a metal chair with a kind of metal helmet into which the victim is strapped and then an electric current is switched on
- "German chair" (*al-kursi al-almani*): the victim is strapped into a metal chair, the back of which is moved backwards, causing acute stress on the spine and severe pressure on the neck and limbs
- Threatening the victim with rape
- Threatening the victim that their relatives will be detained, raped or otherwise tortured

- Threat of execution
- Denigrating the victim's religious beliefs
- Degrading the victim by using obscene language or insults or forcing them to undress in front of others
- Being stabbed or cut
- Having unpleasant matter, such as salt, forced into the mouth
- Being denied adequate medical care
- Depriving the victim of fresh air, toilet or washing facilities
- Being detained in excessively cramped and overcrowded conditions
- Being held in prolonged solitary confinement
- Sharing the cell with a detainee dying – and who then dies – due to denial of medical treatment
- Sharing a solitary confinement cell with what seemed to be a human corpse.

The former detainees interviewed in Jordan said that they were released for various reasons. One said that the judge he was brought before could tell that the "confessions" were false and that he and others had been tortured to sign them, although Amnesty International is unaware of any investigation ordered into their torture. Another said that he was released after a bribe was paid. One said that he was released because of the intervention of the Arab League observer's mission. At least two appear to have been released after amnesties were issued. Some were charged with offences and may be brought to trial at generally unspecified dates in the future. Others still were released without any explanation. Several had to sign forms that they would not participate in demonstrations.

3. CATALOGUE OF TORTURE: VOICES OF SURVIVORS

'Over time I came to hate this place. I thought of climbing up the walls and diving down to kill myself.'

Former detainee "al-Shami" (see below)

The following extracts are from testimonies given by 19 people who were detained and tortured in Syria between March 2011 and February 2012, and interviewed by Amnesty International in Jordan in February 2012. Most of their names have been concealed to protect them and their families who are still in Syria.

The interviews provide disturbing evidence of both the wide range of torture methods devised and used by Syria's security forces, and the consistent patterns of abuse being perpetrated by various security forces across Syria. The brutality described conjures up a picture of routine torture, victimization and humiliation of anyone merely suspected of opposing the government. It is yet more evidence of the widespread and systematic violations being committed against the civilian population in Syria which amount to crimes against humanity and bolsters Amnesty International's call for the situation in Syria to be referred to the Prosecutor of the International Criminal Court.

BEATINGS

All the former detainees interviewed described various forms of beating. Many were beaten during arrest and during transfer to the detention centre. Many also referred to severe beatings on arrival, often referred to as the "*haflet al-istiqlal*" ("reception"). The most common methods cited were beatings with sticks, rifle butts, whips and fists, braided cables and repeated kicking, all usually accompanied by verbal abuse and insults.

"I was hiding in the bathroom at the 'Omri mosque [in Dera'a city] when it was raided by the security forces on 23 March [2011]. I hid behind the door but they kicked it and found me. They pointed the Kalash at my head, pulled me down and then attacked me. So many of them, 10, 15, 20. They beat me with rifle butts, sticks... They kicked, smashed my head with the Kalash rifle butt, pulled me along the tarmac outside, I was bleeding heavily, they

stamped on me. One asked his officer 'Shall I kill him?' The officer said, 'No! We'll need him'. I was passing out, I couldn't see, from blood or what I don't know. I was so, so cold. I was taken on a stretcher to the security branch. A doctor there put stitches in my skull with no care and with no anaesthetic... and put something like vinegar on it which made it hurt even more. I was barely conscious for two or three days. When I was released I was carried by other detainees."

"Abd al-Baset", 41, an Information Technology worker from Dera'a, arrested on 23 March 2011.

"There was a peaceful protest in front of my house. I was just standing there when the security forces came. They beat me and others with everything, sticks, fists, kicks, metal sticks, rifle butts.

"Then an order came to let us go. I think they just wanted to frighten us.

"[The second time] I was caught with four others, tortured for 30 minutes with beatings, insults, electricity cables while on a security forces bus...

"Each of us was taken out of the cell for one to two hours of beating at a time. We were forced to kneel, blindfolded, handcuffed behind, in a basement interrogation room, and kicked all over... There were six days of this.

"Ra'ed", a 27-year-old graduate, describing what happened when he was arrested outside his house in Dera'a city on 19 March 2011 and held for an hour, at the unofficial detention centre of a building of the electricity department and then at a security branch 100 metres from there, "although you could write 16 pages about it," he told Amnesty International. He was arrested for a second time on 19 July 2011 during a demonstration on Dera'a city. He was held for more than a week until he paid a bribe to secure his release, and on 13 August 2011 he fled Syria.

"I was arrested [the first time] with four other people. As they were beating us with Kalashnikov [rifle] butts, one person tried to protect himself with his hand so they shot him in the hand.

"[After my second arrest] the journey to al-Mezzeh Airport was two hours long during which they kept on asking me, 'Why did you carry drugs?' I know I didn't have any drugs on me and that they were just trying to scare me. They were beating me and kicking me and whenever I asked why they were doing that, their beatings became more violent."

"Musleh", a 29-year-old Arabic language teacher from Deir al-Bakht village in Dera'a governorate, initially describing his treatment after the first time he was arrested – on 18 May 2011 at Damascus International Airport when he was trying to travel to Qatar. Security officials took him from there to the Air Force Intelligence branch at al-Mezzeh Airport, where

he was held for 18 days. He was released on 2 June 2011 under a presidential amnesty. He was rearrested on 14 September 2011 by a joint patrol of State Security and Military Intelligence officials while he was trying to reach Jordan, and initially taken to the State Security branch in Dera'a city. Then he was transferred to the State Security branch in Kafr Sousseh in Damascus. He remained there for 47 days until he was brought before the criminal court in Damascus and transferred to Dera'a city. He was released 10 days later.

"After arrest, I was taken in a bus on my own and all through the journey I was beaten, kicked and hit with the butt of a Kalashnikov [rifle] while handcuffed and blindfolded."

"Karim" an 18-year-old student from al-Taybeh in Dera'a governorate, describing the torture he suffered while being taken to the Air Force Intelligence branch in Dera'a city shortly after his arrest in late October 2011 by Air Force Intelligence officials during a raid on a relative's house where he was hiding. Karim was detained incommunicado for over three months during which he was kept in several security forces'-run detention centres, a secret underground cell in Gharz Central Prison where he was held for 19 days, and an army facility, all in Dera'a governorate. He was tortured in virtually all of these detention facilities and twice forced to finger-print papers whose contents he did not know. He was released sometime in early February 2012 after being brought before a judge who dropped the charges. He fled Syria for Jordan on 14 February 2012 and was told that after his arrival in Jordan his family home was raided in a bid to arrest him again.



While 18-year-old student "Karim" was held by the army Brigade 138 around December 2011, pincers were used to remove flesh from his legs. Marks remained visible in

"As soon as I left the vehicle they attacked me... They kept on kicking me and beating me with their fists and rifles while focusing on my stomach and chest. I fell unconscious twice and sustained two broken ribs and two other fractured ribs."

"Thamer", a human rights lawyer and activist describing the beatings he suffered at the hands of armed men he believed to be members of the army's Fourth Armoured Division headed by Maher al-Assad.¹⁶ He was detained on three occasions for his human rights activities within the context of the protests. He was first arrested on 27 March 2011 by Air Force Intelligence in Damascus whilst having a meeting in the Journalists' Club. They held

him incommunicado for four days in an overcrowded cell and subjected him to severe beatings. He was arrested again, on 29 April 2011, by the army who later handed him over to the Air Force Intelligence in Dera'a city before being transferred to their general administration in Damascus. He was eventually released on 7 June 2011. His final arrest was by Military Intelligence officials in Dera'a city on 8 August 2011. Although he was not tortured and was released the following day, he was threatened with assassination. He left Syria for Jordan shortly afterwards.

"As I was being taken by Military Intelligence to the Military Police in Dera'a, I was beaten with cables, especially on my head, and told to kneel before a picture of Bashar al-Assad."

"Abu al-Najem", a decorator aged 40 from Dera'a city, was first arrested by Military Intelligence officials in July 2011 and was detained for 17 days during which was kept in the Military Police detention facility in Dera'a city and the secret underground cells of Gharz Central Prison in Dera'a province. He was arrested again in October during a raid on his home and taken to the Air Force Intelligence in Dera'a city, where he was detained for over a month.

"I had long hair and a beard. They grabbed me by both while beating me hard with their fists, rifle butts and kicking me. One of them grabbed me by my beard and then hit me hard on my throat so I could not breathe. Another guy hit me on the temple with the bottom of his gun."

"Mohammed", is a 23-year-old student from Damascus. He had taken part in protests in Damascus and his leg had been broken during a funeral of a fellow protester. He is describing what happened when around 30 armed members of the so-called Popular Protection Committees, a predominantly Alawite pro-government militia,¹⁷ captured him and two of his friends on 26 December 2011. They were then handed into the custody of Military Intelligence officials in Damascus.

"The usual procedure in the Air Force Intelligence branch is that you receive a reception – a session of intensive beating – as soon as you enter."

"Najati", aged 65 and a retired school teacher, describing his torture in the Air Force Intelligence branch in the city of Homs. He was arrested on 12 May 2011 and was held for two weeks in each of the Air Force Intelligence branch and the Third Military Prison (commonly known as the Polish "Poloni" prison) where he was tortured or otherwise ill-treated. "Najati" was later transferred to Homs Central prison, where detention conditions were poor, and remained there until his release on 17 January 2012. He sustained a broken rib and a serious lung infection as a result of the torture and other ill-treatment and the inadequate prison conditions.

"During one of those night-beating sessions a guy had his ribs broken in front of me. Another had his back broken but they did not take him to hospital. A young man from Homs was beaten in one of those sessions with metal pipes. His neck was broken and he died on the spot. I don't know where they took him."

"Karim" (see above) describing night beatings he and his cellmates suffered while held for 25 days by the army's Brigade 138 in a facility in Dera'a governorate in January 2012.

"The next day, Friday, I was taken to my first interrogation. I was blindfolded and forced to kneel... Bang – I was hit on one side of my head and bang – the other side. I have lost 50 per cent of my hearing since in my right ear. Then they gave me 10 pages of confession to sign."

"Al-Shami", a 40-year-old civil engineer and opposition activist from Damascus. He was held for about seven weeks in November and December 2011, in State Security Branches 251 and 285, the headquarters, as well as in a Military Police jail and Damascus Central Prison

"I was held for a week and beaten a lot with fists, sticks. This was 'normal'..."

"We were carrying two injured people when Military Intelligence caught us. They shot dead with revolvers the injured on the floor. They tied my hands behind my back and blindfolded me... They took me to Military Intelligence in Kafr Sousseh... In the car they beat me, punched me in the head and pulled my hair..."

"I was beaten so much with fists, sticks, kicks. I lost consciousness. I lost sense of time. I came to in a tiny cell. I was in terrible pain, badly bleeding, with bad back pain."

"Tareq", aged 27 a businessman and activist from Tartus. He was detained three times: at a Ministry of the Interior building in Damascus in March 2011; by State Security officials in Latakia in May 2011 – for which the first brief account above was given; and after being arrested in 'Irbin, Rif Dimashq he was held in a Military Intelligence branch in Kafr Sousseh for around seven weeks from around 10 July 2011.

"I was blindfolded, handcuffed behind the back, forced to kneel in the courtyard on arrival. Then I was beaten and kicked on the front and back, including with a cable, for three hours."

"Jihad", a 34-year-old shopworker who was arrested during a protest in Dera'a city in early December 2011, describing what happened when he was taken to the Military Intelligence branch in Dera'a city.

"We were blindfolded and handcuffed and initially taken to al-Assad village, a village near al-Zabadani where there was a Military Intelligence office... As soon as I arrived they sat me on a chair and started hitting my face with their fists. Whenever I lowered my head the officer would kick me, beat me with his fists and insult me. As a result I lost a tooth."

"Emad", an activist with the Local Coordination Committees of Syria¹⁸ in al-Zabadani and Damascus, joined and filmed many protests in February and March 2011, passing the footage to the media and posting it on social media websites. He is describing what happened on 9 July 2011 after Military Intelligence officials found him and arrested him and his 54-year-old father.

"I was tortured, including by being beaten and stripped naked, and a rib was broken."

"Najati" (see above), describing what happened to him while held in the Air Force Intelligence branch in Homs. He was detained on 12 May 2011 and released after more than eight months on 17 January 2012.

"I was beaten on the way to the detention centre and upon arrival and during interrogation."

"Mohammed" (see above), describing what happened to him when he was arrested and detained at the Military Intelligence branch in Damascus in December 2011.

"A cable was used to flog my toes... One time, my clothes were torn as a result of the beatings. Sometimes they tied up my jalabiya [long garment worn by men] over my head. My body and face were swollen."

"Mousa", a 26-year-old perfume seller and activist in the pro-reform movement, describing the beatings he suffered while held in the Military Intelligence branch in Dera'a where he was taken after his arrest on 1 October 2011. Fifteen days later, he was transferred to the Military Intelligence in Damascus where he was kept for 37 more days in cramped conditions. He then was transferred to the Military Police detention centre in al-Qaboun in Damascus, where he was held for two days before being brought before the military judge in al-Mezzeh, Damascus. He was then transferred to a



"Mousa's" leg still showed signs of electric shocks three months after his release from various security forces'-run detention centres. © Amnesty International

Military Police facility in Dera'a and finally brought before a Criminal Court in Dera'a. All the accusations against him were dropped and he was released on 25 November 2011. Marks of torture were still evident on his body when Amnesty International interviewed him three months later.

BISAT AL-RIH (FLYING CARPET)

This method of torture involves the victim being strapped face-up onto a foldable wooden board, the two ends of which are elevated bringing the head towards the feet causing severe pain to the lower back. During the process, the victim is usually beaten.

"I also suffered bisat al-rih. I was on a wooden board like a table, face up, in underpants and blindfolded. I don't how the ends are raised but some mechanism makes it go up. I suffered terrible pain on my lower back as the body is forced into a V-shape. And I was beaten at the same time. Three men took it in turns with the kurbaj (whip). When they rested they drink tea, smoke a cigarette until it's their turn again. It lasts about one hour."

"Ghazi", a 22-year-old decorator, describing his treatment by Military Intelligence officials in Damascus. He was detained on 26 July on his way to hospital in Dera'a. About two months earlier security forces had shot him in his upper chest with a tear gas canister, causing broken ribs, during a protest in Dera'a city. He was detained at a Military Intelligence facility in Dera'a for six days, then at Military Intelligence Branch 291 in Damascus for 43 days.

"On what may have been the second day they subjected me to bisat al-rih. I was put onto a wooden board face up, my arms and legs strapped, and a cable raised the two edges of the board. The pain increased, especially in the lower back, as your feet come closer to your head. The process took about half an hour, bit by bit."

"Tareq" (see above) describing what happened while detained in July 2011 at a Military Intelligence facility in Kafr Sousseh.

DULAB (TYRE)

The *dulab* involves the victim being forced into a vehicle tyre which is often then hoisted up. The victim is then beaten in this position.

"One by one we were taken for torture. The first session they beat me, with cable, and suspended me upside-down and beat me all over my body for two hours. On other days they did the same upside-down beating, and the dulab. In the dulab they took it in turns beating me with cable, one at a time until they tire. I had the dulab several times."

"Adnan", a 35-year-old painter from Khirbet al-Ghazeleh town, Dera'a governorate, who was arrested in a dawn raid of his home on or around 20 April 2011. He was beaten on arrest and then repeatedly tortured while held for 14 days at an Air Force Intelligence facility in al-Suwayda.

"Daily for 18 days I was put into the dulab, with my wrists tied together and my feet in the air. They whipped my feet in that position 100 times each time."

"Tayseer" from al-Taybeh, Dera'a governorate, who was detained twice: from July 2011 for three and a half months in an underground cell at the Air Force Intelligence branch in Damascus; and for 44 days by Political Security in Dera'a then at al-Fayhaa', Damascus.

FALAQA (BEATINGS ON THE SOLE OF THE FEET)

A fairly common torture method in Syria, it involves the victim being beaten or whipped on the sensitive soles of the feet.

"At my second interrogation I was kneeling, blindfolded. 'Did you write everything [in your confession]?' I was asked. I said, 'Yes'. For 60 seconds he read it, then said, 'You didn't understand us'. Then I felt my feet struck with a plastic stick, for five minutes. I couldn't believe they were doing this to me, I am a civil engineer, known in my community."

"Al-Shami" (see above), describing his torture in State Security Branch 251, Damascus.

SHABEH

The *shabeh* torture method involves the victim being suspended by their manacled wrists – or sometimes the feet – from a hook or over a door, often for long periods, and usually beaten. Sometimes the victim is required to remain in a stress position with the tips of the toes on the floor.

"I was handcuffed and blindfolded and hung in the shabeh, by my wrists, for 10 hours on tiptoes, after I was pulled up by a pulley. I wasn't hit."

"Ghazi" (see above) describing his treatment by Military Intelligence [in Dera'a] after arrest.

"They pulled up my top and hung me from a hook on the wall. I had to be on tiptoes. If I lowered my feet they beat me..."

"I was left hanging over two or three days, for many hours at a time, sometimes from my raised wrists tied above my head. My mind and body were exhausted... If I asked what the time or date was, they beat me."

"Tareq" (see above) describing what happened after he was taken to the Military Intelligence branch in Kafr Sousseh on around 10 July 2011.

"I suffered shabeh: my wrists were manacled and I was hoisted up by my feet a metre above the ground. [I was] badly beaten, including by being swung into walls. Five minutes like that kills the wrists."

"Jihad" (see above), describing what happened to him in the Military Intelligence branch in Dera'a.

CRUCIFIXION

Another form of torture by suspension was reported in several cases when the victim was tied or shackled to a door or wooden frame in the crucifix position, causing extreme pain, and then beaten.

"I was crucified naked on the door for three days using metal handcuffs with my toes barely touching the floor."

"Karim" (see above) describing his torture by Air Force Intelligence officials in Dera'a following his arrest in October 2011.

"We were hung from wood – crucified – while blindfolded and handcuffed, and then beaten mercilessly for several hours, from 9am to 7pm".

"Musleh" (see above) describing his treatment at the State Security branch in Dera'a city shortly after his second arrest on 14 September 2011.

STRESS POSITION ABUSE

Many former detainees described being forced to stand without interruption for many hours, resulting in severe pain in the back and joints, or being forced to remain in "stress positions", such as standing on tiptoes, for prolonged periods. Often, the victim faints as a result of the pain and fatigue associated with such torture, frequently prompting the torturers to further abuse the victim with verbal insults or beatings.

"We were forced to stand on the tips of our toes while placing our heads on the wall..."

"Mousa" (see above) describing the torture he suffered after he was transferred to the Military Intelligence in Damascus in mid-October 2011.

"I was forced to stand still for 10 hours, until I collapsed..."

"Najati" (see above), describing what happened to him while held in the Air Force Intelligence branch in Homs in mid-May 2011.

"I did not know that even inside our cramped cell we had to sit back straight and legs crossed without leaning on the wall, so after my interrogation session I leaned my legs on the wall to relieve the pain as they were swollen. When they saw me they forced me to stand

for 10 hours."

"**Musleh**" (see above), describing what happened to him while kept at State Security branch in Kafr Sousseh, Damascus following his second arrest on 14 September 2011.

AL-KURSI AL-ALMANI (GERMAN CHAIR)

In use over many years, although less frequently reported in recent years, is the "German Chair" torture method which involves the detainee being tied by their arms and legs to a metal chair, the back of which is moved backwards, causing acute stress to the spine and severe pressure on the neck and limbs. In the past, detainees tortured by this method have suffered permanent damage to the spine and paralysis.

"I was hanged from the metal handcuffs on my hands attached to the wall. This hugely strained my hands and was very painful. I also suffered the 'German chair' torture method and while in that position I was given electric shocks. I was also hanged from the window and my feet did not reach the ground for a few days... By the end of it, I lost my sense of pain – even that caused by electric shocks."

"**Mousa**" (see above) describing the torture he suffered while held at the Military Intelligence branch in Dera'a in early October 2011.

ELECTRIC SHOCK TORTURE

Three forms of electric shock torture were described by the former detainees: a) dousing the victim or cell floor with water, then electro-shocking the victim through the water; b) the "electric chair", where electrodes are connected to parts of the body; and c) use of electric prods.

"One day they opened the door, sprayed water at us and the floor from a hose. Then with some instrument he touched the floor and electricity rushed through us. It was like we danced/shivered. You have to dance..."

"I also was taken to the electric chair – there were three chairs in the torture room, metal, with straps for the wrists and lower legs. A switch is pulled for a few seconds and the electricity surges. Some people lose consciousness immediately. If you don't, they do it again, about three seconds a time. Your mouth fills with saliva, gunk and dribble. You pee. They do it until you collapse. Some go straight to hospital."

"**Ghazi**" (see above) describing his treatment by Military Intelligence officials in Damascus in July/August 2011.

"When I was in the police station, a police officer was torturing me, and he used an electric stick. Another officer threatened me... The officer electro-shocked me in the joints, and he told me that the joints had many nerves."

"**Zakariya**", describing his torture by police in Damascus. He was held after his December

2011 arrest for two days at a police station, before being transferred to a Criminal Security Department facility in Damascus as well as at another security department for 45 days, 20 of them in solitary confinement.

"I was given electric shocks with a prod on my legs... [During another session] water was sprayed on us and the floor, and electricity applied. Some lost consciousness... I was shocked several times."

"Jihad" (see above) describing what happened to him in Military Intelligence in Dera'a.

"I was very badly beaten, forced to stand for very long hours and given electric shocks."

"Mousa" (see above), describing what happened to him after he was arrested on 1 October 2011 by Military Intelligence and held in various detention centres.

"They stripped me naked and made me stand by the wall while handcuffed. Then they splashed me with water and gave me electric shocks. They did this for four hours and repeated it for four more days even though my interrogation was finished."

"Emad" (see above) describing what happened to him in the Military Intelligence branch in Kafr Sousseh in Damascus after his arrest in July 2011.



"Emad" says he was tortured with electric shocks at a Military Intelligence branch in Damascus in July 2011. Marks on his wrist were still visible in February 2012. © Amnesty

"During interrogation... I was tortured with electric batons for four hours."

"Karim" (see above) describing his torture by Air Force Intelligence officials in Dera'a following his arrest on 1 October 2011.

FORCED TO WATCH THE RAPE OF ANOTHER DETAINEE

In one case, a released detainee spoke of how another detainee was raped in front of him.

"They took me to an interrogation room in the basement. The officer said 'bring Khalid'... I

was at the back so couldn't see Khalid well, but they pulled down his trousers. He had an injury on his upper left leg. Then the official raped him up against the wall. Khalid just cried during it, beating his head on the wall."

"Tareq" (see above) describing what happened after he was taken to the Military Intelligence branch in Kafr Sousseh on or around 10 July 2011.

FORCED TO WATCH OR HEAR TORTURE OF OTHERS

Several former detainees described the terror and anguish they suffered because they witnessed or heard the torture of others, or saw the after-effects on cellmates returned after torture sessions.

"I could hear people screaming from the torture, which was worse than physical torture."

"Abd al-Baset" (see above), describing his detention over two or three days at an unknown security branch in Dera'a, March 2011.

"I heard the screams of those being tortured for 24 hours a day. While in the cell we were busy praying for the safety of those who are being tortured."

"Musleh" (see above) remembering the 18 days he was held at the Air Force Intelligence branch at al-Mezzeh Airport.

"One day they took one of my cellmates for interrogation and when he returned he was broken down and told me that he had been raped with a metal skewer."

"Abu al-Najem" (see above), describing what happened to one of his cellmates in the underground section of Gharz Central Prison in Dera'a province in July 2011.

"The following day at noon they brought a group of detainees, 28 people, to the cell and the corridor adjacent to the cell. All of them were blindfolded and handcuffed. I was forced to look at the security forces while they were beating these detainees."

"They were kicking them and beating them with thick wooden sticks focusing on their heads for two hours. One man had his shoulder broken in front of me. Another man was my nephew whom I could not see but I identified his voice. I was screaming the whole time and asking them to stop..."

"Thamer" (see above), describing what happened to him in the Air Force Intelligence branch in Dera'a city.

"The following day I was blindfolded and handcuffed and taken to the interrogation room again. They forced me to kneel and put a stick in my mouth horizontally and tied it up behind my head. Then they brought my dad and started beating him in front of me with their wooden and electric prods for almost 45 minutes."

"Emad" (see above), describing what happened on 11 July 2011 while he and his father were detained at the Military Intelligence branch in Kafr Sousseh in Damascus.

"One young man in the cell with me [said he] was confronted with a glass bottle with a broken top. They told him, 'Either you sit on it or we put it into you'. He did what they ordered."

"Another [told me] he was left hanging in the shabeh position and they got a strong cord and tied it around his penis. At the end of the cord was put a heavy bag of water. Then they swung the bag around to make it pull painfully on him."

"Tayseer" (see above), describing two forms of sexual abuse cellmates described to him while held at an Air Force Intelligence branch in Damascus.

BEATINGS FOR THE VICTIM'S RELIGIOUS BELIEFS AND OTHER INSULTS

Several of the former detainees interviewed said that they were beaten for expressing their religious beliefs, which were belittled, attacked and insulted by their captors or interrogators, causing them distress.

"During interrogation I was blindfolded, cuffed behind my back, forced to kneel. 'Are you Muslim?' 'Yes'. 'Do you kneel before Allah?' 'Yes'. 'Now you will kneel to Bashar.' 'I pray to Allah,' I said, so they beat me badly. I still have this head wound caused by a rifle butt."

"Zuheyr", a man in his fifties from Da'el, Dera'a governorate, said that he had been detained four times between 25 May and 15 October 2011 and held in virtually all branches of the security forces. He is describing the torture he suffered after his last arrest, when he was held by Air Force Intelligence officials in Dera'a for 26 days.

"The head of the branch brought me a picture of Bashar al-Assad while I was in the torture room. 'He is your god,' he said. 'There is only one god who is Allah', I said, and ripped the picture out of his hands. For this, I was beaten for one hour with the cable, then he kicked me all the way down two flights of stairs."

"Jihad" (see above), describing what happened to him in the Military Intelligence branch in Dera'a.



"On the 14th day we were forced to stand against a wall, hands tied behind backs and blindfolded. I heard insults about us – our mothers and the land – and was struck extremely hard on my right hip and passed out. I came to in al-Suwayda Hospital."

"Adnan" (see above), describing what happened while he was held for 14 days at the Air Force Intelligence branch in al-Suwayda.

"I was taken to State Security in Dera'a, insulted about my religion and family and beaten for six days ... [eventually] we were taken to a court in Dera'a ... each of us told the judge that we were beaten and insulted – but he told us you are only saying this because you are against the government."

"Adnan" was struck extremely hard on his right hip while he was detained at the Air Force Intelligence branch in al-Suwayda in early May 2011. © Amnesty International.

"Ra'ed" (see above), describing what happened to him after he was arrested for a second time on 19 July 2011 during a demonstration on Dera'a city. Two days after he was taken to a court in Dera'a, he paid a bribe to secure his release, and on 13 August 2011 he fled Syria.

"If you have a beard [symbol of conservative religious beliefs] you are exposed to more beatings. I was beaten harshly and was dragged by my beard while blindfolded whenever I needed to go to the toilet."

"Mousa" (see above), describing the torture he suffered after he was transferred to the Military Intelligence branch in Dera'a city in early October 2011.

USE OF PINCERS

One former detainee described how his flesh was gouged out with pincers.

"I was very badly beaten, They used pincers to remove flesh from my legs."

"Karim" (see above) describing one of several torture methods inflicted on him while he was held by the army Brigade 138 near Dera'a governorate for 25 days around December 2011.

THREATS

Some former detainees said that during interrogation they were threatened that their relatives would be raped and otherwise tortured or harmed, or were threatened themselves.

"On the second day I was taken to the interrogation room... Four security men threw me to the floor and started beating me violently with electrical prods, wooden sticks and wires and kicking me. During all that they were insulting me, threatening to rape my mother and sister... I made sure not to scream although the pain was unbearable."

“Emad” (see above), describing what happened while he and his father were held at the Military Intelligence branch in Kafr Sousseh in Damascus in July 2011.

“They gave me papers again and said ‘You need to know if you lie again you will go up to the 3rd floor [where the worst torture was inflicted] and will only leave there to the morgue’”.

“Al-Shami” (see above) describing one of his interrogations while held in a State Security branch in Damascus in November 2011.

“One of the men put the gun under my chin and told me: ‘What would happen to you if I press on the gunlock?’ I responded: ‘I’ll die’.”

“Mohammed” (see above) describing what happened at the Military Intelligence branch where he was held incommunicado in December 2011.

“We will show you God,’ they said, while beating and torturing us, meaning they would kill us.”

“Abd al-Baset” (see above), who was badly beaten during his arrest in Dera’a city in March 2011.

“If you don’t sign, we will bring your mother here.”

“Tareq” (see above), reporting a threat he received while held at Military Intelligence in Damascus in July 2011.

SOLITARY CONFINEMENT FOR LONG PERIODS

Former detainees frequently said they had been held for long periods in solitary confinement, which in itself can be a form of torture or other ill-treatment when enforced for many weeks or indefinitely. The lack of human contact can harm the mental health of detainees.

“After being detained for two days in this police station I was transferred to [the Criminal Security Department]. I was in solitary confinement for seven days. The cell was very small, 2m by 2m, and did not include a WC.”

“Zakariya” (see above) who was held for two days at a police station, before being transferred to a Criminal Security Department facility in Damascus and later to another security department. He was held for 45 days, 20 of them in solitary confinement.

"They led me away to a solitary cell, one of 30 there. It was 2m by 2m, with high ceiling. 'Your name is 23', they said, as I was in room number 23. Over time, I came to hate this place. I thought of climbing up the walls and diving down to kill myself."

"Al-Shami" (see above) who held in that solitary confinement cell of State Security Branch 251 in Damascus for 24 days in November 2011.

"I was held in solitary confinement in a cell without a mattress or blanket and while handcuffed and blindfolded."

"Mousa" (see above), describing what happened when he was held for 15 days at the Military Intelligence branch in Dera'a following his arrest on 1 October 2011.

HARSH PRISON CONDITIONS

Extremely cramped and harsh prison conditions were reported by virtually all the former detainees interviewed. Common complaints were dirty and insanitary conditions, insufficient room to move or lie down to sleep, lack of bedding, severely restricted access to toilets, inadequate light, and meagre food of extremely poor quality.

"I was taken to State Security 285... I was put into shared cell, 70 of us in a standard sized living room. Sixty of us would lie on our sides like sardines and 10 would stand."

"Al-Shami" (see above)

"Afterwards I was transferred to another security department... I was put in solitary confinement... The cell smelled very bad. There was no light except the light that came from outside the cell... I stayed in this cell for 20 days. During this period, I was interrogated once... Food in this department wasn't enough and the officer said that this food was given to us to keep us alive, not to let us feel full."

"Zakariya" (see above)

"When there was wind, we used to smell the odour of corpses which were buried in a collective graveyard just 200 metres to the north of the prison..."

"We were served only one meal per day that consisted of one piece of bread. In every cell five people were held. The cells were full of mosquitoes and bugs."

"Abu al-Najem" (see above) describing conditions in the secret underground cells of Gharz Central Prison, where he was held in July 2011.

"When I was in the cell, it was my knees that hurt the most. I could never stretch them because of the size of the room, and as my wrists were chained to some metal near the floor of the cell. They untied one hand when they brought me food. In all this time [eight weeks] I was allowed once to go to the toilet. I had to do it in the cell."

"Tareq" (see above), who was held for two months from July 2011, describing conditions in a Military Intelligence facility in Damascus.

"My cell was about 15x3 metres and had a small toilet without a washing basin. We were about 75 people in that room. There was no space to sleep, so 20 people would stand up and the others resting on their side. I could not sleep for five days then started crying on the sixth as I was longing to sleep... I was held for about 18 days during which I never saw the daylight..."

"Everything becomes small especially the time. I was so distressed as I no longer knew how much time has passed. If I slept, I would not know how long I have been sleeping or if it is day or night. The only thing that kept me going is my belief that I'll leave this place and I'll taste my mum's food again. I also dreamed about my cat which I love and was longing to be free to feed it again."

"Emad" (see above) describing conditions at the Military Intelligence branch in Kafr Sousseh in Damascus.

"I was kept with 10 other women in a tiny room. We did not have any mattresses or blankets. We were sleeping on the floor and had to take turns. Those whose turn it was to sleep had to sleep on their side. The cell had no window and was quite dark."

"Rima", a 36-year-old member of the Druze community in al-Suwayda, writer and a women and children's rights activist. She is describing what happened to her after she was arrested in July and taken to the Criminal Security branch in Damascus.

"I was kept for four days in an overcrowded cell. Nine people were kept in a 2.10 x 1.90 metre cell that usually holds only three people. The cell had no water or toilet... When they did allow us to go to the toilet, they waited outside and kept on banging on the door. As soon as the 10 seconds were up, they would open the door."

"Thamer" (see above) describing conditions in the Air Force Intelligence branch in Damascus.

"It felt as if I was kept in a well."

"Musleh" (see above) describing the tiny cells at the Air Force Intelligence branch at al-Mezzeh Airport where he was held with on average 12 people for 18 days.

"I was kept in a [tiny] cell with seven other people. Only one person was able to sleep at a time, while everyone else had to stand."

"Karim" (see above) describing his detention in the Air Force Intelligence branch in Dera'a in October 2011.

"We were dying of cold. We begged them for blankets. We had only one jacket and all of us used it in turns."

"Mousa" (see above) describing the torture he suffered after he was transferred to the Military Intelligence in Damascus in mid-October 2011.

"Throughout my detention I was allowed just two quick toilet trips and was given terrible food. It was dry bread we had to dip into water to eat, and under-cooked potato which it hurt teeth to eat."

"Ghazi" (see above)

"At Air Force Intelligence in Damascus, I was put in a disgusting [tiny] solitary cell – with five others! We were allowed just one 30-second visit to the bathroom daily, and would be beaten on the way there and the way back. The rest of the time we would have to use a plastic container in the cell."

"Tayseer" (see above)

SALT FORCED INTO THE MOUTH

One former detainee told Amnesty International that he was forced to swallow salt and another said the same thing happened to a cellmate. Amnesty International has not heard of this method of torture before.

"He was badly beaten, forced to stand for days, deprived from food and water, and once forced to swallow salt when he asked for water."

"Musleh" (see above) describing the torture of one of his cellmates while held in the Air Force Intelligence branch in al-Mezzeh Airport in May 2011.

EXPOSURE TO EXCESSIVE COLD

Some detainees said it was common for detainees to be forced to remain outside overnight or for long periods in the cold wearing only their underwear. One other said he was deliberately made to suffer extremes of cold.

"When we arrived [at the Political Security branch in al-Fayhaa', Damascus] first it was the reception, then for 24 hours we had to stay outside in just our underpants. Some even had to stay more than 24 hours."

"Tayseer" (see above)

"I was hung from my wrists for three days. I was wearing only my underwear and was splashed with hot and cold water while a big fan usually used in the desert was blown in my direction..."

"Musleh" (see above) describing what happened at the State Security branch in Kafr Sousseh in Damascus following his second arrest on 14 September 2011.

CUTTING WITH BLADES

Several detainees said they had been cut with blades, including the fixed bayonet of a rifle.

"They used to take eight or nine of us to interrogation, where around 25 to 30 people would be beating us... During one session I saw the death of a crucified man because they slashed his body with a blade. One of the slashes was deep and near his heart causing his death."

"Karim" (see above), describing the torture inflicted when he was held in an army Brigade 138 base in Dera'a governorate for 25 days in January/February 2012.

"They beat me badly. I still have this head wound caused from the Kalash-butt and was also stabbed with the [fixed] bayonet of the Kalash."

"Zuheyr" (see above) from Da'el then showed Amnesty International records of medical checks carried out inside Jordan specifying that he was suffering from "head trauma, headache and diplopia (double vision)" and that he needed a CT scan.¹⁹

CIGARETTE BURNS

Interrogators sometimes extinguish cigarettes on the flesh of detainees they are questioning, leaving permanent scars.

"[While crucified] I was splashed with water and electrocuted, and sometimes they put out their cigarettes on my flesh."

"Karim" (see above) describing his torture by Air Force Intelligence in Dera'a following his arrest in October.

DENIAL OF MEDICAL TREATMENT

Several former detainees said that they or cellmates had been denied necessary medical treatment for injuries sustained during torture or illnesses.

"They pushed me down the stairs and broke my arm. I didn't receive any treatment, so my arm healed crooked and still needs an operation."

"Abu al-Najem" (see above) describing what happened after he was re-arrested in October 2011 and held by Air Force Intelligence officials in Dera'a city for 20 days.

"My legs became infected because of all the beatings and I could not walk... I begged them for antibiotics but they gave me nothing."

"Mousa" (see above) describing what happened to him after he was transferred to the Military Intelligence branch in Damascus in mid-October 2011.

BEING STRIPPED NAKED AND OTHER HUMILIATION/DEGRADATION

Several former detainees told Amnesty International that they had been particularly distressed by being forced to strip naked, including in front of other detainees, as well as by being made to do certain things or having things done to them, such as being urinated on by their torturers, because such acts left them feeling humiliated and degraded.

"When they struck me with electricity I would shake violently until I passed out on the floor. They waited for half an hour before striking again. I still have marks on my neck and hand. I was mostly upset by the fact that I was stripped naked."

"Emad" (see above) describing what happened to him in the Military Intelligence branch in Kafr Sousseh in Damascus after his arrest in July 2011.

"The Military Police stripped me naked, placed me on a bed and tortured me while asking, 'You want freedom?'"

"Abu al-Najem" (see above) describing what happened after he was taken to the Military Police in Dera'a in July 2011.

"[The Air Force Intelligence] 'reception' also strip you naked and force you to do the

'security/safety move', that is they force you to squat while naked so as to check nothing is hidden in your bottom. This is the height of humiliation.'

Sixty-five-year old retired school teacher **"Najati"** (see above) describing his torture, including a forced anal examination, in the Air Force Intelligence branch in Homs.

"On arrival at the Air Force Intelligence branch I was stripped naked..."

"Thamer" (see above) describing what happened after he was taken to the Air Force Intelligence in Damascus following his arrest in March 2011.

"One of the guys who was hanging by their wrists with me was thirsty so asked to have some water. In response one of the guards peed on him."

"Musleh" (see above) describing what happened at the State Security branch in Kafr Sousseh in Damascus after he was transferred there from Damascus following his second arrest on 14 September 2011.

BEING HELD WITH DEAD OR DYING PRISONERS

Some detainees described how they were held in cells with fellow prisoners who were dying of their torture injuries or illness, or in one case held for two days with what he believed to be a dead body.

"One night I was placed in a solitary confinement cell with what looked like a corpse. I did not realise that at the beginning as the cell was quite dark. I thought that someone was lying by my side so I stretched my hand to touch him and that is when I discovered that it was a plastic bag with a zip with what I assume was a corpse inside it. I was kept there for what I thought maybe two days."

"Abu al-Najem" (see above) describing what happened to him when he was held in the secret underground cells of Gharz Central Prison in July/August 2011.

4. SYRIA'S LEGAL OBLIGATIONS AND THE CULTURE OF IMPUNITY

“In accordance with international law, the responsibility to investigate, prosecute and punish international crimes and other gross violations rests first and foremost with the State. The crimes against humanity and other gross violations documented in the commission’s reports have been committed, however, within a system of impunity.”

UN Commission of Inquiry final report, 22 February 2012

Syria is a state party to the International Covenant on Civil and Political Rights (ICCPR) and acceded to the Convention against Torture on 19 August 2004. Consequently, the Syrian authorities are obliged to prevent torture; investigate whenever there are reasonable grounds to suspect acts of torture and other ill-treatment have occurred – even when no official complaints have been made; bring those responsible to justice; and provide reparation to victims.

The authorities are also required to take concrete measures to prevent torture and other ill-treatment, including by granting independent bodies the right to monitor the situation of detainees in all prisons and other places of detention.

Since acceding to the Convention against Torture, the Syrian government has failed to ensure that all acts of torture are offences under national law punishable by appropriate penalties which take into account their grave nature.

Syrian law fails to provide an absolute prohibition of torture as required under Article 1 of the Convention against Torture, although there are some provisions for protection from torture or other ill-treatment. Article 53(2) of the new Syrian Constitution approved by a referendum on 27 February 2012 states that: "No one may be tortured or treated in a humiliating manner, and the law shall define the punishment for those who do so". The Penal Code provides that: "[a]nyone who batters a person with a degree of force that is not permitted by law in a desire to obtain a confession for a crime or information regarding it..." can be sentenced from three months to three years in prison.

However, this definition of the crime of torture falls well short of the definition of the crime in international law.²⁰ The Committee against Torture in its 2010 concluding observations on Syria noted "with concern the absence of a definition of torture in accordance with article 1 of the Convention in the national legal system of the State party, which seriously hampers the implementation of the Convention in the State party (art.1)."²¹

Torture and other ill-treatment are generally most prevalent during pre-trial detention and especially in incommunicado detention. As a state party to the ICCPR, Syria is also obliged to prevent arbitrary arrest and detention and to allow anyone deprived of their liberty an effective opportunity to challenge the lawfulness of their detention before a court (Article 9 of the ICCPR). It must ensure that those arrested are promptly informed of any charges against them. Those charged must be brought before the judicial authorities within a reasonable time. Articles 104(1) and 104(2) of the Syrian Code of Criminal Procedure sets 24 hours as the limit for bringing a suspect before a judicial authority; failure to do so renders him or her legally entitled to immediate release. According to Article 105 of the same code, if the detainee is kept in custody for more than 24 hours without having appeared before a judge, the authority holding him or her is acting arbitrarily and is liable to prosecution for the crime of deprivation of personal liberty, punishable by imprisonment for one to three years, as stipulated by Article 358 of the Penal Code. Similarly, according to Article 72(2) of the Code, suspects are guaranteed the right to contact their lawyers at any time and in private, except in cases of espionage.

However, in practice these safeguards are routinely ignored, and detainees are often held for weeks or months during which the vast majority are subjected to torture or other ill-treatment. As noted above, this appears to have led to the staggering increase in reported deaths in custody. In some cases, torture or other ill-treatment, or denial of adequate medical care, is believed to have been the sole or main factor.

Between March 1963 and April 2011, a state of emergency was in force in Syria, which had the effect of cancelling out legal provisions which, if implemented, would have afforded some protection against arbitrary arrest and torture. The state of emergency legislation gave wide powers and authority for the detention of individuals for offences which are not defined and which could violate their rights to freedom of expression, movement, association and assembly. In addition, the state of emergency legislation gave explicit powers to the security forces to allow them to by-pass ordinary laws by implementing preventative detention for non-specific periods. It gave wide-ranging special powers to the various branches of the security forces outside any judicial control. Thousands of people were reported to have been arbitrarily arrested and detained, kept in prolonged incommunicado detention without access to legal counsel, not brought before a judge or judicial authority to challenge their detention,

and denied visits from their families during which time many were tortured. Many were apparently subjected to enforced disappearance: the government denied that they were detained and any knowledge of their whereabouts, although in some cases it later appeared that detainees were sentenced to death after summary trials over several years and may have been executed in secret.²²

Since the lifting of the state of emergency, the situation has not improved. One of the first subsequent actions of the government was to pass a new law – Legislative Decree No. 55 of 21 April 2011 – extending the maximum period of detention without charge to 60 days. The same law permits the police to pass their powers of arrest and detention to any other agency they see fit to do so, thereby enabling the multiple security and intelligence agencies to continue their decades-long practices of arbitrary arrest followed by torture and other ill-treatment.

As a result, thousands of Syrians, mainly peaceful protesters, have been arrested and detained for months without charge or trial, many without ever appearing before a judge. Even the 60-day limit on detention without trial appears to be ignored in many cases, leaving detainees at further risk of torture or other ill-treatment. While a few judges appear to have released detainees after realising that their “confessions” had been extracted under duress, this appears to be all too rare, and detainees are more likely to find such “confessions” being used as evidence against them in court.

International human rights law and standards set out that states must investigate reports of torture and deaths in custody. The Convention against Torture obliges states parties to “ensure that its competent authorities proceed to a prompt and impartial investigation, wherever there is reasonable ground to believe that an act of torture has been committed in any territory under its jurisdiction”.²³ In case of death, the investigation should meet the requirements in the UN Principles on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol). The UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment also calls for an investigation to be held whenever a prisoner dies or a former prisoner dies shortly after release.²⁴

Even in the absence of complaints, given the strong evidence that torture or other ill-treatment has occurred, investigators, who must be experienced, properly trained, impartial and independent of the suspected perpetrators and the agency they serve, must have access to, or be empowered to commission, investigations by impartial and independent medical or other experts. Investigations of crimes of sexual torture, whether committed against men, women or children, should be undertaken by staff who are familiar with good professional practice in this area.

Syrian legislation sets out the general investigatory procedures which the judicial authorities should follow when the General Prosecutor, who is responsible for overseeing prisons and detention centres, learns of offences committed in or out of custody.²⁵

However, Amnesty International is not aware of any prompt, thorough, independent and impartial investigation established by the Syrian authorities to look into any of the cases of torture reported since March 2011. Nor is it aware of the prosecution of any individuals for

their alleged role in ordering or administering torture. The UN Commission of Inquiry noted in its report of 22 February 2012 that the Syrian authorities failed to provide information to it about their claims that a National Independent Legal Commission was investigating more than 4,070 cases and stated that it had been "unable to identify any case of a successful prosecution of any military or security force commanders or civilian superiors bearing responsibility for any of the crimes against humanity or other gross human rights violations" in Syria since mid-March 2011.²⁶

Amnesty International is aware of only two of the many cases of reported deaths in custody since mid-March 2011 for which the authorities announced that they had opened an investigation, and in both cases the investigations appeared deeply flawed.²⁷ Amnesty International wrote to the Syrian Minister of Justice on 28 July 2011 to request clarification regarding steps that had been or were being taken to investigate deaths in custody reported before that date, but had received no response by the time of writing in early March 2012.

Moreover, Syrian law effectively grants immunity from prosecution to members of security forces. Since 1950, members of Military Intelligence and Air Force Intelligence have been granted immunity from prosecution for crimes committed in the course of exercising their duties except in cases where a warrant is issued by "the general leadership of the army and military forces".²⁸ In 1969, immunity was granted to members of State Security for crimes committed while exercising their duties except in cases where its director issues a warrant.²⁹

In 2008, immunity similar to that granted to members of the Military Intelligence and Air Force Intelligence was given to Political Security, as well as police and customs officials, with the same exception for cases where the "general leadership of the army and military forces" issues a warrant.³⁰ In other words, no cases can be brought against members of the security services except where special permission is given by their own or military leaders.

The obligation to ensure that those responsible for torture and crimes against humanity in Syria are brought to justice extends not only to Syria. All governments have a duty to investigate and prosecute crimes against humanity,³¹ including exercising universal jurisdiction over the crimes.³² The 150 states that have ratified the Convention against Torture to date are required to exercise jurisdiction over people found in their territory suspected of torture abroad, to extradite them to other states able and willing to do so or to surrender them to an international criminal court. To date, no states have sought to exercise universal jurisdiction over torture or other crimes under international law committed in Syria. However, Amnesty International welcomes the decision of the Commission of Inquiry to deposit with the UN High Commissioner for Human Rights information to assist "future credible investigations by credible authorities". Such authorities include national police and prosecutors, but information should be provided only subject to guarantees of fair trial without the death penalty.

Amnesty International is dismayed that despite overwhelming evidence of crimes against humanity, the complete impunity at the national level and strong calls by Amnesty International, the High Commissioner for Human Rights and others, the UN Security Council continues to fail to refer the situation to the Prosecutor of the International Criminal Court.

5. RECOMMENDATIONS

The catalogue of brutality found in the testimonies contained in this report make it clear that the Syrian authorities have done nothing to end the systematic use of torture or other ill-treatment witnessed for decades. Over the years, Amnesty International has made numerous recommendations to the Syrian authorities which, if implemented, would do much to curtail the practices the organization has documented in detail. Even more plain is the fact that the Syrian authorities appear to have no desire to try to stamp out these grave human rights violations.

RECOMMENDATIONS TO THE SYRIAN AUTHORITIES

In the light of concerns of the gravest nature, the Syrian authorities must completely change their approach. They must take a series of urgent measures to prevent future crimes under international law and other human rights violations. They must also refrain from depriving people of their rights on account of their political opposition to the government. Amnesty International is therefore making two essential calls on the Syrian authorities:

- End the arbitrary arrest and incommunicado detention of those who peacefully express their opposition to the government by exercising their rights to freedom of expression, association and assembly.
- End the systematic use of torture or other ill-treatment.

As a first step towards these ends, the Syrian authorities should grant access to independent international human rights monitors, including UN human rights mechanisms and NGOs such as Amnesty International who would be able to assess at first hand the human rights situation in the country.

RECOMMENDATIONS TO ALL GOVERNMENTS

In such a grave situation, the burden of protecting the human rights of people in Syria is now falling on the shoulders of the international community. In particular, the international community should:

- Accept a shared responsibility to investigate and prosecute crimes against humanity and other crimes under international law committed in Syria or anywhere in the world. In particular, it should seek to exercise universal jurisdiction over these crimes before national courts in fair trials and without recourse to the death penalty.
- As part of this shared responsibility, establish joint international investigation and prosecution teams to investigate crimes under international law committed in Syria to improve the effectiveness of investigation, improve the chances of arrest and coordinate prosecutions.
- Support NGOs, human rights monitors and humanitarian agencies in providing confidential support and care to survivors of torture and their families.

Such support is particularly important for survivors of sexual violence, whether they are men, women or children, given the specific health concerns and stigma faced by such survivors. Amnesty International is concerned that there are many more survivors of sexualized torture who are too afraid to come forward – especially women and girls – because of the stigma they face, and the risks of disclosing what has happened to them, including the risk of being re-victimized by their own families and communities through violence and killing in the name of “honour”. All efforts must be taken to provide all survivors of torture with comprehensive mental and physical rehabilitation services. Steps should also be taken to address the social stigma and attendant risks faced by survivors of sexual violence so that they do not face secondary victimization and compounded violations of their rights.

RECOMMENDATIONS TO THE UN SECURITY COUNCIL

- Refer the situation in Syria to the Prosecutor of the International Criminal Court to investigate crimes under international law, including reported crimes against humanity.
- Impose and enforce a comprehensive arms embargo preventing the transfer to Syria of all weapons, munitions, and military, security, and policing equipment, training and personnel.
- Implement an assets freeze against President Bashar al-Assad, his close associates and any others who may be involved in ordering or perpetrating crimes under international law.

ENDNOTES

¹ The UN has put the figure at well over 7,500 although it is not clear what categories of people reportedly killed this includes. (See UN Press Release of 28 February 2012, available here: <http://unispal.un.org/unispal.nsf/0/8eeb16ae467f5831852579b2006c9420?OpenDocument>).

² Amnesty International's opposition to abuses by armed groups is rooted in principles and values of respect for human rights and dignity for all and the principles of international humanitarian law. Human rights law generally is not directly applicable to armed groups (who are not parties to human rights treaties). International humanitarian law, which can apply directly to armed groups, sets out standards of humane conduct applicable to all parties in armed conflicts. In the words of the International Committee of the Red Cross (ICRC), the foremost authority on international humanitarian law, "whenever armed force is used the choice of means and methods is not unlimited". This basic rule is explicitly reflected in a number of international humanitarian law treaties. Article 3 common to the four Geneva Conventions of 1949 and their Additional Protocol 2 are the instruments most directly relevant to non-international armed conflict, which is the context in which armed groups usually operate. These treaties increasingly are supplemented by customary international law. The authoritative ICRC study of customary international humanitarian law has determined that many of the rules of international humanitarian law that were codified for international conflict now apply to non-international conflicts as well. These include the prohibitions on direct attacks on civilians, indiscriminate and disproportionate attacks. In situations that fall short of armed conflict, Amnesty International calls on armed groups to uphold fundamental principles of humanity derived from international humanitarian law. On this basis, Amnesty International condemns serious abuses by armed groups including attacks that target civilians, indiscriminate and disproportionate attacks, torture and other ill-treatment, hostage-taking, and the killing of captives.

³ The independent international commission of inquiry was established under UN Human Rights Council Resolution S-17/1. Its two reports, published in November 2011 and February 2012, may be viewed at: http://www.ohchr.org/Documents/Countries/SY/A.HRC.S-17.2.Add.1_en.pdf and <http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session19/A-HRC-19-69.pdf>

⁴ Amnesty International, *Crackdown in Syria: Terror in Tell Kalakh*, Index: MDE 24/029/2011, <http://www.amnesty.org/en/library/info/MDE24/029/2011/en>

⁵ Amnesty International, *Deadly detention: Deaths in custody amid popular protests in Syria*, Index: MDE 24/035/2011, <http://www.amnesty.org/en/library/info/MDE24/035/2011/en>

⁶ Hafez al-Assad, the father of the current President of Syria, Bashar al-Assad, was a member of the Air Force and rose to become its head, before seizing power in a military coup in 1970. The Air Force Intelligence branch later developed into one of the most feared branches of the security forces.

⁷ Amnesty International, *Health crisis: Syrian government targets the wounded and health workers*, Index: MDE 25/059/2011, October 2011, <http://amnesty.org/en/library/info/MDE24/059/2011/en>

⁸ Amnesty International, *Syria: Torture by the Security Forces*, Index: MDE 24/09/87.

⁹ To date, the Syrian authorities have not revealed the fate of around 17,000 people, mostly Islamists, who disappeared in the late 1970s and early 1980s, and hundreds of Lebanese nationals and Palestinians who were detained in Syria or abducted from Lebanon by Syrian forces or by pro-Syrian Lebanese and Palestinian militias, who then handed them over to Syrian forces. Similarly, the

authorities have failed to offer any explanation of the extrajudicial executions of hundreds of prisoners, mostly Islamists, in the Military Intelligence-run Tadmur prison on 27 June 1980. The bodies were never handed over to their families, nor were the families ever told how their relatives had died.

¹⁰ Amnesty International: *Syria: Kurds in the Syrian Arab Republic one year after the March 2004 events*, Index: MDE 24/002/2005, March 2005, <http://www.amnesty.org/en/library/info/MDE24/002/2005>

¹¹ Legislative Decree No. 55 of 21 April 2011.

¹² Amnesty International's published information on Syria may be viewed at <http://www.amnesty.org/en/region/syria>

¹³ See Amnesty International, *The long reach of the mukhabaraat: Violence and harassment against Syrians abroad and their relatives back home*, Index: MDE 24/057/2011, October 2011, <http://www.amnesty.org/en/library/info/MDE24/057/2011/en>

¹⁴ In its 1987 report, Amnesty International referred to this method of torture as *dullab*.

¹⁵ In 1987, Amnesty International documented *bisat al-rih* as consisting of an individual being strapped face-up on a body-shaped board, and then beaten. The Syrian authorities appear to have refined this method of torture since then, to include moving parts to the board.

¹⁶ Maher al-Assad is the brother of President Bashar al-Assad and is the commander not only of the Fourth Armoured Division but also of the 10,000-strong Republican Guard, which is the only armed unit allowed in Damascus and protects the capital against domestic threats. Maher al-Assad has been placed under US and EU sanctions for his alleged involvement in human rights violations since the start of the unrest in March 2011, and is also subject to an Arab League travel ban.

¹⁷ Alawis are self-described Shi'a Muslims and represent 12 per cent of Syria's population. The al-Assad ruling family are Alawis and as a result Alawis have assumed leading positions in the army and government and have had favoured access to governmental jobs, education and other services provided by the government since Hafez al-Assad took power over 40 years ago. Consequently, quite a few of the Alawis perceive the anti-government protests as a threat to their interests as well as to their safety if the government is toppled.

¹⁸ The Local Coordination Committees of Syria, an umbrella organization with members from most cities and many smaller towns across Syria who organize peaceful anti-government protests as well as monitoring, documenting and reporting human rights abuses to international and Arab human rights organizations and media.

¹⁹ A CT scan would produce detailed images of the head to allow further diagnosis.

²⁰ Articles 319 and 391.

²¹ Concluding observations of the Committee against Torture, Syrian Arab Republic, CAT/C/SYR/CO/1, 25 May 2010, para.5.

²² See Amnesty International, *Syria: Briefing to the Committee against Torture*, Index: MDE 24/008/2010, April 2010, <http://www.amnesty.org/en/library/info/MDE24/008/2010/en>

²³ Articles 12, 13 and 16 of the Convention.

²⁴ Principle 34; UN Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary

and Summary Executions, recommended by Economic and Social Council resolution 1989/65 of 24 May 1989, welcomed by the UN General Assembly in Resolution 44/159, 15 December 1989, Principles 9 to 17.

²⁵ See, for example, Articles 15, 29, 42 and 43 of the Code of Procedures of Criminal Trials.

²⁶ See: *Report of the independent international commission of inquiry on the Syrian Arab Republic*, paragraph 86, 22 February 2012, <http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session19/A-HRC-19-69.pdf>

²⁷ In its report, *Deadly Detention: Deaths in custody amid popular protests in Syria*, Index: MDE 24/035/2011, published in July 2011, Amnesty International stated that it was aware of only two cases of reported deaths in custody since the current unrest in which the authorities publicly announced that they had opened an investigation, namely in the cases of Hamza Ali al-Khateeb and Sakher Hallak. In neither case have the authorities issued any information about the nature or scope of the investigation or

even who the investigating authority is. In another case, the authorities appear to have conceded that the individual, Rouhi Fayez al-Naddaf, did die in custody but claimed that it was not the fault of the security forces but of "the protests". In the case of Tariq Ziad Abd al-Qadr, the official cause of death was reportedly given as a shot to the chest, although no bullet wound was visible on the corpse. There is no evidence that the investigations have been or are being conducted in a full, independent and impartial manner, an impression strengthened by what Amnesty International knows about investigations into deaths in custody in previous years.

²⁸ Legislative Decree No. 61 of 27 February 1950, Article 53.

²⁹ Legislative Decree No. 14 of 25 January 1969, Article 16.

³⁰ Legislative Decree No. 69 of 30 September 2008, Article 1.

³¹ See for example: UN Principles of international co-operation in the detection, arrest, extradition and punishment of persons guilty of war crimes and crimes against humanity (1973 UN Principles of International Co-operation), adopted by the General Assembly in Resolution 3074 (XXVIII) of 3 December 1973, para. 1: "crimes against humanity, wherever they are committed, shall be subject to investigation and the persons against whom there is evidence that they have committed such crimes shall be subject to tracing, arrest, trial and, if found guilty, to punishment". See also: Rome Statute, Preamble: "it is the duty of every State to exercise its criminal jurisdiction over those responsible for international crimes".

³² See: Amnesty International: *Universal Jurisdiction: the duty of states to enact and implement legislation*, Chapter 5, Crimes against humanity: the legal basis for universal jurisdiction, Index: IOR 53/008/2001.

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