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Independent Mechanism **المحايدة والمستقلة**  
to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious  
Crimes under International Law Committed in the Syrian Arab Republic since March 2011

June 2024 [Public Redacted Version December 2024]

**THE SYRIAN GOVERNMENT  
DETENTION SYSTEM AS A TOOL OF  
VIOLENT REPRESSION**

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## I. INTRODUCTION: THE USE OF THE SYRIAN DETENTION SYSTEM TO VIOLENTLY REPRESS OPPOSITION

1. This Report of the International, Impartial and Independent Mechanism to assist in the investigation and prosecution of persons responsible for the most serious crimes under international law committed in the Syrian Arab Republic since March 2011 (“Mechanism”, “IIIM”) provides an analysis of torture and other cruel, inhuman or degrading treatment or punishment (“ill treatment”), including through inhumane detention conditions, sexual violence, enforced disappearance, and related violations<sup>1</sup> committed in relation to Syrian Government<sup>2</sup> detention facilities since March 2011. This Report was completed on 25 June 2024, and the public redacted version issued on 5 December 2024.

2. Such crimes and violations have been documented in the network of detention facilities throughout the Syrian Arab Republic (“Syria”). For more than two decades, UN bodies have condemned the Syrian Government’s use of torture and cruel, inhuman or degrading treatment or punishment, facilitated through prolonged incommunicado detention, especially by its security and intelligence services.<sup>3</sup> The Syrian Government has used its four main intelligence agencies—the Military Intelligence Department, the General Intelligence Directorate, the Air Force Intelligence Directorate and the Political Security Department, known as *mukhabarat* (collectively “intelligence agencies”)—to intimidate and punish the Syrian Government’s perceived opponents.<sup>4</sup> Shielded by *de facto* immunity,<sup>5</sup> Syrian Government actors have freely used force or violence against detainees as an acceptable interrogation method,<sup>6</sup> despite the Government’s assertion that Syrian law criminalised the use of force and prohibited “torture in its most basic form”,<sup>7</sup> even before a law expressly criminalising “torture” was promulgated.<sup>8</sup>

3. The Syrian Government invoked these laws in response to concerns expressed by the Committee Against Torture in 2010 about the following widespread practices documented in Syria which do not comply with its obligations under the Convention Against Torture:

- “[N]umerous, ongoing and consistent allegations concerning the routine use of torture by law enforcement and investigative officials, at their instigation or with their consent, in particular in detention facilities”, especially during pretrial detention;<sup>9</sup>



- “[W]idespread impunity preventing prosecution for crimes committed on duty [for members of intelligence agencies, including military, air and public security forces], including torture and ill-treatment”;<sup>10</sup>
- “[R]eports that the State party has established secret detention facilities under the command of intelligence services, such as the Military Intelligence [S]ervice, the Political Security Directorate, the Directorate General of Intelligence Services and the Directorate of Air Force Intelligence Services”;<sup>11</sup>
- “[I]nformation received on the deplorable living conditions in places of detention, prison overcrowding, lack of hygiene, insufficient food, health risks and inadequate health care”;<sup>12</sup> and
- “[R]eports that confessions obtained by torture are invoked as a form of evidence in proceedings, especially in the Supreme State Security Court and the military courts, and that the defendants’ claims that they have been tortured are almost never investigated”.<sup>13</sup>

4. These practices describe the system inherited and already in use by the Syrian Government before 2011.<sup>14</sup>

5. The Syrian Government relied on this well-established system of detention when pro-democracy demonstrations began in Syria in early 2011. In February 2011, demonstrators in Syria publicly called for more freedom, a democratic government, an end to corruption, and the release of political detainees.<sup>15</sup> Syrian intelligence reports reflect the Syrian Government’s concern that Syrian youth could “take to the streets”, following “the disturbances and events in some Arab countries witnessing youth revolutions calling for change, democracy, freedoms and reforms aimed at creating job opportunities for young men, improving living standards and fighting corruption.”<sup>16</sup> The Syrian Government feared that Syrian youth were being urged “to organise demonstrations and sit-ins in Syria under false pretexts” by “the opposition in Syria, civil society committees, human rights organisations inside and outside Syria and other suspicious parties”.<sup>17</sup>

6. In March 2011, the Government arrested and detained children<sup>18</sup> between the ages of 10 and 15 for writing anti-Government graffiti in the city of Daraa in southwest Syria. After the bodies of two children were returned to their families with evidence of torture in April 2011, protests in Syria spread quickly throughout the country.<sup>19</sup> The Government would continue to target children and youth, particularly students, as it confronted demonstrations with violent crackdowns and mass arrests.<sup>20</sup>



7. President Bashar al-Assad characterised these protests as part of an international conspiracy against Syria and stated that all those involved in protesting “contribute to destroying their country”. According to al-Assad, there was “no compromise or middle way in this”.<sup>21</sup> The Syrian Government used an existing Baath Party leadership body, the National Security Bureau (“NSB”), and for a crucial period the Central Crisis Management Committee (“CCMC”), to coordinate and implement its policy to repress the opposition. The Syrian Government created the CCMC in late March 2011.<sup>22</sup> It brought together senior political, intelligence, and military officials to coordinate the response to the demonstrations, and later to the armed opposition.<sup>23</sup>

8. In 2011, the protests were mostly peaceful. However, the Syrian Government used its intelligence agencies and the civilian and military police, the army, and pro-Government militias (collectively “security forces”), to search for, arrest, detain, and interrogate persons who had been targeted for arrest as perceived participants in or supporters of the uprising.<sup>24</sup> Syrian security forces frequently detained protesters during and after demonstrations and through violent raids and widespread arrests at checkpoints.<sup>25</sup> In accordance with CCMC instructions, the security forces met the demonstrations of increasing numbers with force, using live ammunition against civilians.<sup>26</sup> The situation escalated in the summer of 2011 with the emergence of an armed opposition flanked by Syrian soldiers who had deserted their ranks out of opposition to the attacks on the civilian population.<sup>27</sup>

9. At a 5 August 2011 meeting, the CCMC concluded that “laxness in handling the crisis” and “poor coordination and cooperation among security bodies in sharing information” had prolonged the security situation. The following day, the NSB issued instructions on how to address these concerns. Among other instructions, this directive required that “[a]ll security branches” participate in campaigns to arrest persons wanted for crimes; and “arrest such persons, particularly those who are inciting people to demonstrate, funders of demonstrators, members of coordination committees who organize demonstrations, conspirers who communicate with people abroad to keep demonstrations ongoing and those who tarnish the image of Syria in foreign media and international organizations.”<sup>28</sup> They were further instructed to cleanse each sector of wanted persons, establish joint investigation committees and send results of interrogations “to all security



branches so that they can be used in identifying and seriously pursuing new targets, with an interest in investigations to find and arrest members of local coordination committees [which organized demonstrations].”<sup>29</sup>

10. These instructions operated as a roadmap for the coordinated response of the Syrian Government’s security forces to repress opposition. The Government used the NSB to communicate and disseminate its instructions through each entity’s chain of command, reaching branches of security forces throughout Syria.<sup>30</sup> Through their implementation, the Government responded to the rapid spread of demonstrations, defections, and feared rebellion with enhanced planning, coordination, and swift execution of arrests and interrogations of thousands of detainees. The Syrian Government sought to achieve the desired outcome—confessions, identification of additional suspects, and eradicating the opposition—by any means. As the evidence reviewed by the Mechanism confirms, this included the pervasive use of torture and other ill treatment, using the same means and methods as documented in historical reports.

11. The Government labeled all political opponents as “terrorists”—regardless of whether they had any intention to resort to violence—and stressed the importance of using the media to “link the events to terrorism”.<sup>31</sup> Government officials used this narrative in implementing the Government’s objectives, including during the interrogations of detainees and in lodging charges against them.<sup>32</sup> This was further facilitated with the Government’s passage of broadly defined anti-terrorism legislation in 2012, and use of a Counter-Terrorism Court and Military Field Courts not bound by regular criminal procedures.<sup>33</sup> Syrian Government security forces rigorously implemented these instructions, ensuring that anyone perceived to oppose the Government would be labelled a terrorist, whether they were actually opposed to the Government or perceived to be due to their profession, family association, or where they were living. Individuals from areas where opposition had taken hold (“hot” governorates or neighbourhoods) were especially targeted. This resulted in broad swaths of society being labelled as terrorists based on any number of identity characteristics and being subjected to the horrific treatment that followed arrest.

12. Starting in 2011, the already burgeoning wanted lists created by Syria’s security forces swelled by hundreds of thousands.<sup>34</sup> It became impossible for people in Syria to travel within or



leave the country without passing through multiple checkpoints, where names and identity documents were checked. The Mechanism’s analysis of hundreds of detainee interview records within its Central Repository of Information and Evidence (“Central Repository”) demonstrates that most detainees who were arrested, and later subjected to torture and ill treatment, were stopped at these checkpoints and taken to detention facilities operated by Syrian Government entities.<sup>35</sup>

13. In accordance with CCMC decisions, the NSB disseminated instructions to Syrian security forces, including with regard to the arrest, interrogation, detention, and release of detainees, as well as their treatment and how to manage their deaths in detention.<sup>36</sup> These instructions were communicated to the various entities responsible for different aspects of the detention process in Damascus and governorate branches, as reflected in Government documents in the Mechanism’s Central Repository obtained from multiple sources.<sup>37</sup> The effective implementation of the instructions and the coordinating role played by Syrian Government authorities is further evidenced by detainee transfers between security branches; the proliferation, sharing, and use of interrogation reports to arrest others and their use in court against detainees; and the high number of deaths of detainees and documentation intended to cover up deaths caused by torture and ill treatment.

14. Upon arrival at security branch detention facilities and some Government prisons, detainees were subjected to harsh beatings, insults, and threats, cruelly dubbed as their “welcome party”. Detainees understood upon entry to security branches they should have no expectation of release, and they could be killed on a whim without consequence.<sup>38</sup> These were not empty threats, as the deaths of thousands of detainees have been documented.<sup>39</sup> The forensic reports documenting their deaths included photographs of the corpses taken by military police, thousands of which were brought out of Syria by a defecting member of the Military Police Forensic Photography Section (code named “Caesar”). Caesar was responsible for photographing the bodies of detainees at military hospitals who died in Syrian Government custody between March 2011 and August 2013. The photographs included markings on the corpses or pieces of paper photographed with them, indicating the Government entity in whose custody they died.<sup>40</sup> These photographs, analysed by medical forensic experts, document many of the horrific methods of torture and inhumane





detention conditions that have been described in detail by the detainees who survived.<sup>41</sup> Forensic medical evaluations of victims/survivors and medical expert analysis further corroborate these and other forms of torture that were not captured in the Caesar photographs, including psychological violence and sexual violence.<sup>42</sup>

15. Despite the veneer of legality that the Syrian Government has invoked to justify its actions,<sup>43</sup> the evidence that the Government's detention system has been used as a violent tool to repress any potential opposition speaks for itself. While detainees' experiences and pathways through the detention system varied following their arrest, patterns of abuse emerge from their accounts of detention in more than 100 Government facilities across Syria.<sup>44</sup> These include unbearable detention conditions, as well as torture and other ill treatment during and in relation to interrogations.<sup>45</sup> The forms of harm inflicted on detainees, why they were targeted, and the impact of these experiences depends on factors including detainees' gender, religious sect, age, place of origin, and socio-economic status.<sup>46</sup> As Government actors sought to obtain the expected results, they used the forms of torture that they deemed would be most effective, leveraging detainees' individual characteristics and vulnerabilities to maximise the degradation and harm inflicted.<sup>47</sup> According to many detainees who were interviewed, this often achieved the desired results, with long-lasting consequences for victims/survivors, their families and communities.<sup>48</sup>

16. The families of detainees who were killed in detention have learned of their deaths in very cruel ways, if at all. Many identified the tortured and emaciated bodies of their loved ones amongst the Caesar photographs. Others learned from updated civil registries or civil registry death statements that their missing relatives were no longer alive, without any explanation.<sup>49</sup> Some families learned from released detainees that their loved ones died under torture but could not access or bury their bodies.<sup>50</sup> Their death certificates falsely indicated that deceased detainees had perished in Syrian Government custody due to ostensibly natural causes such as cardiac arrest.<sup>51</sup> Thousands of families are still waiting to hear the truth about the fates of their missing relatives suspected to be in Government custody. In the absence of information, families are subject to exploitation as they desperately seek information, willing to pay any price to those promising information or release.<sup>52</sup> The Syrian Government's intentional withholding of information



regarding the true fates of thousands of detainees who have disappeared into the Government detention system continues to inflict severe suffering on their family members every day.

17. The Syrian Government’s ongoing efforts to obscure and deny the violence inflicted in Government detention facilities, rather than effectively address it, make it difficult to definitively quantify the full scale of this violence. Nevertheless, various organisations have used available data to calculate and extrapolate estimates. While the Mechanism has not been able to independently verify the precise figures, these estimates confirm the massive scale of detention-related violations committed by the Syrian Government since March 2011, and are generally consistent with the large-scale patterns of mistreatment the Mechanism has analysed in its work. In a March 2023 report, the Syrian Network for Human Rights (SNHR) estimated that the Syrian Government had arrested and released approximately 1.2 million Syrian citizens since 2011.<sup>53</sup> SNHR also reported that at least 135,253 people—including 3,691 children and 8,473 women—who were arrested by Syrian Government forces between March 2011 and March 2023 were still under arrest and/or had been forcibly disappeared.<sup>54</sup>

18. SNHR further reported on the documented deaths of 15,038 individuals due to torture committed by the Syrian Government forces between March 2011 and March 2023, including 190 children and 94 women.<sup>55</sup> Using data from the SNHR and other sources, the Human Rights Data Analysis Group (HRDAG) estimated based on statistical analysis that 17,723 victims were killed in Syrian Government detention between 15 March 2011 and 31 December 2015 alone.<sup>56</sup> HRDAG cautioned that their figures are likely a “conservative” underestimate of the total number of deaths in Syrian Government detention, given the number of undocumented victims who are “truly invisible to all documentation groups”.<sup>57</sup>

19. Gravely concerned by the escalating situation in Syria, the Human Rights Council established the UN Independent International Commission of Inquiry on the Syrian Arab Republic (“Commission”, “Commission of Inquiry on Syria”) in September 2011 to investigate alleged violations of international human rights law in Syria since March 2011. A significant focus of the Commission’s work has been documenting torture and other ill treatment of detainees and other detention-related crimes on an ongoing basis since 2011. Still deeply concerned by the ongoing



abuses in Syria in 2016, the UN General Assembly created the Mechanism to collect, consolidate, preserve, and analyse evidence, to be shared in support of national, regional or international courts or tribunals addressing core international crimes committed in Syria.<sup>58</sup> The two UN bodies work in a complementary way. The Mechanism has the benefit of the Commission’s evidence, including evidence on detention.<sup>59</sup> The Mechanism aggregates this evidence with relevant materials collected from other sources and carries out its own analysis and strives to fill gaps, particularly with a view to establishing overarching crime patterns and links to entities and individuals responsible.<sup>60</sup>

20. In accordance with its mandate, this Report provides the Mechanism’s independent analysis of evidence from its Central Repository obtained from various sources in support of accountability processes for core international crimes in relation to Syrian Government detention. While this Report is limited to information derived from this evidence in accordance with consent restrictions, competent jurisdictions may request access to specific evidence relied upon and referenced in this Report. Any such requests will be considered in accordance with the Mechanism’s sharing framework, consent procedures and confidentiality restrictions.

## II. STRUCTURE OF THE REPORT

21. The first part of the Report (Section III) describes patterns in the harms recounted by hundreds of witnesses whose interview records have been provided by sources to the Mechanism and then analysed by the Mechanism. This was done as part of the Mechanism’s strategic line of inquiry on detention crimes, within the Mechanism’s Structural Investigation, with an initial focus on 10 key Government detention facilities.<sup>61</sup> The interview records that were analysed in detail comprise a subset of more than a thousand interview records related to Syrian Government detention in the Mechanism’s Central Repository. The mapping of detention experiences and locations is based on the records related to a total of 332 witnesses from three sources: 125 female detainees and 207 male detainees, covering the time period from 2011 to 2022 (“Detainee Experiences Dataset”). An additional set of records related to 169 male detainees was reviewed to provide further data on detention locations and transfers and to assist with mapping geocoordinates,



bringing the total to 501 interviews conducted by three independent sources (“Detention Locations Dataset”).

22. As described in more detail in the Mechanism’s Methodology (Annex A), the reason for this focus on detention crimes within the Structural Investigation derives from the Mechanism’s initial analysis of collections from key sources in accordance with its mandate. The Mechanism’s preliminary analysis of interview records and other evidence revealed the prominence of detentions occurring in certain detention facilities, several of which overlap with Damascus facilities connected to photographs from the Caesar files. In line with its evidence-based approach and mandate to support investigations by competent jurisdictions, the Mechanism has focused on more in-depth analysis of 10 detention facilities. In analysing the experiences of detainees who were held in at least one of these 10 facilities, information regarding their arrests, transfers to and from other facilities and release was also mapped. This allowed detentions and transfers to be identified in 128 Government detention facilities, most of which are further assessed and mapped in Annex B.

23. In addition to the Detainee Experiences Dataset, the Mechanism analysed interview records provided by additional sources to further corroborate aspects of the accounts from the Dataset, in particular with respect to detained children, families and certain targeted groups, and a significant number of detentions occurring between 2016 and 2023. In preparing the Report, in line with its commitment to inclusive justice, the Mechanism sought to integrate the perspectives and experiences of children, persons with disabilities, and victims/survivors of sexual violence and other gender-based crimes. Given the applicable consent restrictions and sensitive or potentially identifying nature of individual witness narratives, much of the detail from individual accounts could not be retained in a public report, but these perspectives still robustly informed its focus and overall analysis. As indicated in its Methodology, the Mechanism’s reliance on witness interview records and the disclosure of information therefrom depends on the witness’ consent, and on any conditions placed on use of materials by the sources. In addition, the Mechanism undertakes its own assessment to ensure the protection of potentially sensitive information and that information that could put witnesses at risk is not disclosed. This has resulted in the extensive removal or



redaction of relevant information and details provided by witnesses.<sup>62</sup> However, the overall analysis within the Report still reflects an inclusive justice approach based on their extensive testimonies, while ensuring respect for witness consent, security and privacy considerations. It is hoped that these testimonies can be directly heard in competent jurisdictions, with informed consent and any necessary protective measures, witness protection and support.

24. The second part of the Report (Section IV) describes the Syrian Government structures involved in the infliction of harms described by former detainees and reflected in Government documents pertaining to the functioning of the Government's detention system. This section is informed by an analysis of the Syrian legislative framework, Government documents, Mechanism recorded interviews, witness interview records provided by other sources, and corroborating evidence. It confirms that the Government actors and entities described by former detainees (in Section III) and appearing on analysed Government documents (in Section V) are Syrian Government entities.

25. The third part (Section V) describes the Syrian Government detention system, and the roles of various Government entities involved, from the arrest process through release, continued detention, or death of detainees due to torture or ill treatment. This analysis relies predominantly on Syrian Government documents obtained from multiple sources assessed to be reliable, as well as Mechanism recorded interviews, and witness interview records provided by other sources.

26. The Report also contains two substantive annexes: Annex A explains the Mechanism's mandate and methodology. Annex B provides a mapping of Syrian Government detention facilities where former detainees whose interview records were analysed in Section III were held. Where possible, the detaining entity names have been confirmed by reference to Syrian Government documents, as well as the parent/hierarchical units of the detention facilities. Geocoordinates are provided and mapped where available. Of the 128 Government detention facilities identified in witness accounts, 111 facilities were corroborated by Government documents as to official names of detaining entities. Mistreatment (torture, ill treatment and/or inhumane conditions) was reported in 92 of these facilities, with three or more witness accounts of mistreatment in 60 distinct facilities.



27. The Glossary appended at Annex C provides key Arabic terms and forms of torture, full citations, and hyperlinks for accessible open-source materials. Other referenced materials have been preserved in the Mechanism’s Central Repository and can only be shared with competent jurisdictions with the informed consent of the sources.

### **III. THE SYRIAN GOVERNMENT DETENTION SYSTEM HAS BEEN USED AS A TOOL TO INFLICT SEVERE PHYSICAL AND MENTAL HARM**

#### **A. Overview: severe physical and mental harm inflicted from arrest through release**

28. Throughout the detention experience—from arrest through release (or for those who did not survive, death)—detainees have been targeted by the Syrian Government for particular purposes. This targeting was driven by the Government’s policy to repress perceived political opposition by all means possible. As noted above, all four intelligence agencies and other security forces were called upon to arrest persons suspected of supporting or organising demonstrations, and “those who tarnish the image of Syria in foreign media and international organizations.” In response, they cast a wide net. Initially, certain groups were targeted, in particular, demonstrators and their supporters, students, and other young people, human rights activists, and journalists. This target list soon expanded to include anyone from restive neighbourhoods, health care workers and other persons providing humanitarian support (transporting food, medical supplies, services), suspected defectors, armed opposition members, and their family members or anyone else affiliated with them. Regardless of their roles or affiliations, both male and female detainees were accused of being “terrorists” and/or pressured to confess to terrorism-related or other offences that carried lengthy prison or death sentences.

29. Following their often traumatic arrests, hundreds of witnesses described the immediate violence and unbearable detention conditions, torture and other ill treatment from beginning to end. They consistently described—across dozens of Government-run detention facilities through Syria over the course of more than a decade—the subterranean,<sup>63</sup> overcrowded cells where they were starved and deprived of basic hygiene and medical care. Skin diseases, infections and illness



plagued them for the duration of their detention. Witnesses described daily beatings and sexual violence. In addition, they were exposed to threats of harm to others including children and family members, and witnessing the killings of other detainees which inflicted such psychological harm that it was considered by some to be worse than physical torture. Some detainees were singled out for especially harsh treatment due to their perceived political affiliation, being labeled as “terrorists” or “traitors” for simply coming from an opposition area. They were punished for violating “rules” of detention, including by praying, talking, or making eye contact with guards.

30. In addition to this daily abuse, witnesses described the extreme physical and psychological violence that accompanied interrogations, aimed at securing their confessions to specific crimes in line with Government directives and broadly defined terrorism-related offences. Harms inflicted during interrogations were especially severe as detainees were pressured to confess to predetermined charges to be used in their court cases, and to provide information and names of other targets to be shared with Syrian Government security forces.

31. While nearly all detainees experienced mistreatment, the specific forms of harm inflicted, why they were targeted, and the impact of these experiences has depended on factors including detainees’ political affiliation, religious sect, gender, age, place of origin, and socio-economic status. In addition, as Government actors sought to obtain the expected results (information, confessions and names of other suspects), they used the forms of torture that they deemed would be most effective, tailored to detainees’ individual characteristics and vulnerabilities. Within the overall context of nationwide political repression, Government actors discriminated against detainees for specific reasons, at all stages of the detention process. Beyond the overall context and targeting of certain groups for arrest, Government actors made derogatory and accusatory remarks during arrest, initial reception at detention facilities, ongoing mistreatment in detention, interrogations, and even in court, based on the detainees’ real or perceived political affiliation, religious identities, gender, and place of origin. In addition to demonstrating intent to discriminate, these derogatory remarks, which aimed at attacking victims based on their identity characteristics, caused harm in and of themselves.



32. According to many detainees who were interviewed, this often achieved the desired results, with long-lasting consequences for victims/survivors, their families, and communities. The harsh treatment the Government inflicted on vulnerable detainees including children, older persons, and persons with disabilities, not only harmed them disproportionately, but negatively impacted the mental well-being of the detainee population more broadly. Rather than benefitting from the protection and safety that Syria owes to children and persons with disabilities under the UN Conventions,<sup>64</sup> such detainees were subjected to the same, or even harsher, mistreatment, considering their age or disability.<sup>65</sup>

33. As described in detainee accounts summarised below, these harms intensified the overall coercive environment that prevailed across the detention system. According to former detainees, creating such an environment served the purpose of the detention system because it helped to push detainees to the breaking point, coercing them to admit to whatever interrogating officials wanted, and left emotional scars that would ensure that neither they, nor their communities, would dare consider opposing the Government again. [REDACTED].<sup>66</sup>

34. This section of the Report analyses these patterns of harm and their purposes, based on detainee experiences in Syrian Government detention facilities: (1) during arrests in relation to demonstrations, raids and checkpoints; (2) as the result of inhumane detention conditions; (3) ongoing physical and psychological mistreatment for the duration of detention; and (4) specific mistreatment during interrogations.

35. Patterns established through the accounts of hundreds of witnesses who survived Government detention are corroborated by other evidence within the Mechanism's Central Repository. Forensic medical expert reports analysed the photographed corpses of thousands of detainees who died in Government custody. Medical experts have provided forensic analysis of hundreds of medical evaluations of detainees who managed to survive. Other organisations have interviewed thousands of victims/survivors of Government detention and analysed quantitative data related to their treatment, which is wholly consistent with the patterns of violations and circumstances described in the personal accounts of former detainees analysed by the Mechanism.<sup>67</sup>





36. In addition, information from Syrian Government documents and witnesses who worked within its detention system, analysed in Section V of the Report, corroborate former detainee accounts and demonstrate the Syrian Government's role and response to reported torture and ill treatment, including sexual violence and enforced disappearance. This overall body of evidence shows that the pattern of physical and mental harm inflicted on detainees was severe, intentional, systematic, and intended to punish, intimidate, coerce, and discriminate against them, and to obtain information and confessions from them in line with Syrian Government directives.

**B. The Syrian Government's massive arrest campaign has targeted perceived opponents**

37. Since 2011, the Syrian Government has put a comprehensive system in place to ensure that anyone suspected of involvement in, or support for, opposition to the Government would be captured and brought under its control. Patterns of arrests and the coordinated deployment of a broad range of Government actors demonstrate implementation of the Government's overarching plan to repress opposition through all means it deemed permissible, including violent means. As detailed below,<sup>68</sup> the Syrian Government leadership instructed all intelligence agencies' security branches, notoriously known to have committed torture against political and opposition detainees in the past, to launch arrest campaigns and apprehend wanted persons for interrogation.<sup>69</sup> The Mechanism's analysis of the interview records of former detainees confirms that these instructions were implemented through mass arrests during or after protests, joint raids on homes and other locations, and the distribution of continuously mounting wanted lists to checkpoints and security branches throughout the country.

38. In most cases, violence, intimidation, and terror started from the moment of arrest. The scale and manner of arrests show this was not part of a legitimate criminal justice process, but rather reflected an overarching campaign to quash political opposition (and later armed opposition) by all possible means, including the commission of horrifically violent crimes. The Mechanism's analysis of arrests recounted by former detainees also reveals patterns regarding the reasons for individuals' arrests and the relevant context, which provides insight into who was targeted, aligned with Syrian Government policies and instructions.<sup>70</sup> The accounts of former detainees, discussed

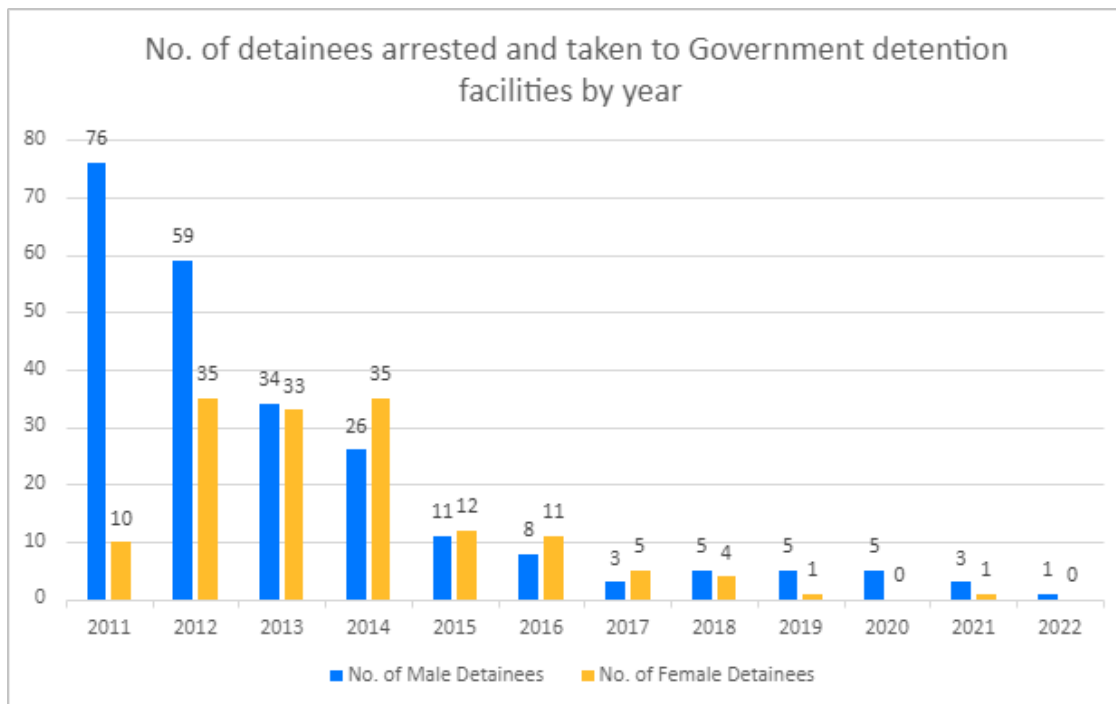


below, demonstrate that persons “wanted for crimes” included anyone perceived to be affiliated or involved in demonstrations or political opponents, to be referred for interrogation to identify and pursue “new targets”.<sup>71</sup> As a result, men, women, boys and girls were arrested and severely mistreated based on their real or perceived political affiliations and their intersecting identity characteristics.<sup>72</sup>

39. They were systematically arrested in line with Government instructions, using physical and psychological violence, often in front of family members. As confirmed by those left behind, this magnified the impact on families and communities and contributed to an overall climate of fear and coercion.<sup>73</sup>

#### 1. Timeline for arrests and detainee transfers

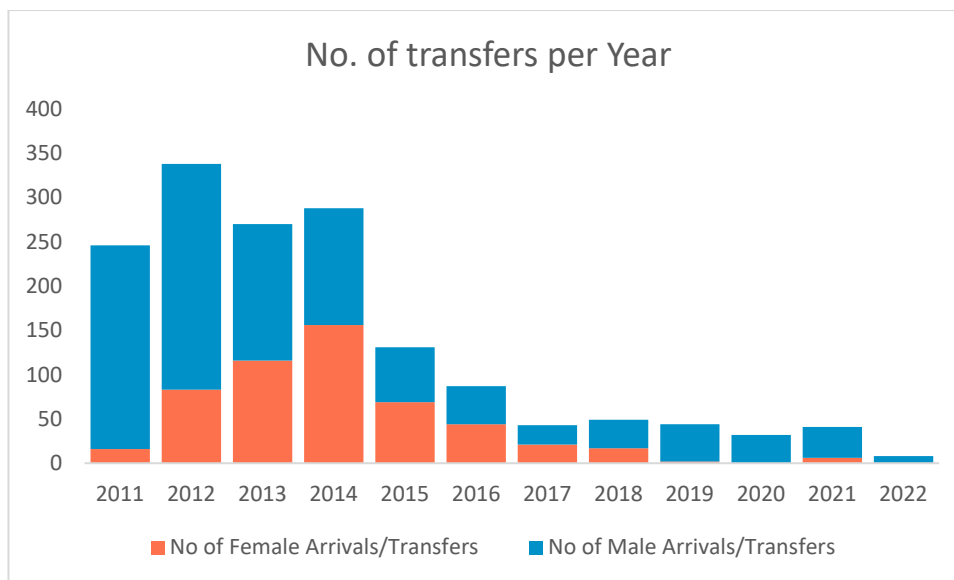
40. The analysis of former detainee interview records within the Detainee Experiences Dataset shows a high intensity of arrests of men and boys in the 2011-2014 period. According to the analysed accounts, the number of women and girls arrested increased in 2012 for a sustained period.



[This figure shows the number of detainees within the Detainee Experiences Dataset arrested and transferred to Government detention facilities according to the year of arrest. Other sources document additional, more recent arrests].



41. The Mechanism’s analysis of interview records confirms that, while the volume of arrests has decreased over time, arrests, transfers, and mistreatment in detention have continued. In addition to the witness accounts analysed as part of the Detainee Experiences Dataset, recent interviews with former detainees conducted by other sources corroborate more recent accounts, including between 2016-2023.<sup>74</sup> For most detainees, arrest only marked the beginning of their mistreatment in the Syrian Government’s detention system, as their interrogations and transfers through the system were accompanied by continued abuse and inhumane detention conditions. The level of detainee transfers to detention facilities in combination with new arrests reflects the ongoing nature of detention experiences amongst the detainees who survived and continued to be moved through the system.



*[This figure shows the number of interviewed detainees arriving at Government detention facilities per year, including transfers from one facility to another following arrest. This is limited to the Detainee Experiences Dataset and does not include the more recent accounts of former detainees described below.]*

42. These transfers and the mistreatment that occurred at the different stages of detention are explained by witnesses who described their transfers to multiple Government facilities and confirmed by Government documentation. Detainees were frequently transferred between different branches of the same intelligence agency, and across agencies. Transfers to another branch frequently brought a new round of interrogations and brutal mistreatment, picking up where



the previous branch left off. As explored further in Section V, Government documents indicate that these transfers required authorization, and relevant documentation accompanied detainees when they were transferred, including interrogation/investigation reports.<sup>75</sup>

43. Certain patterns emerge from the transfers, demonstrating the coordinated nature and scale of the network of Government detention facilities. When wanted by a central branch of an intelligence agency, individuals arrested by governorate branches were typically transferred from the governorate branch of that agency to the central branch. According to the experiences recounted by former detainees within the Detainee Experiences Dataset, transfers occur most frequently within the same intelligence agency, between central branches, or between central branches and governorate branches. For example:

- Within the dataset, there are 57 instances of detainees being transferred from Military Intelligence central branches to other Military Intelligence facilities (five governorate branches as well as other central branches). These transfers span the period from July 2011 to February 2022 and relate to 10 female and 38 male detainees;
- The data shows 21 instances of detainees being transferred from General Intelligence central branches to other General Intelligence facilities. These transfers span the period March 2011 to July 2018 and relate to 11 female and six male detainees;
- The data also shows six instances of male detainees being transferred from Air Force Intelligence central branches to other Air Force Intelligence facilities, within the period August 2011 to May 2019.

44. Where the arrested person is wanted by more than one agency, inter-agency transfers occur.

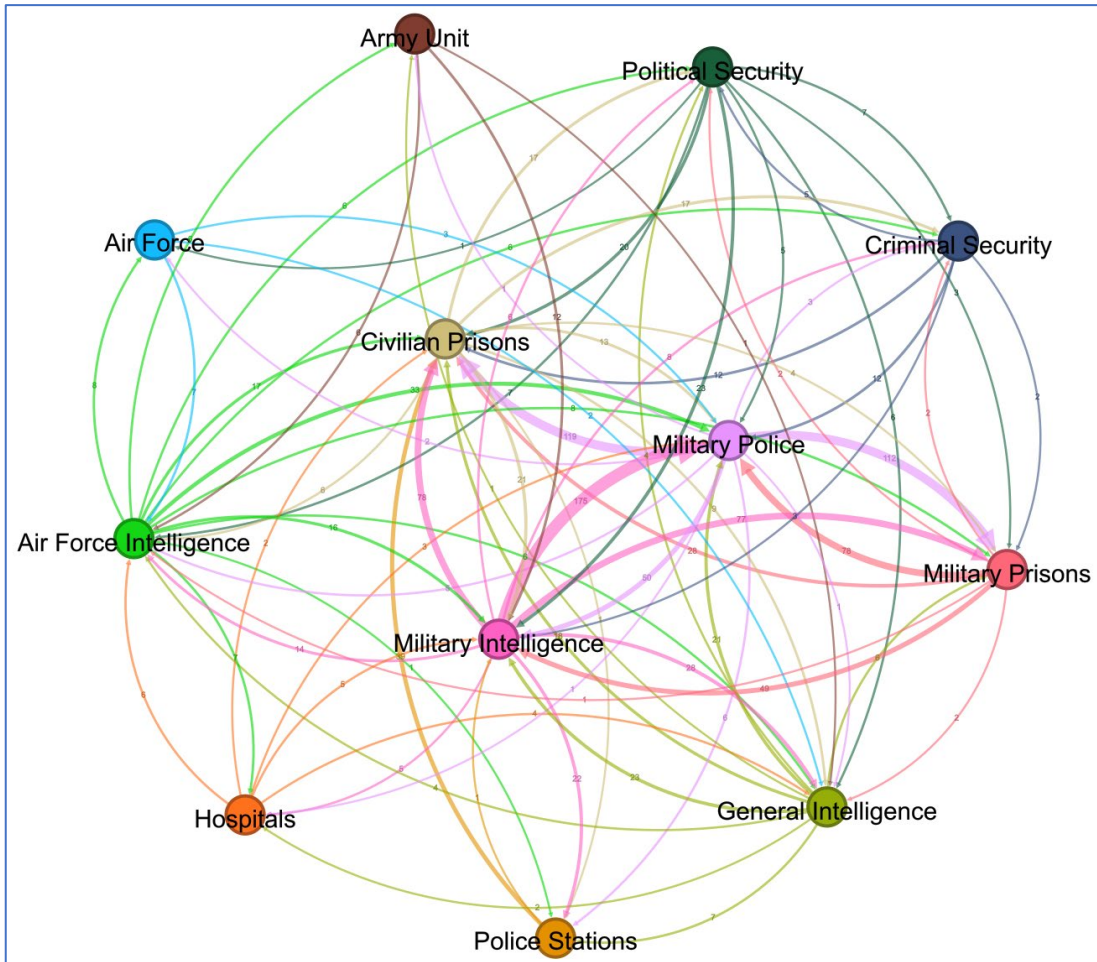
For example:

- Fifteen detainees were transferred from Political Security facilities in Damascus to other agencies, namely seven to Military Intelligence facilities, five to General Intelligence facilities, two to Criminal Security facilities and one to an Air Force Intelligence facility;
- Ten detainees were transferred from Military Intelligence Branch 235 to other agencies, namely eight to General Intelligence facilities, one to Political Security facilities and one to Criminal Security facilities;
- Eleven detainees were transferred from Air Force Intelligence facilities at Mezzeh Airbase to other agencies, namely six to Military Intelligence facilities, three to General Intelligence facilities and two to Political Security facilities.



45. Although detainees' paths through this system were not always linear, particularly if wanted by more than one branch or intelligence agency, if they survived, most detainees would eventually interact with the judicial system. Once transferred from intelligence facilities, many detainees continued to be held in Government prisons while waiting for and attending court sessions, often for long durations with case adjudication and release contingent on the payment of bribes.<sup>76</sup> Many detainees from Military Intelligence Branches were transferred to the First Military Prison (Sednaya) after being sentenced by the Military Field Court in al-Qaboun.<sup>77</sup>

46. The image below illustrates the interconnected nature of this system of transfers across Syria, for each of the depicted Government entities responsible for detention (all branches combined). The transfer data derives from the Mechanism's analysis of 332 witness interview records (207 male and 125 female former detainees), plotted on a single network graphic. Detainees were transferred between entities in the direction of the connecting arrows. The number of transfers is reflected in the thickness of the connections. This graph does not take into account transfers to and from detention facilities belonging to the same entities (for example, transfers between Military Intelligence branches), nor transfers to and from facilities for which the managing entity is not known.<sup>78</sup>



Created using Gephi software

47. As described further in this section, once detained, arrested persons were immediately subjected to violence and unbearable detention conditions, torture and other ill treatment, which was often repeated in each facility. The coordinated transfers within the Government detention system often ensured that detainees would experience such harms in multiple Government facilities.<sup>79</sup>

## 2. Reasons for arrest

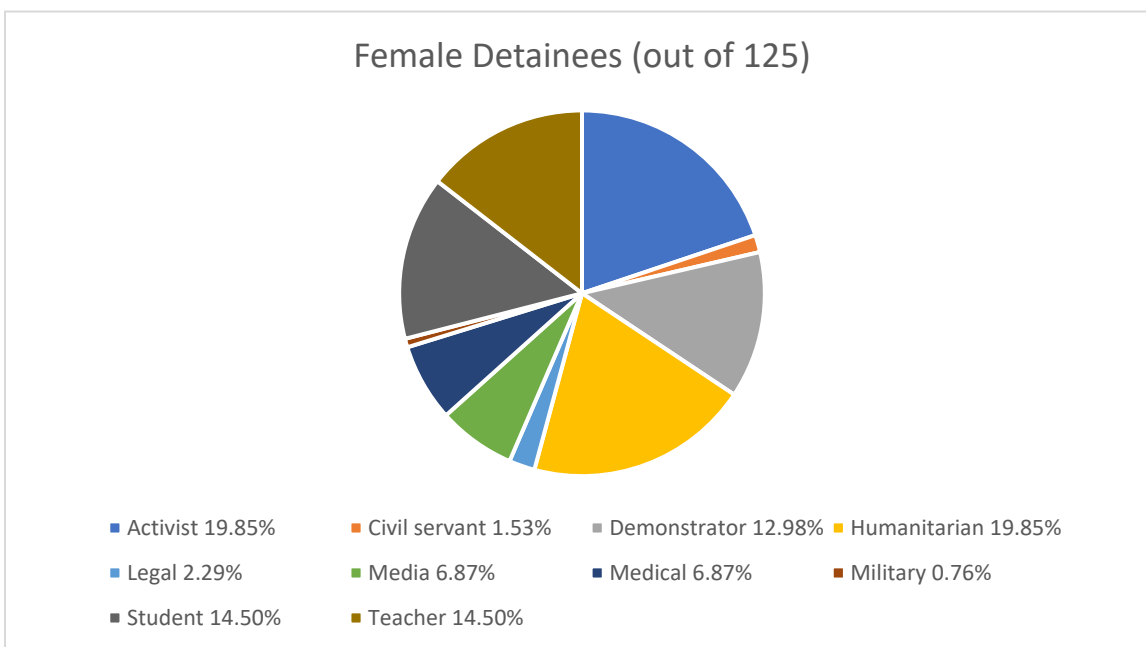
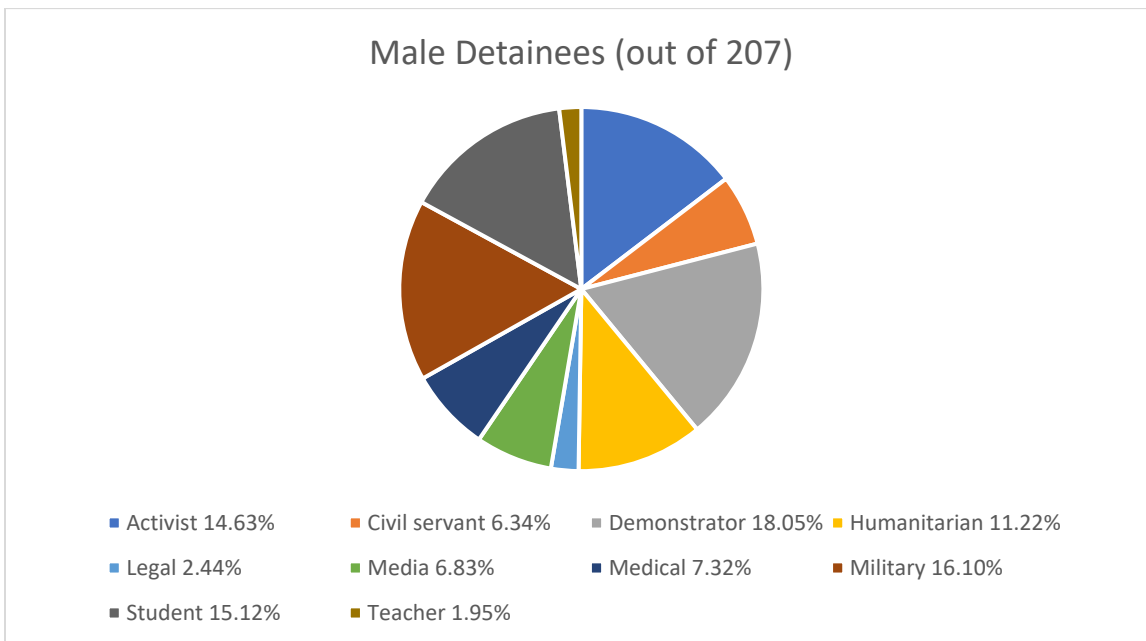
48. Witnesses were not officially informed of the specific reasons for their arrest. However, the context of their arrests (for example, during, after or *en route* to demonstrations, having their phones, computers or identification checked) shows a connection with efforts to suppress



Government opposition and organisers of demonstration. Their roles, or perceived roles, often influenced their targeting for arrest, as well as questions during interrogation and treatment in detention, with allegations repeated in court.<sup>80</sup> The Mechanism’s analysis reveals patterns in arrests of persons fulfilling particular roles that the Government perceived as opponents, and frequently labelled “terrorists” or supporting terrorists, for example:

- Demonstrators and activists;
- Students;
- Teachers;
- Persons working in media;
- Persons with humanitarian roles, including persons distributing, food, medicine, and other humanitarian assistance, working for different UN agencies or other relief agencies;
- Persons working in the medical profession or in a medical support role;
- Persons with legal roles;
- Civil servants; and
- Members of the military.

49. As discussed in the relevant sections below, persons in all these roles or perceived roles, their family members or affiliates, were labelled “terrorists” and “traitors” throughout their detention experience by interrogators, guards, other security personnel, and even judges.



50. Arrests during and after protests, in raids on peoples' homes and at checkpoints throughout the country were accompanied by violence that terrorised the arrestees as well as their families and communities. In the following section, the detention facility names and dates listed in the supporting references refer to the initial Government facility where arrested persons were taken following their arrest and the year of arrest.





### 3. Arrests during/after demonstrations

51. Answering the call of the Syrian Government leadership to “arrest inciters of demonstrations”, their funders and organisers “in order to put an end to demonstrations in the country’s governorates”,<sup>81</sup> waves of arrests followed demonstrations as they spread throughout Syria in the spring of 2011. Witnesses were arrested during or immediately after demonstrations, as part of searches and raids on particular neighbourhoods, and at checkpoints due to their earlier participation in demonstrations. Many young people were swept up in the first waves of arrest, including adolescent children,<sup>82</sup> and female demonstrators arrested for taking part in the peaceful demonstrations or filming the protests.<sup>83</sup> Demonstrators were arrested at protests,<sup>84</sup> intercepted while *en route* to demonstrations, or as they left.<sup>85</sup> Several witnesses reported that “*shabiha*” participated in or conducted these initial arrests before they were brought to intelligence facilities.<sup>86</sup> As explained in the section on relevant Syrian Government Structures, “*shabiha*” is a colloquial, pejorative term used to refer to pro-Government militias and loyalists.<sup>87</sup> Over the course of the period covered by the Detainee Experiences Dataset, a significant percentage of male and female arrestees within the dataset were identified as:

- Demonstrators (more than 18 percent of male and nearly 13 percent female interviewees);
- Activists (nearly 15 percent of male and 20 percent of female interviewees);
- Students (more than 15 percent of male and 14 percent of female interviewees); and
- Teachers (nearly two percent of male and more than 14 percent of female interviewees).

52. The majority of witnesses arrested reported physical and psychological mistreatment during their arrest and/or initial transfer.<sup>88</sup> Many witnesses reported that they were severely beaten during the arrest and initial transfer to a detention facility, including being hit in the head and face, struck with rifle butts and kicked.<sup>89</sup> Witnesses reported they were forced into vehicles, dragged, and “carried like a garbage bag”.<sup>90</sup> A witness described how security forces and *shabiha* dispersed demonstrators, pushed them into the back of a car and the trunk, and physically attacked them on the way to the intelligence branch, saying “this is the freedom you want”.<sup>91</sup> Two witnesses reported that female arrestees were subjected to sexual violence and to beatings, in one case including with an electric baton.<sup>92</sup> Several witnesses also reported being subjected to threats,



including threats against their families, and insults, including insulting their religion, their “honour” and family members, including female family members using words with sexual connotations.<sup>93</sup>

#### 4. Arrests at checkpoints

53. As discussed below, the Syrian Government’s systematic issuance of wanted lists and network of checkpoints were used to arrest and detain any perceived opponents throughout Syria.<sup>94</sup> For both male and female witnesses, checkpoints were the most commonly reported place of arrest. Many witnesses reported that they were arrested after their identification was checked, because they appeared on “wanted” lists either in their own right,<sup>95</sup> or because family members were wanted or suspected of involvement with anti-Government movements or groups.<sup>96</sup> Having family in an area under siege could be enough to lead to arrest.<sup>97</sup> A witness whose family members were blamed for “terrorist” acts felt such fear during her transfer from the checkpoint to the detention facility that her “blood went cold.”<sup>98</sup> Several witnesses indicated that male and female “*shabiha*” conducted or participated in their checkpoint arrests and brought them to intelligence facilities.<sup>99</sup>

54. While not all arrests at checkpoints were described as violent, many involved extreme violence and threats of violence, even from the moment arrestees were stopped. Witnesses were either stopped while traveling on foot or instructed to exit vehicles at checkpoints, and in some cases, forcibly dragged out.<sup>100</sup>

55. Numerous witnesses reported physical and verbal abuse during the arrest, most commonly being beaten and kicked while handcuffed, at times severely.<sup>101</sup> At least two male witnesses reported that they were made to strip.<sup>102</sup> Some were subjected to brutal beatings<sup>103</sup> and violent interrogations<sup>104</sup> before transfer to a detention facility. Female witnesses reported being subjected to sexual assault or harassment during the course of the arrest.<sup>105</sup> Witnesses were called “terrorists”,<sup>106</sup> threatened with being cut into pieces, and subjected to insults to their “honour” and religion.<sup>107</sup> Female witnesses were called “whores” or other sexualised comments intended to humiliate them.<sup>108</sup> Two female witnesses also reported removal of religious clothing during their arrest. One witness reported being beaten until she fell down, at which point her veil was removed, put around her neck, and then used to drag her on the ground into a nearby building.<sup>109</sup> Another



female witness also reported that her religious dress was removed during her arrest, and that she was touched on her breasts and stomach.<sup>110</sup>

56. Several witnesses who were not subjected to physical violence nevertheless reported that the arrest experience was traumatic, as they were physically threatened and separated from family members.<sup>111</sup> In multiple cases, witnesses reported that they were stopped at checkpoints while traveling with their family. Arrested persons were often separated from family members, including their children.<sup>112</sup> Their family members then had to continue on with their journey, leaving their arrested family member behind.<sup>113</sup> Witnesses were arrested in front of their children,<sup>114</sup> or separated from parents who were crying during the course of their arrest.<sup>115</sup>

57. In some cases, family members were pulled out of cars,<sup>116</sup> arrested together with the witness (including children),<sup>117</sup> and/or beaten together.<sup>118</sup> In one case, a witness reported that she was arrested at a checkpoint along with her husband and toddler.<sup>119</sup> In other cases, witnesses were threatened with the arrest of their family members,<sup>120</sup> or even killing or raping family members.<sup>121</sup>

##### 5. Arrested during raids/arrest operations

58. As directed, the goal of these arrest campaigns and raids was to cleanse the area of wanted persons, and “maintain control” of the sector by organising security and Baath party presence, “so that no wanted person can seek shelter there again”.<sup>122</sup> Raid and arrest operations led to a high number of arrests amongst the detainee accounts analysed by the Mechanism, most frequently from a family home, but also from places of work or study, cornered in schools, shops, and offices.<sup>123</sup>

59. Some witnesses noted that armed Syrian security forces burst into family homes specifically seeking to arrest or detain the witness, identifying them by name.<sup>124</sup> Male witnesses reported being beaten, humiliated and insulted during their arrest, including related to their honour and religion.<sup>125</sup> While a female witness was in her bedroom with an ill relative, a guard entered and told her “Get up, screw your God.”<sup>126</sup> During these raids, Syrian Government forces beat, kicked and hit witnesses in the head, handcuffed them and put jackets or sweaters over their heads.<sup>127</sup> Several female witnesses reported sexual violence in the form of sexual touching and/or



threats of rape.<sup>128</sup>

60. Raid-related arrests typically occurred late at night or early in the morning. Many witnesses reported that these raids involved large groups of armed individuals entering their homes.<sup>129</sup> These raids were often accompanied by a search of the premises, including the confiscation of electronic devices.<sup>130</sup> In some cases, individuals from the same home or neighbourhood would be arrested in groups.<sup>131</sup> Multiple members of a family were often arrested together.<sup>132</sup> In some cases, entire families were arrested, and in other cases the adults were arrested, leaving the children alone at home.<sup>133</sup> Arrested persons described witnessing the violent abuse of their family members, including a woman whose child was thrown to the ground.<sup>134</sup> Syrian Government forces also beat and abused the persons they arrested in front of their parents, spouses and children.<sup>135</sup>

**C. Inhumane conditions of detention have been a pervasive part of the system used to coerce and punish detainees**

61. Hundreds of detainees held in the mapped Syrian Government facilities suffered ill treatment as a result of appalling detention conditions described below. These conditions have included ongoing physical harm sufficiently severe to cause death and adverse long-term consequences, caused by the lack of hygiene, dark, damp, unventilated, infested cells, lack of sufficient food and water, lack of medical care, overcrowding, forced labor, and lack of adequate care for infants and pregnant women. Medical forensic expert reports analysing the photographed corpses of thousands of detainees who died in custody, and the forensic medical evaluations of hundreds of surviving detainees, provide corroborative evidence that is wholly consistent with the facts and circumstances described in the personal accounts of former detainees analysed by the Mechanism. This body of evidence shows that the pattern of inhumane conditions inflicted on detainees was intentional, systematic, and intended to punish, intimidate, coerce, and discriminate against them.

62. Out of 128 Government detention facilities identified by witnesses, inhumane conditions of detention were described in 101 facilities based on accounts of former detainees held between 2011 and 2022. Inhumane conditions were not reported in 27 detention facilities,<sup>136</sup> in relation to which only a few interview records were reviewed, as they were outside the focus of the



Mechanism’s detention line of inquiry within its Structural Investigation. The referenced experiences of detainees are only illustrative to canvass the experiences of detainees held at various facilities during different time periods, organised into sections on: (1) detention facilities of security branches, Military Police and military units; (2) civilian prisons; and (3) military prisons. In addition to these illustrative cases, many other witnesses provided similar accounts.

63. Witnesses frequently reported being held in civilian or military prisons following their detentions within security branches. Adra civilian prison and Sednaya military prison were two of the 10 detention facilities that featured in the Detainee Experiences Dataset. For purposes of describing the locations of detention facilities, “security branches” refers to the branches of the four main intelligence agencies and Criminal Security.<sup>137</sup>

64. While detention conditions were uniformly described as horrific across intelligence agency facilities and military prisons, conditions in civilian prisons—where many detainees were transferred and held for lengthy periods following their torture at intelligence branches—were typically described as comparatively better. The harms experienced by detainees in civilian prisons therefore differed, particularly for detainees in vulnerable situations such as women, children, older persons, persons with disabilities, and detainees who could not afford to purchase medicine, medical care, or other necessities. In military prisons, particularly Sednaya, extremely severe detention conditions prevailed over extended periods of time, impacting male detainees almost exclusively.

65. Witnesses indicated that the Syrian Government held detainees in Adra immediately before, during or after their appearance(s) before military or civilian courts. Similarly, many witnesses who were held at Sednaya reported that they were transferred to Sednaya after making an appearance at or being sentenced by the Military Field Court. For this reason, the civilian and military prisons are analysed separately and reflect a larger number of detention experiences in Adra and Sednaya prisons.



1. Detention conditions in security branches, Military Police and military units, and military hospitals

66. This section describes detention conditions in 87 detention facilities, based on the accounts of former detainees held in Government detention facilities from 2011 until 2021. The later accounts of detainees recounted in this section are corroborated by other witnesses detained between 2016 and 2023, as described below.<sup>138</sup>

67. Following their violent arrests, former detainees described the experience of being taken underground, and immediately exposed to extremely harsh detention conditions including overcrowded, cold, damp, and dark cells, with insufficient food, lack of hygiene and completely inadequate medical treatment. They described patterns of disease, starvation, psychological harm, physical and mental illness and death. While all detainees were exposed to these inhumane conditions, some conditions had distinct impacts on women, children, older persons, and persons with disabilities. According to witness accounts, such conditions led to the deaths of male detainees in high numbers.

*a. Underground cells*

68. Detainees were frequently brought down to cells located underground in detention facilities run by the intelligence agencies in both central and governorate security branches and by the Military Police.<sup>139</sup> Other witnesses were held underground in solitary confinement.<sup>140</sup> They described the underground cells as humid, filthy, and poorly ventilated.<sup>141</sup> The underground cells were cold, damp, and moldy,<sup>142</sup> and exacerbated the spread of skin diseases.<sup>143</sup> The lack of ventilation in underground cells caused suffocation,<sup>144</sup> respiratory illness, and the spread of disease.<sup>145</sup> Due to poor lighting and the absence of sunlight,<sup>146</sup> detainees could not distinguish their days from their nights.<sup>147</sup>

69. In addition to the physical harms, former detainees described the severe psychological impact caused by these conditions, being held in isolation or darkness, including severe depression and a constant state of fear.<sup>148</sup> Witnesses who were detained while they were children also reported being held in solitary-confinement cells that were dark, windowless, and/or infested with insects



and rodents.<sup>149</sup> One former child detainee reported that guards left him alone in an isolation cell with a corpse, which started to decompose and smell after two days.<sup>150</sup> Other witnesses observed their co-detainees suffering from hallucinations, psychotic breaks, and other mental illnesses, which they believed led to death.<sup>151</sup>

*b. Overcrowded cells*

70. The vast majority of male and female witnesses, across different security branches and other Government detention facilities, described being held in overcrowded cells,<sup>152</sup> often with poor ventilation, making it difficult to breathe.<sup>153</sup> Due to the cramped conditions, witnesses reported that they would take turns sleeping, standing, crouching, or sitting to rest.<sup>154</sup> Detainees would sleep on their side with their head at the legs of another detainee.<sup>155</sup> Witnesses described being detained in cramped cells,<sup>156</sup> with no space to sleep or lie on the floor.<sup>157</sup> A witness stated that some detainees were in critical condition but could not get sufficient sleep. They felt shortness of breath and suffocation. Some had to stand to make space for others to lay down in rows, like “matches in a box”.<sup>158</sup>

*c. Inadequate food and water*

71. The Syrian Government fed detainees in its custody food that was poor in both quantity and quality. One witness said hunger and malnutrition were apparent in all the detainees’ faces and bodies.<sup>159</sup> [REDACTED].<sup>160</sup> Witnesses reported that guards would provide only one or two meals per day, usually boiled potatoes<sup>161</sup> or dry, rotten bread.<sup>162</sup> Guards would feed them food that was rotten, worm-infested, or meant for animals.<sup>163</sup> This led to constant hunger, which often resulted in weight loss,<sup>164</sup> illness,<sup>165</sup> or death.<sup>166</sup> Even if the food was rotten or otherwise inedible, guards would beat detainees who refused to eat, accusing them of engaging in hunger strikes.<sup>167</sup>

72. The Syrian Government also deprived detainees of sufficient hydration, leaving them in a state of constant and desperate thirst.<sup>168</sup> These conditions reduced detainees to having to drink water from the shared toilet faucet or sink, using either their hands or the one small, dirty cup that the guards provided.<sup>169</sup>



*d. Lack of medical treatment*

73. The Syrian Government deprived detainees of appropriate medical care that exposed detainees to infections and illnesses, left serious medical conditions untreated, and resulted in serious injuries.<sup>170</sup> This rendered vulnerable detainees and those with medical conditions particularly at risk and sometimes caused death.<sup>171</sup>

74. Prisoners who asked for medical treatment were called “traitors” and beaten by the guards.<sup>172</sup> Occasionally, doctors visited the detention facilities, but did not provide adequate medical care to detainees to treat their wounds or illnesses.<sup>173</sup> Detainees contracted tuberculosis.<sup>174</sup> Untreated wounds became badly infected.<sup>175</sup> Detainees who were taken to hospital for treatment faced further abuse, including being beaten, hearing others being tortured, and several detainees being bound while naked to a single bed.<sup>176</sup>

*e. Inadequate hygiene*

75. Witnesses reported disastrous hygiene conditions due to vermin infestation<sup>177</sup> and inadequate provision of toilet facilities,<sup>178</sup> causing detainees to defecate on themselves in crowded cells.<sup>179</sup> These conditions, and the consumption of rotten food, caused many detainees to suffer from diarrhea, which led to the deaths of many who were not provided treatment.<sup>180</sup>

76. These inhumane conditions were exacerbated for some female detainees who were not provided sanitary feminine hygiene products<sup>181</sup> and had to use torn-off pieces of their own clothing and other non-sanitary products.<sup>182</sup> Where products were available for purchase, they were sometimes overpriced and not all detainees could afford even basic sanitary care items such as soap.<sup>183</sup>

*f. Lack of prenatal and postnatal care, and care for infants*

77. Pregnant women and their babies faced especially dire conditions. Several witnesses reported that co-detainees suffered miscarriages, including due to torture, lack of adequate medical care, or that were self-inflicted to terminate pregnancy from rape in detention.<sup>184</sup> [REDACTED].<sup>185</sup> In two cases, pregnant detainees were taken to hospital shortly before their





delivery and brought back to the security branch within a couple of hours, in one case with her newborn baby who immediately contracted lice due to lack of hygiene in the cell.<sup>186</sup> Newborn babies suffered from insufficient weight<sup>187</sup> and deprivation of essential needs in detention, such as correctly sized diapers,<sup>188</sup> sufficient formula or food, and clothes needed for cold cells in the winter.<sup>189</sup>

*g. Forced labour*

78. Detainees were also subjected to forced labour. They had to clean offices, bathrooms or interrogation rooms, inspect the new arrivals, remove dead bodies and clean the corridors from blood, serve as a “cell supervisor”, or distribute food.<sup>190</sup> Children were among the detainees who were forced to carry out tasks for intelligence agency personnel. A child detainee reported being beaten while being forced to clean the toilets.<sup>191</sup> Another witness described seeing a young child cleaning the branch’s floors where they were detained.<sup>192</sup> [REDACTED].<sup>193</sup>

2. Detention conditions in prisons

79. Following detention in intelligence and Military Police branches, many detainees were moved to civilian or military prisons, often for extended periods. Compared to the conditions in intelligence branches, most detainees reported that conditions were better in civilian prisons, but not in military prisons. While security branches held detainees in connection with “investigations” which typically meant interrogations under torture and keeping detainees in conditions that would make them more likely to provide confessions, civilian and military prisons served a different purpose. They typically held detainees for longer periods, often years, while they awaited court hearings or served sentences.



*a. Civilian prisons*

80. This section covers detention conditions in 10 civilian prisons, based on detainee experiences between 2011 and 2022.<sup>194</sup> Unlike the rooms and basement cells at the security branches, the civilian prisons were established, official prisons. Conditions were therefore comparatively better than the appalling conditions in the security branches, but still inhumane in many ways, including severe overcrowding. Many detainees arrived at the prisons after having been tortured in security branches without knowing when they would be released. This put detainees in an especially vulnerable position and exposed them to exploitation, particularly female and child detainees, including pregnant detainees and infants, and detainees who could not afford to purchase medicine, medical care, food, or other necessities.

81. Compared to their treatment in security branches, witnesses often described the significant improvement of conditions in the civilian prisons, especially for those who could pay for beneficial treatment. One detainee described Adra Central Prison as being “like a five star hotel” compared to the security branches where she had been detained, beaten, kicked, insulted, tortured, and held in solitary confinement before her transfer.<sup>195</sup> Family visits and calls were generally permitted in civilian prisons,<sup>196</sup> and detainees often received medical treatment.<sup>197</sup> The cells in civilian prisons were larger than the cells in the security branches,<sup>198</sup> detainees generally had access to showers,<sup>199</sup> and many detainees had beds to sleep in, although some slept on the floor.<sup>200</sup> Some former detainees described the food provided as adequate at Adra,<sup>201</sup> but poor and insufficient at other civilian prisons.<sup>202</sup> Several witnesses reported being able to buy food with their own money in Adra Central Prison.<sup>203</sup>

82. Conditions at civilian prisons were nonetheless inhumane in many ways, leaving some detainees physically and emotionally scarred. Although the cells were often larger than in the security branches, civilian prisons were still often overcrowded because detention personnel placed a large number of detainees in small cells.<sup>204</sup> One detainee said her cell at Suweida Central Prison was so crowded the people were forced to sleep on the floor between the beds and were often stepped on by the other detainees.<sup>205</sup> Conditions at the civilian prisons rendered the women and children being detained there particularly susceptible to sexual and financial exploitation,



whereby they could also face solitary confinement if they refused or could not pay.<sup>206</sup>

83. Though some detainees reported that medical treatment was more readily available at civilian prisons, some witnesses said they had to buy medications at their own expense.<sup>207</sup> And medical care was often far from adequate. Two women delivered their babies in detention without adequate medical care and then were taken to a hospital with their newborns.<sup>208</sup> One witness reported that a newborn baby was always crying and sick.<sup>209</sup> Two other witnesses reported that newborn babies had died shortly after birth.<sup>210</sup> Other detainees reported that they received none of the medical care they needed while they were detained in civilian prisons.<sup>211</sup>

*b. Military prisons*

84. In general, witnesses have described the detention conditions in military prisons as considerably more severe than in civilian prisons. This section describes detention conditions in the First Military Prison (also known as Sednaya Prison, near Damascus) and Third Military Prison (also known as al-Balouna Prison, in Homs), based on detainee experiences from 2011 to 2022. Experiences in other military prisons were not analysed in detail due to the limited number of relevant interviews in the Detainee Experiences Dataset, and/or the fact that the experiences pertained primarily to transfers through these prisons.

85. All the survivors of Sednaya Prison detention whose accounts were reviewed by the Mechanism were men and boys.<sup>212</sup> They reported that the prison was extraordinarily filthy, violent, and lethal to its detainees, who died from inhumane detention conditions, severe beatings, torture, illness, starvation, and dehydration. One survivor said that of the 35 men detained in his 4-metre-by-6-metre cell, only a few survived.<sup>213</sup> [REDACTED].<sup>214</sup>

86. Sednaya prisoners suffered from a constant lack of food and water.<sup>215</sup> Some prisoners drank their own urine to survive, only to die anyway.<sup>216</sup> [REDACTED].<sup>217</sup> Another witness reported that the guards would withhold water from a cell until someone died, and then only provide one glass of water for the entire cell.<sup>218</sup> Food and water became an all-consuming obsession for Sednaya detainees. One witness said he only thought about his hunger and thirst, to the point that he was no longer thinking about his family.<sup>219</sup> [REDACTED].<sup>220</sup> Guards threw



cleaning detergents onto the cell floor, then threw the food on the floor so the two would mix. Sometimes, they threw food directly on the detainees, or tainted it with the blood of a cellmate whom they had beaten.<sup>221</sup> [REDACTED].<sup>222</sup> Some detainees were so malnourished and underweight upon their release that they required special medical care.<sup>223</sup> Other detainees were so weak that they were taken to Tishreen Military Hospital and did not return.<sup>224</sup>

87. The cells at Sednaya Prison were overcrowded<sup>225</sup> and dirty.<sup>226</sup> Prisoners were held in sometimes-frigid cells when they were completely naked or clothed only in their underwear, causing some prisoners to die of exposure.<sup>227</sup> On a snowy day in 2012, guards ordered some Sednaya detainees to strip naked, get down on their knees, and cover their eyes with their hands. The guards then threw cold water on the detainees. They huddled together to try to stay warm, but three detainees died. The guards left bodies in the cell until the next day. A surviving detainee said he heard the guards count out 15 other detainees who died that day because of the cold.<sup>228</sup> The inhumane conditions also caused the detainees to contract tuberculosis,<sup>229</sup> and to suffer from exposure to lice<sup>230</sup> and scabies.<sup>231</sup> Sednaya Prison provided little to no medical care to its detainees.<sup>232</sup> In some cases, detainees feared asking for medical help because such requests resulted in being beaten<sup>233</sup> or being taken to Tishreen Military Hospital—which the detainees feared might leave them in an even worse situation.<sup>234</sup>

88. Detainees at Sednaya were not allowed to talk,<sup>235</sup> pray, or look at the guards.<sup>236</sup> [REDACTED].<sup>237</sup> As described in the section on physical harm below, Sednaya prisoners' detention conditions included regular beatings and torture by guards.<sup>238</sup> These severe detention conditions led to mental harm as detainees struggled to cope with the constant exposure to appalling conditions, sometimes resulting in death.<sup>239</sup>

89. Some witnesses recalled receiving family visits for a short period of time,<sup>240</sup> but they could be subjected to severe beatings afterwards.<sup>241</sup>

90. [REDACTED].<sup>242</sup>

91. Even though al-Balouna Prison was not included in one of the 10 key facilities of specific focus in the analysed dataset, many of the detainee accounts relating to the facilities in the dataset



also referenced time spent in this prison. A similar number of witnesses described experiences in al-Balouna Prison and Sednaya Prison (approximately 50 witnesses per prison). This could be due to the use of al-Balouna Prison as a temporary stopover before being transferred to Damascus<sup>243</sup> or Aleppo,<sup>244</sup> in addition to serving as a longer-term prison. Witnesses could remain for as little as half an hour in al-Balouna,<sup>245</sup> or their detention there could last for years.<sup>246</sup> In contrast to Sednaya Prison, several women were amongst the witnesses who transited through al-Balouna Prison, but most of the witnesses who spent more than a week there were men and boys.<sup>247</sup> All witnesses who described the detention conditions at al-Balouna provided accounts of overcrowded and inhumane conditions.

92. One interviewee described al-Balouna Prison as entering “the journey of death”.<sup>248</sup> Food was insufficient, and of poor quality, sometimes even rotten.<sup>249</sup> Drinking water came from unsanitary sources, with one interviewee reporting that he drank from a water faucet in the bathroom while other detainees were forced to drink water from the toilet and bathroom floor.<sup>250</sup> The cells were underground and wet, like being in a sewer.<sup>251</sup> Detainees reported being held in overcrowded cells,<sup>252</sup> with hardly any place to sleep,<sup>253</sup> which made them feel dehumanised and treated like a slave.<sup>254</sup> Moreover, lice and scabies were spread throughout the cell, causing skin diseases.<sup>255</sup> Guards beat detainees who violated strict rules within the prison—including prohibiting detainees from talking,<sup>256</sup> lifting their heads,<sup>257</sup> showering,<sup>258</sup> or praying.<sup>259</sup> Female detainees were kept in a cell or a locked room.<sup>260</sup> Witnesses held for long periods reported that they were able to receive visits at al-Balouna Prison.<sup>261</sup>

93. In addition to these inhumane conditions, detainees were subjected to physical and psychological abuse throughout their detention, which is included in the analysis across all facilities below.<sup>262</sup>

### 3. Corroborative medical forensic evidence

94. Medical forensic evidence further corroborates detainee accounts of disease, dehydration, and starvation. A medical forensic institute conducted a forensic analysis of the 6,821 individuals depicted in the Caesar photographs assessed to have been detainees and produced several reports which describe the general condition of the bodies shown in the photographs, categorise them



according to age, gender, conspicuous features, the numbers visible on the corpses, and provide a description of the bodies with indications of ill treatment, torture, violence, and the presumed cause of death.<sup>263</sup> All the named facilities according to which the Caesar photographs were categorised have been confirmed in detainee accounts and Government documents analysed by the Mechanism, and mapped in Annex B.<sup>264</sup> The forensic reports concluded that about 70 percent of the bodies showed signs of food deprivation, neglect or injuries, or a combination of these factors:<sup>265</sup>

- More than 60 percent were in a weakened nutritional and medical state, sometimes significantly, and showed “extensive wasting and emaciation” most likely caused by food deprivation.<sup>266</sup> More than a third of the bodies photographed exhibited an extent of visible bodily emaciation that was so pronounced that “the visible finding can easily be considered the cause of death”;<sup>267</sup>
- Many bodies also showed signs of extensive skin diseases, evidencing cases of long-term, significant hygiene deficiencies in combination with injuries, malnutrition and parasite infestations.<sup>268</sup> Numerous bodies presented skin lesions that were likely a manifestation of prolonged neglect of personal hygiene and a lack of medical care. Malnutrition and physical and mental/psychological trauma “can heighten the risk of such skin lesions”;<sup>269</sup>
- Many of the people photographed were obviously in urgent need of medical care but had not received it.<sup>270</sup>

95. Forensic medical evaluations of victims/survivors who were released from detention further demonstrate the long-term negative impacts of such inhumane detention conditions.<sup>271</sup>

96. In addition, a report produced by medical experts analysing the forensic medical evaluations of 222 former detainees held in Syrian Government detention facilities (“LDHR Expert Report”) concluded that “adverse conditions of detention were reported by virtually all detainees.”<sup>272</sup> The forensic medical evaluations of the former detainees,<sup>273</sup> comprising the cases of 142 men and 80 women (including seven under 18 years of age at the time of their first detention), reflected a “nearly universal lack of access to sufficient food/water (95.9 percent), light (91.4 percent), fresh air (91 percent), hygiene (97.3 percent), or privacy (95 percent).”<sup>274</sup> Most of the former detainees also reported detention conditions that included exposure to sleep deprivation (82.4 percent), extreme temperatures (73 percent), and insects/animals (58.6 percent).<sup>275</sup>

97. These experiences are likely to have a yearslong, if not permanent, impact on the lives of the surviving detainees. According to the LDHR Expert Report, “[i]t has been well documented



that all forms of sensory deprivation can result in profound and long-lasting psychological consequences including depression, anxiety, concentration, memory, and cognitive function loss, hyperarousal and hypersensitivity to external stimuli, and perception distortions.”<sup>276</sup>

4. Corroborative findings by other judicial and human rights bodies and notice to the Syrian Government

98. The pattern of inhumane conditions in the detention facilities analysed by the Mechanism is consistent with judicial findings and the evidence submitted in associated judicial proceedings concerning facilities forming part of the Syrian detention system. As described by the Higher Regional Court of Koblenz (Germany) in the *Eyad A.* case, in addition to certain torture techniques, already established during Hafez al-Assad’s rule, detention conditions in the detention facilities operated by “intelligence services” systematically included “humiliation; denial of toilet visits; and deprivation of sleep, water and food”, and “ill-treatment and general prison conditions resulted in deaths of prisoners.”<sup>277</sup> From March 2011 onwards, the Court described the conditions of detention in these facilities as:

characterised by a lack of food and medical assistance, overcrowding resulting in insufficient space to move around and sleep, catastrophic hygiene conditions due to vermin infestation and inadequate opportunities to wash or change clothes, arbitrary use of violence, and enormous psychological stress due to the uncertainty about one’s own fate and a constant awareness of the screams of fellow prisoners who were being ill-treated in adjacent rooms throughout the day and night.<sup>278</sup>

99. The Court’s findings regarding the “catastrophic” hygiene conditions in General Intelligence Branch 251 show that they follow the same pattern, causing infections, disease, malnutrition, and physical and psychological misery.<sup>279</sup>

100. Already in 2010, the Syrian Government was made aware of reports of “the deplorable living conditions in places of detention, prison overcrowding, lack of hygiene, insufficient food, health risks and inadequate health care” by the Committee against Torture.<sup>280</sup> The Commission of Inquiry on Syria has documented detention conditions since it started its work in 2011, publicly reporting on deteriorating conditions and asking the Syrian Government to take action to improve detention conditions.<sup>281</sup>



#### **D. Detainees have been subjected to severe physical and mental harm in Syrian Government detention**

101. In addition to the harm caused to them by ongoing inhumane detention conditions, detainees who were held in Government detention facilities across Syria between 2011 and 2022 consistently described the severe physical and mental harm inflicted on them during detention, both during and outside of the interrogation process. Hundreds of detainees held in Syrian Government facilities described the ongoing physical and psychological harms inflicted from the moment of their arrival until the time of their release, including through their transfers to different detention facilities and in the course of their interrogations.

102. As recounted by male and female victims/survivors, physical harm in detention included severe beatings and whippings, stress positions, and sexual violence throughout the detention experience. Witnesses further described profound psychological harm, including through threats, verbal assaults, the psychological impact of sexual violence, solitary confinement, forced confessions, and the trauma of hearing or seeing other detainees being tortured or killed. Before, during and between interrogation sessions, extremely painful torture techniques were frequently used, including whipping the feet (*falaqa*), whipping with a green pipe/hose (*lakhdar brahimi*),<sup>282</sup> electrocution, stress positions, being suspended above the ground with hands tied behind the back (*shabeh*), being suspended by the wrists (*balanco*), and being beaten in a tyre/tire (*dulab*).<sup>283</sup>

103. Medical forensic expert reports analysing photographs of deceased detainees, and the forensic medical evaluations of released victims/survivors, provide corroborative evidence that is wholly consistent with the facts and circumstances described in the witness interview records of former detainees analysed by the Mechanism. This body of evidence shows that patterns of severe physical and mental harm were intentionally inflicted on detainees, on a systematic basis, in order to punish, coerce, extract information, and discriminate.

##### **1. Physical harm**

104. The following mistreatment was reported by 298 detainees across at least 104 detention facilities, including intelligence branch facilities, military hospitals and prisons (197 male detainees and 101 female detainees). Thirty-four detainees did not report physical mistreatment in





detention, although it is unclear whether they were specifically asked about it by interviewers.

105. Each of the 298 witnesses reported having been physically mistreated at least once during their detention. The figures below represent the number of total reports for each type of physical mistreatment during detention both outside of interrogations and during interrogations (which are described separately in the next section). Only one report is counted per detention facility. The specific forms of sexual violence are further detailed in an additional chart below. Specific torture techniques are further defined in the Glossary, with corroborating references.

Reports of physical mistreatment	Male Detainees	Female Detainees
<i>Bassat al-Reeh</i> /Flying carpet (beating a person strapped to a wooden board)	20	3
Beating	440	145
Burning	40	8
Cold water	39	16
Cutting Body	8	0
Dragging	18	0
Drowning	9	0
<i>Dulab</i> /Tyre (forced into a car tyre and beaten)	65	11
Electrocution	89	37
Exposure to cold/heat	57	2
<i>Falaqa</i> (whipping feet)	61	11
Forced to eat/drink non-food items	12	0
German Chair (overstretching of the spine chained to a chair)	12	3
Hot water	7	2
<i>Lakhdar Brahimi</i> / Green Brahimi (beating with pipe)	114	24
Lashing/Whipping/Flogging	38	12
Sexual violence	252	123
Removing/pulling nails	6	3
Removing/pulling/breaking teeth	14	0



<i>Shabeh</i> (suspending from wrists or hands)	187	43
Stress position	60	13
Welcome party	99	18

a. “Welcome party”

106. The physical mistreatment of detainees began upon their arrival at the Syrian Government detention facility. Male and female witnesses reported receiving a “welcome party”,<sup>284</sup> a term referring to the infliction of severe pain on detainees upon their arrival at a detention facility, to frighten, punish, or coerce them into submission. Witnesses reported being kicked,<sup>285</sup> slapped or punched,<sup>286</sup> and/or beaten with various objects including plastic pipes,<sup>287</sup> the butts of guns,<sup>288</sup> sticks,<sup>289</sup> and cables<sup>290</sup> when they arrived at a detention facility. Three witnesses reported having been beaten to the point of bleeding.<sup>291</sup> One witness reported that he had defecated on himself and vomited because of the violence of the blows.<sup>292</sup> [REDACTED].<sup>293</sup>

107. Two witnesses who were children at time of arrest reported being beaten with sticks, cables and batons by guards on arrival at the detention facility.<sup>294</sup>

b. *Violations during searches*

108. Following these brutal introductions to detention facilities, witnesses described being subjected to strip searches and other intrusive searches—performed by detention branch personnel or fellow detainees—before being taken to their cells. Although searches are a common practice in detention facilities and can be conducted in a lawful manner, many of the searches described by witnesses went beyond the scope of a lawfully conducted search.<sup>295</sup> They were performed by members the opposite sex and/or were accompanied by threats, insults, beatings or other physical harm, including sexualised touching.

109. During their initial searches, some male witnesses reported being fully strip searched in front of other detainees, while being beaten and insulted.<sup>296</sup> Some male witnesses also reported being beaten with cables and subjected to other torture techniques while still naked during the strip-search procedure,<sup>297</sup> including adolescent boys.<sup>298</sup> As described below, some male detainees



were forced to remain naked or in their underwear for the duration of their detention.

110. While around half of the female detainees who reported being strip searched were searched by female guards or female co-detainees,<sup>299</sup> this sometimes occurred in the presence of male guards or other detainees.<sup>300</sup> One witness said that when she and other detainees arrived at the branch, a female detainee searched them and touched their breasts and vaginas in a humiliating manner in front of male guards, who were laughing.<sup>301</sup> Many female detainees, including an adolescent child, were strip-searched by male guards<sup>302</sup> and subjected to sexually intrusive searches by men,<sup>303</sup> and were forced to remove their clothes and religious clothing.<sup>304</sup> Some female witnesses reported that the intrusive searches were accompanied by threats, gendered insults, or beatings.<sup>305</sup>

111. In addition to the physical assaults that detainees suffered while they were at their most vulnerable, the humiliation and fear caused by these initial violent encounters had psychological impacts and caused emotional harm, as described further below.<sup>306</sup>

*c. Physical beatings and whippings*

112. During the detention period, physical harm took place in interrogation rooms, cells, corridors and bathrooms at the hands of interrogators and guards. Several witnesses reported being beaten by detention personnel for not eating food provided for them,<sup>307</sup> going to/from the bathroom,<sup>308</sup> praying or reading the Quran,<sup>309</sup> and talking with other detainees.<sup>310</sup> One female witness reported being beaten for refusing to undress in front of detainees and guards,<sup>311</sup> [REDACTED].<sup>312</sup> These beatings sometimes resulted in severe physical injuries, including broken bones and teeth.<sup>313</sup>

113. Guards found especially creative and cruel ways mistreat and punish detainees. They sometimes forced detainees to stay awake,<sup>314</sup> including by throwing water on them.<sup>315</sup> In some detention facilities, guards would appoint one detainee per cell to enforce the rules in each cell and inform on their fellow inmates to be beaten.<sup>316</sup> One witness who had been put in charge of his cell reported that he was beaten with electric cables and a stick when he failed to inform on any of the other detainees.<sup>317</sup> Witnesses also reported that guards even tortured people with physical and



mental disabilities.<sup>318</sup>

114. In the view of one witness, the guards reserved the most brutality for the youngest and oldest detainees.<sup>319</sup> Male and female witnesses who were children when arrested also reported being beaten and lashed during their detention.<sup>320</sup> [REDACTED].<sup>321</sup> Another witness stated that he and his co-detainees were beaten and whipped while cleaning the toilets.<sup>322</sup> A witness reported being electrocuted and beaten during food distribution. In addition, he said that on one occasion detention staff had entered his cell and burned him with cigarettes.<sup>323</sup> At Tishreen Military Hospital, a military sergeant beat another witness and other patients daily while they were in their underwear.<sup>324</sup> In addition to the firsthand accounts of witnesses who were children at the time of arrest, other detainees reported having directly witnessed the beating of children in detention, including younger children.<sup>325</sup> They were targeted on intersecting grounds, due to their youth and where they were from.<sup>326</sup>

*d. Sexual violence*

Reports of sexual violence	Male Detainees	Female Detainees
Beating genitalia	19	0
Burning genitalia	2	0
Electrocuting breasts	0	4
Electrocuting genitalia	18	1
Forced nudity	159	35
Forced to touch sexually/perform sexual acts	7	4
Forced to watch sexual acts	4	2
Genital mutilation	6	0
Intrusive search	9	25
Other Sexual Touching	2	15
Other Sexual Violence	7	12
Rape, gang rape	8	3
Touching breasts	0	11
Touching genitalia	11	9
Virginity test	0	2



115. In addition to the violent strip-searches described above, male witnesses were frequently detained completely naked<sup>327</sup> or only in their underwear,<sup>328</sup> often for prolonged periods and exposed to the cold. One detainee said he and his fellow detainees were kept naked even in the winter when it was “extremely cold”.<sup>329</sup> Other detainees stated that guards forced them, along with other co-detainees, to strip naked before throwing cold water on them.<sup>330</sup> At least three men in one detainee’s cell died from exposure.<sup>331</sup> Other detainees reported being subjected to forced nudity outside the interrogation room, as guards dragged them out of their cells, forced them to strip partially or completely, and beat them.<sup>332</sup> Female detainees most frequently described sexual violence in the context of forced nudity and sexually intrusive searches, described above. However, they also described physical sexual violence during interrogations and throughout the course of detention, constant threats and fear of sexual violence, and enduring mental harm as described further below.<sup>333</sup>

116. Although very few witnesses acknowledged being raped (eight male and five female detainees), likely due to the fear of stigma,<sup>334</sup> some male and female witnesses were willing to describe their horrific experiences of rape,<sup>335</sup> gang rape,<sup>336</sup> and other sexual violence<sup>337</sup> in detail, often alongside other brutal violence.

117. Witnesses also experienced and observed sexual abuse and exploitation in civilian prisons. Sexual predation upon children by other detainees was sometimes condoned by the guards. [REDACTED].<sup>338</sup>

118. Guards in detention facilities were known to target the very young and the very old. Witnesses reported that younger detainees were subject to sexual violence and returned to their cells crying, including a 12-year-old boy.<sup>339</sup> Children were detained with adults in the same cell, which exposed them to physical harm from both detention personnel and fellow inmates. Child witnesses reported being raped and gang raped in detention facilities, leaving them in critical physical condition, and causing one of them deep shame and a painful memory that cannot be forgotten.<sup>340</sup> Other detainees reported witnessing and hearing sexual violence against children firsthand,<sup>341</sup> or learning about it from the abused child.<sup>342</sup> In addition to the mental harm and other long-term impacts of sexual violence on the direct victims, detainees who saw and heard such



violence occurring described the mental harm they experienced as a result, described more fully below.

## 2. Mental harm

119. The following mental harm or psychological mistreatment was reported in detention by 285 detainees across at least 94 detention facilities, including intelligence branch facilities, military hospitals and prisons (173 male detainees and 112 female detainees). Forty-seven detainees did not report any psychological mistreatment during their detention, although it is not clear whether interviewees were specifically asked about this.

<b>Reports of psychological mistreatment</b>	<b>Male Detainees</b>	<b>Female Detainees</b>
Confinement with corpses	27	1
Forced confession	175	76
Forced to witness harm to others	25	46
Solitary confinement	105	55
Threat of harm to others	13	28
Threat of physical harm	91	55
Threat of physical sexual violence	10	50
Verbal abuse, insults	172	105

### *a. Threats of harm and witnessing harm to others*

120. Male and female witnesses described how they were subjected to an atmosphere of constant threat of harm during detention. They experienced direct threats to themselves and others, and indirect threats through the torture of other detainees they had to witness. Direct threats were primarily used in the context of interrogation, discussed below. However, detainees also received such direct threats of torture and being killed themselves,<sup>343</sup> or direct threats of harm to others,<sup>344</sup> outside of interrogations. One witness described how the guards removed deceased detainees from the male collective cell while cheering and saying “To the mortuary!” and promising the female detainees the same fate.<sup>345</sup> In addition, on a daily basis, detainees were exposed to the cries and



screams and sight of other detainees being tortured, which comprised mental harm in itself, and also constituted a threat of what detainees could face themselves at any moment.<sup>346</sup>

121. Male and female witnesses suffered mental harm when they were forced to witness harm inflicted on other co-detainees during their detention and often described the negative impact of hearing the screams of other detainees.<sup>347</sup> Hearing others get tortured caused some detainees to have a “psychological breakdown” or “push them to the breaking point”.<sup>348</sup> One witness stated that she used to disconnect from reality upon hearing men and women being tortured and screaming, as if she was watching a “horror movie”.<sup>349</sup> Witnesses described the constant fear caused by hearing and seeing the effects of torture on other prisoners, and hearing people called for interrogation who never came back.<sup>350</sup>

122. Witnesses observed the mistreatment of children,<sup>351</sup> older persons<sup>352</sup> and persons with disabilities,<sup>353</sup> which added to the psychological pressure experienced by the witnesses. One witness reported feeling pain upon hearing cries of children being tortured by detention branch personnel.<sup>354</sup> Just seeing children in detention could trigger emotional harm. One witness stated that seeing children in detention made her extremely sad and anxious that her own children would be arrested.<sup>355</sup>

*b. Witnessing deaths in detention*

123. Witnesses also reported suffering mental harm from witnessing deaths in detention. In some instances, male, female and child witnesses witnessed violent killings, causing them to scream and cry, and saw corpses of detainees in bathrooms or corridors.<sup>356</sup> Twenty-seven male witnesses and one female witness described being confined with corpses in detention. The prevalence of deaths in detention witnessed by detainees and their impact are addressed further in the dedicated section below.

*c. Psychological harm caused by sexual violence*

124. Upon arrival, intrusive searches of female detainees conducted as part of the arrival process were often conducted by men, in the presence of men and/or other detainees, and were



accompanied by verbal and physical abuse that humiliated and terrorised detainees.<sup>357</sup> Female witnesses said these searches left them feeling humiliated.<sup>358</sup> After forcing a detainee to strip naked, a male guard humiliated her by asking her if she was a “woman or a girl”, and treated her as if she were “dirty” after conducting a sexually intrusive search.<sup>359</sup> Pressure to submit to sexual exploitation also caused fear and helplessness, causing one witness to describe her time in Adra Prison as “hell”.<sup>360</sup> Refusal could lead to punishment in solitary confinement or other retribution with dire consequences for detainees’ psychological wellbeing.<sup>361</sup>

125. Male soldiers and guards sexually abused female witnesses on an ongoing basis, compounding their pervasive psychological mistreatment within detention facilities. For example, while female detainees were in the bathroom or shower, male soldiers and guards watched, violently assaulted and threatened them, increasing their fear of sexual violence.<sup>362</sup> A witness described how one of the guards would hit the female detainees on the back on their way to the shower, making them turn so he could see their breasts, while calling them “prostitutes” and “whores”.<sup>363</sup>

126. Male detainees suffered mental harm, as the result of being detained for long periods completely naked<sup>364</sup> or only in their underwear,<sup>365</sup> which caused them humiliation, particularly where they were exposed to other detainees, including members of the opposite sex. Women detainees often saw male detainees naked and being beaten,<sup>366</sup> sometimes placed in their view purposefully.<sup>367</sup>

127. In addition to the mental harm caused by physical acts of sexual violence, male and female detainees were exposed to constant threats of sexual violence,<sup>368</sup> sometimes accompanied by physical violence.<sup>369</sup>

*d. Psychological harm caused by discriminatory insults and verbal attacks*

128. Detainees were targeted for their religious practices and places of origin, and further threatened with harm that impacted them in distinct ways due to their gender and age. In addition to the physical harm that was often inflicted in connection with discriminatory insults, the verbal assaults themselves constituted mental harm.





129. For example, detention branch personnel expressed their hatred towards, and insulted and physically abused, detainees originally from certain regions in Syria deemed to be opposition areas, such as Idlib, al-Bukamal, Deir-Ezzor, Aleppo, al-Ghouta, Darayya, and al-Rastan.<sup>370</sup> These discriminatory insults were sometimes coupled with insults based on age<sup>371</sup> and gender,<sup>372</sup> at times constituting open threats of sexual violence.

130. Detainees were targeted based on their religion through harmful discriminatory insults due to their Sunni beliefs<sup>373</sup> and being forbidden to pray or read the Quran.<sup>374</sup>

131. Detainees suffered harm from verbal insults directed at them that were often gendered and sexualised,<sup>375</sup> intended to terrorise and humiliate detainees by attacking their perceived honour, or the perceived honour of female family members. One witness described how an interrogator told her husband, “your wife is with us and we have trampled all over her honor”, explaining that this was a great insult in eastern society and was meant to make her husband think she was raped.<sup>376</sup> Leveraging societal norms that link notions of a woman’s honour (and by extension, the family’s honour) to chastity,<sup>377</sup> detention personnel tormented female detainees by referring to them as “whores”, “prostitutes”, or participating in “sexual jihad” or *jihad-al-niqah*,<sup>378</sup> and verbally assaulted men by insulting their mothers, wives and sisters.<sup>379</sup> Male witnesses described insults directed at the detainee’s honour and dignity, often intertwining verbal attacks on their religion and family members.<sup>380</sup>

132. These verbal attacks, which caused ongoing mental harm, often surfaced again during interrogations, accompanied by severe physical violence.<sup>381</sup>

*e. Psychological harm to children*

133. Detained children experienced psychological harm in acute ways. One witness who was detained as a child said he had lost his sense of direction and had been taken to a hospital in Damascus. He started urinating uncontrollably. He insulted the police and screamed at the top of his voice at night. He lost his memory and his family’s telephone number.<sup>382</sup> One child detainee reported that while being detained in Adra Central Prison, one of the doctors who treated him put a bandage over his chest to resemble female undergarments, taunting him that he looked like a



woman.<sup>383</sup> Detention branch personnel also inflicted mental harm on children by forcing them to watch their parents getting beaten.<sup>384</sup>

### 3. Severe harm inflicted during interrogations

134. The Syrian Government's systematic use of severe mistreatment and torture during interrogations at detention facilities has been a deliberate strategy aimed at suppressing and punishing opposition and extracting confessions or information. A total of 317 former detainees (199 male and 118 female, including 15 who were children) recounted undergoing interrogation in at least 91 Syrian Government detention facilities, 196 of whom experienced interrogations at multiple facilities. They described a total of 638 interrogation experiences between them, more than 80 percent of which were accompanied by physical or mental mistreatment,<sup>385</sup> in all but 14 of the 91 facilities where interrogations were reported.<sup>386</sup> The majority of these detainees were also coerced into providing a confession, which included signing or fingerprinting documents without knowing their contents. The interrogation experiences—characterised by common forms of torture such as beatings, electrocution, and stress positions—were aimed at producing confessions for use in court and for intelligence-gathering, significantly harming detainees both physically and mentally. The mistreatment also varied depending on the detainee's background, including religion, political views, origin, age and gender, reflecting discriminatory treatment and impact.

135. Detainees often only learned of the allegations against them during interrogation, when they were subjected to exceptionally harsh mistreatment in order to force them to confess to the desired charges, extract information and implicate others—often related to charges carrying high sentences or the death penalty, for example, related to terrorism, weapons or killings.<sup>387</sup> Witnesses sometimes underwent many interrogation sessions for several days,<sup>388</sup> with repeated questioning accompanied by torture techniques to induce the witness to admit or confess to the accusations. This often entailed being subjected to *shabeh* [suspension by wrists], beaten with cables and pipes on their bodies and feet, and seeing others tortured before and in between interrogations. [REDACTED].<sup>389</sup> Interrogators would frequently add new charges in subsequent sessions, such as possession of arms, or doing *jihad al-nikah* with terrorist groups, in addition to cooking for and



serving their members.<sup>390</sup> Similar tactics were used to coerce witnesses into implicating others.<sup>391</sup>

136. As described further below, detainees interrogated at intelligence branches explained how the process of interrogation led to their forced confessions to the charges desired by the Government, some of which were then invoked in court.<sup>392</sup> For example:

- [REDACTED]<sup>393</sup> [REDACTED].<sup>394</sup>
- Another witness accused of smuggling ammunition and provisions to armed terrorist groups was beaten with a cable and subjected to *shabeh*<sup>395</sup> and transferred to another branch where he was accused of the same allegations and beaten multiple times for 10 days until ultimately confessing because he could not handle the pain anymore. He was forced to fingerprint documents without knowing their contents,<sup>396</sup> and his confession was read by a judge at the Counter-Terrorism Court in Damascus who sentenced him to prison.<sup>397</sup>
- [REDACTED]<sup>398</sup> [REDACTED].<sup>399</sup>

137. After being called out, witnesses were usually blindfolded, put in handcuffs or had their hands tied behind their backs,<sup>400</sup> and taken to an “interrogation room”.<sup>401</sup> Witnesses were frequently then forced to kneel on the floor while still blindfolded.<sup>402</sup> The interrogator was frequently accompanied by other personnel to assist in subjecting the witness to various forms of torture, on command.<sup>403</sup> In some cases, detainees appeared before a Joint Investigative Committee,<sup>404</sup> comprised of members from different security and intelligence agencies.<sup>405</sup> Witnesses reported the existence of designated “torture rooms” in some detention facilities in which detainees were subjected to various torture techniques including *lakhdar brahimi*, *dulab* and *falaqa*, sometimes even before they were questioned.<sup>406</sup> Interrogations lasted anywhere from minutes to hours.<sup>407</sup>

138. The interrogator would usually begin by asking questions including about family members and names of other people,<sup>408</sup> or accusing the witness of crimes.<sup>409</sup> The accusations reflected key aspects of high-level instructions to target perceived opponents of the Syrian Government for arrest and investigation, which were often reflected again in allegations before courts.<sup>410</sup> Most of the accusations or charges levelled against witnesses during their interrogation can be classified as political (non-violent anti-Government activities) or terrorism offences, and sometimes a combination of the two.<sup>411</sup> Reflecting the context in which the detainees were arrested, some of



the charges leveled during interrogations included: participating in protests or demonstrations, supporting or inciting revolution, communicating with anti-Government media, assisting defectors, and cooperating with foreign states.<sup>412</sup> Some witnesses were accused of active participation in terrorist activities such as attacking members of the armed forces<sup>413</sup> or being members of a terrorist organisation.<sup>414</sup> However, most were accused of more indirect support of terrorism through, *inter alia*, provision of weapons,<sup>415</sup> financial support,<sup>416</sup> food,<sup>417</sup> medicines and/or medical care,<sup>418</sup> and/or posting information on social media.<sup>419</sup> Some female witnesses were accused of having sexual relations or “*jihad al-nikah*”<sup>420</sup> with members of the armed opposition or terrorist groups.<sup>421</sup>

139. As with other aspects of mistreatment in the detention system, the ways in which detainees were punished and the allegations to which they were coerced to confess during interrogations reflected discriminatory treatment, including based on religion (sect), political views,<sup>422</sup> gender, age and place of origin. For example, interrogators often physically and verbally attacked detainees upon learning that they were Sunni, threatening to burn them, demolish their homes and rape their women.<sup>423</sup> Conservative religious dress or practice was sufficient to trigger allegations of terrorism or supporting terrorism. One witness said that her interrogator told her she was hated because she wore an *abaya* and accused her of being a member of ISIL.<sup>424</sup> Interrogators used gendered insults, sometimes accompanied by gender-specific violence.<sup>425</sup> One witness described how an investigator asked him whether he had children, and upon answering that he had several, the interrogator said that was enough and electrocuted his penis, telling him “now you have become a woman.”<sup>426</sup> Female detainees were often interrogated about their male family members who had not yet been arrested, and harmed when they did not provide information sought by the interrogators.<sup>427</sup> Other detainees were insulted and beaten severely when the interrogator found out they were from Idlib (referring to “youth from Idlib” as “cows that don’t understand”), al-Rastan, the Damascus countryside, and other areas deemed to be in opposition to the Government.<sup>428</sup> Detainees who were politically opposed to Bashar al-Assad were subjected to severe physical mistreatment.<sup>429</sup>

140. The investigation reports generated from interrogation sessions were used in court and for intelligence-gathering purposes. Government documents demonstrate that such reports were often



sent together with detainees when they transferred to other branches.<sup>430</sup> The sterile language in such reports regarding the confessions of interrogated detainees contrasts starkly with the information provided by detainees about how that information was obtained under torture and its accuracy. While detainees were forced to thumbprint documents without knowing their contents,<sup>431</sup> their *pro forma* statements indicated that the detainees had confirmed them with their fingerprints.<sup>432</sup> A former detainee described the process leading up to the signing of his statement: after being transferred from a Military Intelligence Branch to an Air Force Intelligence Branch where he was held in appalling detention conditions over the course of 60 days, the witness was tortured during his interrogation after denying the allegations against him.<sup>433</sup> After enduring two months of mistreatment and torture sessions in which he denied the allegations, the Air Force Intelligence still referred the witness for criminal prosecution for his participation in demonstrations and having relations with armed individuals.<sup>434</sup>

141. Military Intelligence investigations branches were advised that they needed to improve the quality of arrestee statements and provide more specific information, since “[t]he statement is the most important document of all the investigation documents because it is forwarded to the court to base the ruling on—in case of unavailability of enough incriminating evidence.”<sup>435</sup> Government documents also reflect instructions to increase the severity of charges because allegations related to protesting were insufficient, leading to the release of detainees.<sup>436</sup> In order to comply, interrogators’ questioning was repetitive, featured demands for greater detail and confessions to more serious charges, frequently accompanied by escalating violence and forms of torture.<sup>437</sup> Prevalent forms of severe physical mistreatment during their interrogation included beatings<sup>438</sup> (including the use of pipes and sticks),<sup>439</sup> *shabeh*,<sup>440</sup> electrocution,<sup>441</sup> *dulab*,<sup>442</sup> and *falaqa*.<sup>443</sup> Interrogators also subjected detainees to insults,<sup>444</sup> threats (against detainees and their family members),<sup>445</sup> and forced them to witness the infliction of harm on others.<sup>446</sup> Many forms of sexual violence were also reported by male and female detainees during interrogations, including rape,<sup>447</sup> sexual touching,<sup>448</sup> harm to sexual genitalia,<sup>449</sup> and threats of rape and other sexual violence.<sup>450</sup>

142. Many of those interviewed reported that the agony from torture was so intense they agreed to confess to anything, including acts they did not commit, if it meant the torture would cease.<sup>451</sup>



One detainee described the repeated torture that continued from the time that he denied the allegations until the time he confessed, during multiple repeated interrogations: he was kicked severely on his left side, causing him to lose consciousness; he was severely beaten with *lakhdar brahimi* and kicked; he was kicked down some stairs; and he was blindfolded and beaten with something that caused a deep wound in his hand. To stop the torture, he confessed to many things he had not done.<sup>452</sup> In addition to the harm caused by violence and threats used to coerce detainees, the process of extracting forced confessions caused physical and mental harm to detainees who were forced to falsely implicate themselves and implicate others, including family members.<sup>453</sup>

#### 4. Corroborative medical forensic evidence

143. Medical forensic evidence strongly corroborates witness accounts of the physical and psychological harm inflicted on detainees.

144. A medical forensic examination of the 6,821 corpses depicted in the Caesar photographs assessed to have been Government detainees concluded:

- About half (51.4 percent) of the bodies showed signs of injuries. A full 90 percent of these showed evidence of blunt impact traumas likely caused by blows from “elongated implements” such as cables, rubber hoses, plastic tubes, or something similar.<sup>454</sup> Evidence shows that some of the people who were beaten “may have been severely and repeatedly beaten while tied up.”<sup>455</sup>
- Injuries observed on the bodies depicted in the photographs are consistent with the victims having been held in the *shabeh*<sup>456</sup> and *dulab*<sup>457</sup> positions, and with the practice known as *falanga*.<sup>458</sup>
- Injuries to the faces, legs, torsos, and arms of some of the bodies depicted were likely caused by “recurrent beating within a clearly defined time period.” Other injuries to the arms and torsos of the bodies depicted were likely caused by somebody kicking, stomping, or jumping on the person.<sup>459</sup>
- The lack of injuries to the hands and other “parrying surfaces” of the bodies depicted indicate the person was likely “defenseless at the time the injury was inflicted because for example, they were tied up or had their eyes covered.”<sup>460</sup>
- There were many “indications of suffocation by mechanical pressure on the neck, in particular considerable force against the front of the neck”, which could have been caused by severe blows and kicks to the neck, standing on the neck, or objects having been pressed against the neck. This causes a massive fear or “a feeling of annihilation”; and



- The photographs revealed occasional cases of mechanical removal of finger or toenails, which the expert opined was “an extremely painful process”.<sup>461</sup>

145. In addition, the LDHR Expert Report collated data and describes patterns from nearly 200 additional forensic medical evaluations (in addition to those analysed by the Mechanism), further corroborating the types of violence and related injuries and harm reported by former detainees analysed by the Mechanism. The LDHR Expert Report highlighted prevalent forms of physical, psychological and sexualised forms of violence endured by men, women, and children from beatings and specific torture techniques used in Syrian detention facilities. Witness interview records are often taken in line with investigative priorities, rather than with a view to undertaking quantitative statistical analysis.<sup>462</sup> However, the in-depth narratives provided in interview records taken for various purposes are fully consistent with the quantitative analysis that is more readily available from forensic medical evaluations (FMEs). FMEs involve asking interviewees standard questions in accordance with Istanbul Protocol guidance.<sup>463</sup> The LDHR Expert Report confirms the high prevalence of blunt trauma and forced positioning and suspension (almost all the men and more than half of the women) reported by the majority of former detainee accounts analysed by the Mechanism, as well as the long-term pain, neuromuscular conditions, and disabilities they can cause:

- A very high percentage of former detainees surveyed in the LDHR Expert Report (93.4 percent) reported that they had been subjected to **blunt trauma**, including whipping/beatings with multiple objects (88.7 percent). More than 80 percent reported violence to the head, and 54.1 percent reporting whipping of the feet (“*falanga*”) (typically during suspension or forced positioning). Forty-five percent reported being beaten with green plumbing pipes (nicknamed the “*lakhdar brahimi*”).<sup>464</sup> *Falanga* is one of several possible etiologies for the reported rate of disabilities, gait disturbances/difficulty walking described by former detainees;<sup>465</sup>
- Nearly 96 percent of the cases examined by the LDHR indicated they had been subjected to **forced positioning and suspension**, with 91 percent describing restrained movement, 88.7 percent being blindfolded, and 91 percent ligatured. Fifty-nine percent of former detainees reported being suspended in various positions, including “*al shabeh*” (the ghost), described as being hung from their wrists with feet barely touching the floor, often for long periods of time;<sup>466</sup> “Tyre” (positioning the body in a tire including beatings on the body and feet); and the “Flying Carpet” or “German Chair” (wood or metal devices used for bending the human body in ways that can result in nerve damage and paralysis).<sup>467</sup> Forced



positioning and suspension are known to cause “acute and chronic neuromuscular conditions (joint and muscle weakness and restricted movement), chronic pain, and long-term disabilities, all of which are evident in the report’s results.”;<sup>468</sup>

- More than half of the former detainees (55.4 percent) also reported being exposed to burns during their time in Syrian Government detention facilities. Burns were more often reported by men; electrocution specifically was reported by more than half of the men and 28.8 percent of women.<sup>469</sup> Interrogators inflicted burns with objects such as cigarettes, hot liquids, hot metal chains, kettles, “hookah coals” or heaters, and caustic chemicals;<sup>470</sup>
- Former detainees also reported other types of physical torture, such as cutting/pulling hair, penetrating trauma, avulsion, and crush injuries.<sup>471</sup>

146. In addition to physical violence, the LDHR Expert Report assessed the prevalence of various forms of psychological violence in detention. Both men and women similarly experienced “insults, witnessed torture of others, threats of violence or death against loved ones, and were tortured in front of loved ones. Men were more likely to report prolonged interrogations, forced confessions, religious insults, and reported very high rates of mock executions (46.5 percent) compared with women. The reported forms of psychological violence include:

- insults by guards or interrogator (92.8 percent of former detainees);
- forced confessions, often being told what to write or being forced to sign blank pieces of paper (81.1 percent);
- prolonged interrogations (greater than two hours) (74.8 percent);
- witnessing physical violence or ill treatment against another person (91.9 percent);
- witnessing the death or killing of someone during detention (55.4 percent);
- mock executions (32.9 percent);
- threats of violence against or killing of loved ones (22.5 percent); and
- violent treatment in the presence of a loved one (14.9 percent).<sup>472</sup>

In addition, more than half of the former detainees (54 percent) reported being held in solitary confinement, which symptoms can include anxiety, depression, anger, cognitive disturbances, perceptual distortions, paranoia and psychosis and self-harm.”<sup>473</sup> More than 60 percent of





detainees reported exposure to noise that included hearing other detainees' voices and "sounds related to ill-treatment".<sup>474</sup>

147. The LDHR Expert Report further compiles and analyses pervasive forms of sexualised violence reported in Syrian detention facilities, including:

- 79.3 percent of the cases surveyed reported forced nudity during detention (collectively upon arrival without due regard to privacy or dignity, often accompanied by violence, ridicule or insults), more frequently reported by men;
- 59 percent also reported an additional type of sexual violence beyond forced nudity (more frequently reported by women), including sexual insults (53.6 percent), humiliation with sexual elements (39.6 percent), threats of sexual violence (37.8 percent), and witnessing sexual violence inflicted on other detainees (31.1 percent);
- Nearly a third of all cases (women and men) reported some form of direct genital violence and 11.3 percent reported penetration of mouth/anus/vagina.<sup>475</sup>

148. According to the LDHR experts, forced nudity, often experienced at arrest or upon admission to detention, is associated with immediate shame, power differential with captors, depersonalization, and enhances the threat of sexual and physical violence. Sexual violence in conflict settings has been associated with symptoms of PTSD and major depression often characterised by flashbacks, nightmares, shame, grief, fear, isolation and rejection by family and community.<sup>476</sup>

##### 5. Corroborative findings by other judicial and human rights bodies and notice to the Syrian Government

149. The findings of other judicial and human rights bodies corroborate the pattern of severe physical and psychological harm reported by former Syrian Government detainees analysed by the Mechanism. In the *Eyad A.* case, the court described the frequent use of torture "as a means of extorting information and intimidation".<sup>477</sup> The use of certain torture techniques in intelligence branches was already well-established during Hafez al-Assad's reign,<sup>478</sup> which were used by intelligence agencies throughout Syrian Government detention centers following the mass arrests of demonstrators beginning in 2011:



While being interrogated in the intelligence service facilities, prisoners were usually subjected to systematic torture. Torture methods that had been “tried and tested” in the Syrian intelligence apparatus before the start of the conflict were used, i.e. blows with and without batons over the entire body of prisoners – sometimes fixed inside a tyre (“Dulab”) or on a board (“flying carpet”) – especially on the soles of the feet (“Fallaq”), hanging by the wrists (“Shabeh”), and overextension of the body and spine (“German chair”). In addition, there were electric shocks, burns and scalding, pulling out of fingernails and toenails, and occasionally other methods inspired by the sadistic ingenuity of the torturers. Sexualised violence against men and women was also widespread, which served the particular humiliation of the victim and included rape.<sup>479</sup>

150. In addition to this physical harm, the court described the “enormous psychological stress due to the uncertainty about one’s own fate and a constant awareness of the screams of fellow prisoners who were being ill-treated in adjacent rooms throughout the day and night.”<sup>480</sup> The court concluded that the suffering of each victim exceeded the threshold for torture, given that they were “severely beaten upon their arrival and were subsequently subjected to further physical abuse within the branch, at least in the form of beatings”, and subjected to “the inhumane conditions of detention, the continuous perception of loud cries of pain from fellow prisoners and the frightening and grueling uncertainty about their own impending treatment.”<sup>481</sup>

151. Various UN bodies had already put the Syrian Government on notice of the use of physical and psychological torture in its detention facilities. Already in 2010, the Syrian Government was made aware of “numerous, ongoing and consistent allegations concerning the routine use of torture by law enforcement and investigative officials, at the instigation or with their consent, in particular in detention facilities”.<sup>482</sup> Since 2011, the Commission of Inquiry on Syria has publicly reported that the Syrian Government has subjected thousands of people to torture in Government detention facilities, and specifically requested a response from the Syrian Government.<sup>483</sup>

152. The UN Human Rights Council’s Working Group on Enforced and Involuntary Disappearance (WGEID) also conveyed to the Syrian Government, between 2011 and 2019, credible reports that disappeared persons in Syria were being subjected to ill treatment and torture, often from the moment of arrest or deprivation of liberty and throughout the disappearance period. The WGEID reported that detainees had been severely beaten, subjected to inhuman living conditions, denied adequate medical assistance, or otherwise subject to willful neglect.<sup>484</sup>



The WGEID and other Human Rights Council Special Procedures mandate holders conveyed more than 50 specific cases of alleged enforced disappearance to the Syrian Government between 2011 and 2020 and requested a response from the Government, including at least 26 disappeared persons who were allegedly subjected to ill treatment and/or torture.<sup>485</sup>

153. The UN Working Group on Arbitrary Detention (WGAD) has also conveyed information to the Syrian Government regarding specific cases, and issued 48 individual opinions between 1992 and 2023, making findings regarding arbitrary-detention-related violations after providing the Government the opportunity to make submissions. The WGAD conveyed allegations that included incommunicado detention, torture and/or other mistreatment in detention in specific cases in 2011, 2012, 2013 and 2015.<sup>486</sup> Most recently, the WGAD provided notice to the Government on 23 May 2023 of allegations that two individuals had been arrested and forcibly disappeared by intelligence agencies due to their perceived political opposition to the Government. Following the Government's response, the WGAD issued an opinion in which it made findings regarding violations and information that they had died in custody due to extrajudicial execution or as the result of torture, and requested the Government to urgently conduct a thorough, effective and independent investigation into the circumstances of their alleged deaths in custody.<sup>487</sup>

#### 6. Corroborative reports and evidence from non-governmental organisations

154. The reports and materials described in the sections on corroboration in this Report do not reflect the full range of robust documentation produced by Syrian and international non-government organisations, but are illustrative. In its 2023 report describing the evidence establishing a reasonable basis to conclude that crimes within the jurisdiction of the International Criminal Court have been committed, Legal Action Worldwide (LAW) analysed the accounts of 37 former detainees deported to Jordan.<sup>488</sup> Among other crimes, the victims/survivors provided evidence regarding arbitrary detention and torture in 29 Government-controlled detention centers and the deprivation of fundamental rights based on their political ideology, religion, and gender.<sup>489</sup> For example, the report describes evidence of derogatory comments made by prison guards, security officers, and torturers, which followed a highly consistent pattern, indicating that a plan



or policy was in place that was inherently discriminatory.<sup>490</sup> Victims/survivors also described the severe emotional, social, and psychological challenges that they suffered as a result of these crimes.<sup>491</sup> In accordance with witness consent, some of the material underlying the report has been shared with the Mechanism.

155. In addition, LAW provided 38 witness interview records taken from survivors of Government detention in Turkey and Northwest Syria between October 2023 and January 2024.<sup>492</sup> Approximately half of these witnesses were released from Government custody between 2016 and 2021 (the rest were detained between 2011 and 2015), and confirm the continuation of severe physical harm, mental harm, and inhumane detention conditions in facilities operated by all four intelligence agencies, the military police, and Government prisons within this time period. For example, the accounts confirm and corroborate the continued use of threats of sexual violence and other physical violence, threats to family members, detaining children (who witnessed harm to parents and others), being forced to witness and hear the torture of other detainees, suspension, whipping, gender- and religion-based insults, beatings including with pipes, sexual violence, and many other forms of physical violence and established torture techniques, including during interrogations.<sup>493</sup>

156. Physicians for Human Rights (PHR) has documented the physical and mental harm inflicted on 21 medical workers detained by the Syrian Government.<sup>494</sup> PHR reported that, in most of the 21 cases documented in its study, Syrian security forces inflicted torture as part of the interrogation process, aimed at forcing “confessions”. In many cases, interrogations centered on the participants’ involvement in medical work, accusing interviewees of working in or establishing field hospitals, providing medical treatment to “terrorists,” and/or providing material support to “terrorist” organisations and working to overthrow the Syrian government.<sup>495</sup> The interviewed medical workers were beaten, subjected to stress positions, burned, shocked with electricity, and sexually assaulted.<sup>496</sup> Many interviewees stated that the sole “evidence” presented in court proceedings were confessions either extracted under torture or entirely fabricated by interrogators.<sup>497</sup> In accordance with witness consent, PHR provided five of the underlying interviews and psychological assessments of survivors to the Mechanism.<sup>498</sup> These interviews



relate to detention in mapped Syrian Government facilities between 2011 and 2017, and provide further corroboration for the severe mental and physical harm endured by medical workers targeted by the Syrian Government and the functioning of the detention system more generally.

157. Another PHR report analysed the targeting of Syrian health care workers who assisted injured protesters, or supported the field hospitals and referral network, based on a secondary analysis of a dataset comprising 1,685 community-generated records of the detention of health care workers from January 2011 to December 2012.<sup>499</sup> This report provides further corroboration for the Syrian Government's detention, torture, and disappearance of health care workers, and for the Government's practice of criminalising the treatment and lifesaving care that medical workers provided to its opponents as material support for terrorism.<sup>500</sup>

158. Interviews were also provided by an organisation that provides psycho-social support services to families and individuals, the White Heart Organization. Several witnesses described the particular harms their families experienced while detained in intelligence branches and prisons between 2011 and 2020,<sup>501</sup> including three families detained in intelligence branches between 2016 and 2020.<sup>502</sup> The same organisation provided interview records for two witnesses who were 15 years old at the time of arrest (in 2012 and 2014),<sup>503</sup> and several other witnesses detained between 2016 and 2023.<sup>504</sup> These witnesses corroborate the severe harms experienced by male and female detainees, children of different age groups in Government detention, and the continued arrest, detention, inhumane conditions and torture of detainees in Government facilities during this later time period. Forms of reported abuse include severe beating and flogging, sexual violence, threatened execution, verbal abuse, and solitary confinement, including in connection with interrogation.

159. In 2018, Urnammu Justice and Human Rights Organisation issued a report describing the experience of children in detention and forcibly disappeared. In total, Urnammu has documented the detention of approximately 2400 children captured by various parties to the conflict, including 130 children held by the Syrian Government. Its report is based on accounts relating to 38 detainees under the age of 18, covering the period between March 2011 and September 2017, including testimonies gathered in respect of all regions of Syria. The accounts in the report corroborate that



children were treated as adults, arrested and detained for participating in demonstrations, and as part of large-scale arrests in specific areas considered by the Government to be rebel areas that must be “cleared”.<sup>505</sup> In detention, children were subjected to torture, including during interrogations, and forcibly disappeared by intelligence agencies.<sup>506</sup> Sexual violence was used to humiliate and intimidate children, along with threats to kill or rape their mothers and family members.<sup>507</sup> Children detained with their mothers in security branches, including Military Intelligence branches, were subject to the same ill health, poor hygiene, and inadequate food as other detainees held there.<sup>508</sup> The report also addressed the specific impacts on detained and disappeared children following their release, including psychological impacts and effects on stages of their development.<sup>509</sup>

160. The Syria Justice and Accountability Centre conducted an in-depth analysis of 56 interviews regarding the experiences and/or witnessing of sexual or other gender-based violence against men, women, boys and girls, occurring in approximately 30 state-controlled detention facilities.<sup>510</sup> Of the 56 interviews, 42 witnesses described such mistreatment in detention centers. Their accounts further corroborate violations including strip searches by guards of the opposite gender, guards uttering humiliating and degrading phrases during the searches and touching detainees inappropriately, and full or partial forced nudity during interrogation and torture sessions.<sup>511</sup> Witnesses also described rape and other acts of sexual violence, electrocution of sexual organs, threats of sexual violence, and violations of reproductive rights and lack of access to medical care, including pre-natal care and safe childbirth.<sup>512</sup> The report also describes the impact of stigma on male and female survivors within the context of Syrian society, long-term impacts, and needs for recovery.<sup>513</sup>

#### **E. Torture, ill treatment, and inhumane conditions have caused thousands of deaths in detention**

161. The Caesar photographs and related forensic expert analysis documented thousands of deaths of former detainees in Syrian Government detention facilities. This body of evidence, described further below, relates to only a fraction of the deaths in detention, within one part of Damascus until mid-2013. Detainee accounts demonstrate the continued prevalence of deaths due



to torture, ill treatment, and inhumane detention conditions in a broader range of facilities over a longer period of time.

1. Eyewitness accounts of former detainees

162. Witnesses detained between 2011 and 2022 have provided over 200 accounts of observing deaths and/or corpses in more than 50 Government detention facilities, including those operated by all four intelligence agencies, military and civilian prisons, and hospitals. Their accounts also shed light on the practice of hospitals issuing death certificates that falsely report that detainees in Government custody have died merely as the result of heart or respiratory failure, as well as the Syrian Government's registration of thousands of deaths on the civil registry in 2018 which do not provide information on the cause of death.<sup>514</sup>

163. For example, they observed Syrian Government agents torture co-detainees to death in interrogation sessions by severe beatings, electrocution and suffocation.<sup>515</sup> Witnesses also reported that they saw Government agents kill their fellow, primarily male, detainees outside the interrogation room, by beating them, electrocuting them, hanging them, or abusing them in other fatal ways.<sup>516</sup> In one incident, security personnel made a group of detainees stand for several days without rest while beating them until they collapsed from exhaustion, fell unconscious, or died.<sup>517</sup> Witnesses who were children at the time they were detained also witnessed killings of co-detainees beaten with sticks on the head or neck.<sup>518</sup> One child witness reported witnessing the suffocation of a co-detainee.<sup>519</sup> Two witnesses reported that co-detainees died as a result of sexual violence.<sup>520</sup> [REDACTED].<sup>521</sup> Some of the most vulnerable detainees, such as older detainees,<sup>522</sup> died because of abysmal detention conditions, including lack of medical care.<sup>523</sup> Other detainees died from starvation. Witnesses reported that co-detainees had lost a lot of weight due to hunger.<sup>524</sup> Others died because of denial of medical care for diseases and illnesses including tuberculosis<sup>525</sup> and diarrhea.<sup>526</sup> Others succumbed to respiratory illnesses and/or lack of oxygen.<sup>527</sup>

164. Detainees observed that those who died under torture were sometimes targeted because of their religion<sup>528</sup> or place of origin.<sup>529</sup> For example, one witness described how an interrogator struck another detainee until he no longer moved after insulting him because he was from al-Bukamal.<sup>530</sup> Another witness saw a detainee beaten to death because he was from a particular city



in Homs Governorate.<sup>531</sup> Another witness reported that a co-detainee was denied medical treatment because he was from Deir-Ezzor.<sup>532</sup>

165. These brutal killings were often accompanied by dehumanising expressions by the perpetrators, for example, “take this dog out of here”, “throw him outside”, or “you’re done”, leaving the impression that it was simply one way to make space for more inmates in the facility.<sup>533</sup> Security personnel even mocked detainees who died.<sup>534</sup> These callous reactions of Government actors to detainee deaths and their commonplace occurrence strongly supports the inference that they were intentional, and that interrogators and guards feared no repercussions.<sup>535</sup> Deaths in detention did not only occur in intelligence agency facilities and prisons. Witnesses reported deaths in al-Mojtahed Hospital, Harasta Military Hospital, Tishreen Military Hospital, and Military Hospital 601.<sup>536</sup>

166. As further explored in Section V.F below, Syrian Government documents demonstrate that a high number of detainees who died in Government custody piled up in hospitals, were approved to be buried in mass graves rather than returned to their families, and official documentation recording their deaths concealed their true causes of death.

## 2. Corroborative medical forensic evidence

167. Medical forensic evidence further corroborates detainee accounts of disease, dehydration, and starvation leading to death. A medical forensic analysis of the 6,821 individuals depicted in the Caesar photographs assessed to have been detainees described the general condition of the bodies shown in the photographs, categorised them according to age, gender, conspicuous features, and the numbers visible on the corpses, and provided a description of the bodies with indications of ill treatment, torture, violence, and the presumed cause of death.<sup>537</sup> As indicated above, the forensic expert concluded that about 70 percent of the bodies showed signs of food deprivation, neglect, or injuries, or a combination of these factors,<sup>538</sup> with more than a third of the bodies photographed exhibiting bodily emaciation that was so pronounced that “the visible finding can easily be considered the cause of death.”<sup>539</sup> Just over 50 percent of the persons depicted presented externally visible injuries, with blunt trauma as the most prominent type of injury (92.9 percent of





persons with injuries).<sup>540</sup> Many of the people photographed were obviously in urgent need of medical care but had not received it.<sup>541</sup> The expert concluded that a “natural cause of death” could not be assumed for any of the 6,821 photographed corpses.<sup>542</sup>

168. While the LDHR Expert Report did not include data on detainees who died in detention, it documents the psychological harm caused by witnessing the death or killing of others in detention. The Report includes information regarding the prevalence of such observed incidents, reported by 123 former detainees (55.4 percent of the cases surveyed: 63.4 percent of men and 41.3 percent of women).<sup>543</sup>

3. Corroborative findings by other judicial and UN human rights bodies regarding deaths in detention and notice to the Syrian Government

169. Other courts and human rights bodies have made findings in respect of deaths in Syrian Government custody. In the *Eyad A.* case, the court noted that, well before 2011, torture by security authorities and “[d]eaths in custody were frequent, both as a result of prison conditions and ill-treatment and through targeted executions of prisoners.”<sup>544</sup> The court noted that “[t]ime and again, ill-treatment and general prison conditions resulted in deaths of prisoners.”<sup>545</sup> When the same tactics were used in implementing the Syrian Government’s instructions to quell demonstrations with lethal force, “as many of the surviving demonstrators as possible were arrested and taken to the detention facilities of the intelligence services in vehicles provided for that purpose, where they were held for varying periods of time and subjected to continuous ill-treatment, even to the point of death.”<sup>546</sup>

170. In 2010, the Committee against Torture expressed its “concern at credible reports on a number of deaths in custody and on the alleged restrictions on independent forensic examination into the cases of such deaths.”<sup>547</sup> It recommended that Syria take prompt action, including providing the Committee with any “information on any cases of death in custody resulting from torture, ill-treatment or wilful negligence.”<sup>548</sup> In 2012, the Committee expressed its “grave concern about the prevalence, continuation and un-rebutted occurrence of violations” of the Convention Against Torture in Syria, including “[n]umerous reports of enforced disappearances and death in custody of detainees following severe infliction of torture”.<sup>549</sup>



171. Further, the Commission of Inquiry on Syria has documented detention conditions and torture leading to death since it started its work in 2011, has repeatedly requested the Syrian Government to respond, and even issued a dedicated report on deaths in detention.<sup>550</sup>

#### 4. Corroborative reports by non-governmental organisations

172. In addition to the documentation of witnessed deaths in detention and forensic evidence, as noted above,<sup>551</sup> non-governmental organisations have also made detailed estimates of the number of people who have been killed in Syrian Government detention facilities since 2011, totaling thousands of detainees. In 2016, the Human Rights Data Analysis Group found, in the period between March 2011 and December 2015, a total of 12,270 “documented, identifiable people killed while the victim was in [Syrian Government] detention”, estimating thousands more applying statistical analysis.<sup>552</sup> In 2023, the Syrian Network for Human Rights (SNHR) reported that 15,038 individuals died due to torture committed by the Syrian Government forces between March 2011 and March 2023, including 190 children and 94 women.<sup>553</sup> In March 2024, SNHR reported that 15,334 Syrians have been killed due to torture, including 199 children and 115 women.<sup>554</sup>

#### **F. The Syrian Government’s judicial process has compounded mental harm, encouraged coerced confessions, failed to protect detainees from torture, and prolonged their detention**

173. Former detainees have described their experience with the judicial process as characterised by perfunctory hearings, lack of adequate access to counsel, judicial disregard of claims and evidence of torture, and the use of confessions procured through torture. In these ways, the Syrian judicial system sustained and contributed to the Syrian Government detention system and its mistreatment of detainees. Rather than respect the rights of detainees, many judges accepted the use of forced confessions during court proceedings. Despite detainees’ claims of torture in their courts, none of the judges impartially investigated their claims or provided any form of redress. Instead, witnesses reported that judges in the various courts failed to ensure appropriate follow-up of torture allegations and/or ignored, dismissed, or failed to accurately reflect evidence of torture that was presented directly before them. Ultimately, many of these detainees were released due to



judicial action (whether temporarily pending trial, following conviction and sentencing, or by dismissal of the charges and ordering release); however, this often depended on their ability to pay bribes to various Government actors involved in the process, including judges. The unfairness and arbitrariness of the judicial process and mistreatment in relation to hearings frequently compounded the mental harm inflicted as part of the detention process.

174. A significant number of witnesses reported interactions with the Syrian judicial system as part of their detention experience. More than 200 witnesses from the Detainee Experiences Dataset indicated that they were physically transferred to a court while in Government detention, between 2011 and 2022.<sup>555</sup> Nearly all of the witnesses who provided information about their charges reported that they were charged with offences related to terrorism,<sup>556</sup> supporting/funding terrorists or opposition group members,<sup>557</sup> participating in, organising, funding, inciting or supporting protests,<sup>558</sup> tarnishing the image of the Syrian Government in foreign media and international organisations or otherwise,<sup>559</sup> and/or committing offences against Syrian forces or the Syrian Government,<sup>560</sup> frequently involving combinations of these and other charges. Some witnesses provided court documents detailing their charges.<sup>561</sup>

175. Of the witnesses who provided sufficient information to identify the court or courts (where they appeared before more than one court while detained) handling their case, the majority appeared before the Counter-Terrorism Court,<sup>562</sup> the Military Courts,<sup>563</sup> and/or the Military Field Courts.<sup>564</sup> Violations described in this section occurred across all courts, but most acutely in courts identified as the Counter-Terrorism Court and Military Field Courts. Many detainees did not provide enough information to identify which court was handling their case.<sup>565</sup> Numerous witnesses were blindfolded during their transfer to and/or from court,<sup>566</sup> continuing the practice of rendering detainees vulnerable and unaware of their fates throughout their detention experience. As a result, multiple witnesses reported that they did not know where they were being taken when they were transferred for a court appearance.<sup>567</sup> Several witnesses also reported that they were tried *in absentia*.<sup>568</sup>

176. While a significant number of witnesses were ultimately released following their court appearance, their status remained uncertain as many cases remained pending,<sup>569</sup> or courts first



directed them back into the detention system.<sup>570</sup> These detainees were typically transferred to a prison, directly<sup>571</sup> or through military or civilian police facilities.<sup>572</sup> In some cases, detainees were transferred to security branches following their court appearance.<sup>573</sup> Of the witnesses who were released, many indicated that they were not acquitted, or that their legal status otherwise remained unclear. No witness reported any form of redress provided or offered to them in relation to mistreatment during their period of detention.

1. Lack of due process and mistreatment during court hearings

177. Witness accounts align with internal Government documents in emphasising that the statements of arrested persons elicited during interrogations were paramount in judicial determinations. For example, Military Intelligence Department Investigations Sections were advised that “the statement is the most important document of all the investigation documents because it is forwarded to the court to base the ruling on—in case of unavailability of enough incriminating evidence.”<sup>574</sup> Former detainees indicated that the information and documentation provided by detention facilities to the courts played an important role in their judicial process. In-court exchanges between judges and detainees regarding their confessions during brief hearings were rarely supplemented by the presentation of additional evidence. As further examined below, judicial decisions based on this information, including forced confessions, were then used to justify the continued detention and, in some cases, conviction of detainees.

178. Court hearings were generally described as perfunctory. One witness who appeared before the Military Field Court reported that during his first court appearance, his file was open before the court; he could see the decision had already been recorded in his file.<sup>575</sup> A third witness reported that he informed the judge in an appearance before the Counter-Terrorism Court that his confessions were made under threat and torture, but that the judge showed no interest in his account and sentenced him.<sup>576</sup>

179. Of the witnesses who reported the duration of proceedings, most reported that the court appearances were short, ranging from 30 seconds to a matter of minutes.<sup>577</sup> Judges saw large numbers of detainees within one day.<sup>578</sup> Many witnesses reported multiple judicial appearances spread over a period of time before the same court, especially before the Counter-Terrorism



Court.<sup>579</sup> These witnesses generally remained in detention between hearings. Some witnesses reported that they were transported to a court building but did not appear before a judge.<sup>580</sup>

180. [REDACTED].<sup>581</sup> Of the witnesses who were informed of their charges, many indicated that these charges related to the forced confessions elicited from them earlier in the detention process, described in the next section. Only a few witnesses reported that evidence, besides their “file” or confession was referenced by the court.<sup>582</sup>

181. Detainees lacked a meaningful opportunity to contest the accusations against them and secure release from Government detention. Detainees’ access to legal counsel was severely restricted and the role of counsel in some cases further perpetuated the harms suffered by detainees as they primarily facilitated the payment of bribes needed to secure release. In the sample of more than 200 detainees, less than one quarter reported that they, or someone on their behalf, were able to access a lawyer in relation to the judicial process.<sup>583</sup> While a significant number of witnesses (more than 50) did report access to counsel at some point, not all of these witnesses were able to access counsel before their court appearance or even before their conviction.<sup>584</sup> Numerous witnesses reported that the role of the lawyer was limited. Of the approximately 200 witnesses (134 male and 69 female) who indicated that they appeared in court, only 10 clearly indicated that their lawyer was present at their court hearing(s).<sup>585</sup> One witness who had appeared before the Counter-Terrorism Court reported that, while he was allowed to have a lawyer, the lawyer was not allowed to speak.<sup>586</sup> Another witness reported that, while he had his own lawyer, he was not allowed to communicate with him.<sup>587</sup> [REDACTED].<sup>588</sup> [REDACTED].<sup>589</sup>

182. More than 20 witnesses reported some form of mistreatment during their court appearance, or transfer to court. In some cases in the Military Field Court, the judge was directly responsible for the mistreatment.<sup>590</sup> Physical mistreatment most commonly consisted of being beaten.<sup>591</sup> Two witnesses reported being subjected to electrical shocks while at the Counter-Terrorism Court.<sup>592</sup> Others reported being blindfolded before or after their appearance.<sup>593</sup> Witnesses also reported being threatened,<sup>594</sup> insulted,<sup>595</sup> [REDACTED],<sup>596</sup> and [REDACTED].<sup>597</sup> In a few cases, however, witnesses indicated that judges responded sympathetically during a court appearance. For example, one witness before the Counter-Terrorism Court indicated that the judge provided



the witness with the opportunity to speak privately with the judge, who released him after the witness disclosed that he had been tortured.<sup>598</sup> In another case, the judge at a civilian court released a detainee after he showed the judge the injuries and scars on his body.<sup>599</sup> However, judges who released certain detainees could face negative repercussions such as arrest and imprisonment.<sup>600</sup>

183. Eventually, nearly half of the witnesses indicated that the judge released them after their court appearances. Some witnesses were informed that they were convicted,<sup>601</sup> while others were not informed of judicial decisions or further information about the status of their case during or after their court hearing.<sup>602</sup> Witnesses who were released were also regularly left in legal limbo. Many witnesses who had been released indicated that they were not acquitted but released pending trial.<sup>603</sup> Others were simply not provided sufficient information regarding the legal status of their case.<sup>604</sup> This was further complicated by the fact that many releases were facilitated through bribes.<sup>605</sup>

## 2. Torture and confessions referenced in court

184. As discussed in the preceding section, the Government subjected many detainees to forced confessions in Government detention facilities. These forced confessions were typically elicited from the detainee before the detainee appeared in court. In fact, of the witnesses who reported that they were subjected to forced confessions while held in Government detention facilities, the overwhelming majority (at least 80 percent) reported that their forced confession was elicited prior to their court appearance. Numerous witnesses provided information related to their forced confessions and other mistreatment to the court during their court appearances.

185. The Government used coerced statements against detainees in court. At least 20 witnesses reported that the judge explicitly referenced their confession during a court appearance,<sup>606</sup> and additional witnesses indicated that the court had a “file” on the detainee, which would have included documentation provided by detention facilities.<sup>607</sup> In an additional seven cases, while the judge did not explicitly mention a confession, the questions posed by the judge or the charges against the detainee clearly related to a previously elicited forced confession.<sup>608</sup> In only a few of these cases did the witnesses report that the judge, on their own initiative, offered the witness an opportunity to respond in some way to the allegations based on their confessions before security



branches during their court appearance.<sup>609</sup>

186. As described above, several detainees explained how the process of interrogation led to their confessions of the desired charges, which were then invoked in court, providing concrete examples of how severe torture led to a confession which was then used in court against the detainee. For example:

- [REDACTED];<sup>610</sup>
- In Military Intelligence Branch 216 and [REDACTED], a detainee confessed to smuggling ammunition and provisions to armed terrorist groups after severe torture in both facilities<sup>611</sup> and was forced to fingerprint documents without knowing their contents,<sup>612</sup> which were used against him at the Counter-Terrorism Court where he was ordered imprisoned;<sup>613</sup>
- [REDACTED];<sup>614</sup>
- A witness held at Military Intelligence Branch 227 was subjected to electrocution and beatings during interrogation. She then was transferred to Military Intelligence Department Unit 215. The interrogator threatened her with torture and told her that she should confess to the charges so she could leave the branch and that she could deny the charges later when she appeared before a judge and say that it was obtained under torture.<sup>615</sup> Despite informing the judge at the Counter-Terrorism Court that her confession had been obtained under torture, she was returned to Adra prison where she remained for more than a year.<sup>616</sup>

187. Judges were frequently made aware during court appearances of alleged torture occurring within Government detention facilities, as a direct result of detainee allegations and/or physical evidence of torture presented before the judge. Many witnesses directly informed the judge that they were tortured. On around 40 occasions, witnesses reported that they told the judge that they had been tortured in response to the judge referring to their prior forced confession, or related charges. In several instances, a judge continued the detention of these detainees, during which they were subjected to additional abuse, including sexual violence.<sup>617</sup> Another witness reported that “the judge didn’t comment”, and the witness was taken to First Military Prison for two years.<sup>618</sup> A third witness indicated that when he informed the judge that his confession was obtained under torture, the judge “rejected his submission and ordered his transfer” to a detention facility.<sup>619</sup>

188. Eighteen witnesses reported that physical signs of mistreatment were visible to the judge during their court appearance, including marks from electric shocks, pulled toenails, and other



torture marks, even undressing to show the judge while denying the accusations against them.<sup>620</sup> One female witness reported that she was wearing bloodied clothing and that her face was swollen.<sup>621</sup> In both of these cases, the witnesses were not released despite their physical or mental state, but transferred to other detention facilities.<sup>622</sup> Of the male witnesses, more than a dozen witnesses reported that they presented physical evidence of mistreatment to the judge during their court appearance.<sup>623</sup>

189. The majority of these witnesses showed their injuries to the judge while contesting the validity of their previous confession and/or disputing the accusations against them.<sup>624</sup> Three of the witnesses reported that the presiding judge wrote, or orally instructed a court scribe to write, that the witness's statement was elicited through torture.<sup>625</sup> However, none of these witnesses reported any follow-up in relation to their torture claims.

190. After indicating that they had been tortured, none of the witnesses reported any offers of redress, protection, medical care, or compensation in relation to the mistreatment. Only one witness, a child at the time, reported any form of investigation into his claim of being tortured while in Government detention. The investigation consisted of an examination by a forensic doctor. However, the witness reported that the doctor provided a false report and did not describe what he saw, but the opposite. The report was used against him and he was returned to prison.<sup>626</sup>

191. Even when released, witnesses did not report that the judiciary offered any form of protection or redress in relation to claims of torture. In cases of remand or conviction, the judiciary created a veil of legality to justify and order the continued detention of individuals perceived as "terrorists" and/or anti-Government. These individuals were then left to languish in Syrian prisons until they were granted amnesty, included in a prisoner exchange, or served the duration of their sentence. Bribes were often required to facilitate their release regardless of the basis indicated for release.<sup>627</sup> While the Syrian Government has submitted before the Committee against Torture that a "confession made to a security officer is not sufficient in and of itself for the issuance of a verdict",<sup>628</sup> as indicated above, detainees reported receiving a conviction based solely on their coerced confession, or continued detention even though the judge was made aware that confessions were provided under torture.<sup>629</sup>





**G. Incommunicado detention and enforced disappearance have caused severe harm to detainees and their family members**

192. Not only do incommunicado detention and enforced disappearance cause severe harm to disappeared persons,<sup>630</sup> but they also cause profound trauma and long-term psychological harm to their loved ones.<sup>631</sup> Former detainees have described the severe harm inflicted on them and their family members as a result of their incommunicado detention. They were intentionally held, for various periods, without the ability to contact family members or counsel. As is evident from former detainee accounts, this has caused them severe mental distress, and a feeling of helplessness and anxiety due to the lack of certainty about their own fate and the fate of their loved ones outside of prison.<sup>632</sup> Families frequently received little to no information, and sometimes false information, regarding a detainee's whereabouts, exposing them to systematic extortion as they desperately attempted to obtain accurate information. Released detainees were frequently the most reliable source of information, but they could not always convey accurate information about the current status or locations of detainees from whom they had been separated. The vast scale of affected family members who lack accurate information about their detained loved ones is corroborated by interviewees who describe scenes from their release which are highlighted by family members approaching them for information. Similarly, interviews with family members underscore the anguish and distress caused by their inability to ascertain the truth.

1. Harm to detainees caused by incommunicado detention

193. Detainees have described the experience of being detained without contact with the outside world, the helplessness and despair that it has caused, and the impact of incommunicado detention following their release.



194. Many detainees report that they were isolated from their family and unable to contact them during detention,<sup>633</sup> some for the entirety of their detention and their families only learned of their fate after their release.<sup>634</sup> [REDACTED].<sup>635</sup> In addition to their own experiences, detainees also described other detainees who had disappeared.<sup>636</sup> They described relatives and friends who had been detained and never returned or heard from again, or no information was provided about them.<sup>637</sup> Most often, detainees were not able to contact family members following incommunicado detention in Government intelligence facilities until they were transferred to civilian prisons, or *en route* to prison via court<sup>638</sup> or police stations.<sup>639</sup> Detainees in Adra Central Prison were typically permitted visits from, or contact with, family members or lawyers.<sup>640</sup> Such contacts rarely occurred in military prisons.<sup>641</sup>

195. For many detainees, outside contact was only made possible due to payments made by family members to Government officials and/or intermediaries.<sup>642</sup> For example, a witness detained in Sednaya said his family did not know his whereabouts despite their efforts to make contact; he was eventually released on bail after his family paid a large sum of money through a lawyer.<sup>643</sup> [REDACTED].<sup>644</sup> Other detainees explain how their families experienced blackmail and the fraudulent taking of money based on false promises to provide information or release.<sup>645</sup>

196. Former detainees recounted that their families often only received information unofficially through released co-detainees or other third parties who were able to share news on the fate or whereabouts of missing relatives.<sup>646</sup> However, even that information could be inaccurate,<sup>647</sup> causing false hope or unwarranted despair. Detainees resorted to sharing contact details or messages with other detainees who could reach the outside world, as this was in many instances the only way relatives could receive news about the fate or whereabouts of detainees.<sup>648</sup> Government actors also took measures to prevent the leaking of information—for example by punishing detainees,<sup>649</sup> preventing them from talking, and obscuring their identities from each other.<sup>650</sup> [REDACTED].<sup>651</sup> Another detainee witnessed the punishment of an elderly man who asked to keep with him a piece of paper with his son's phone number written on it.<sup>652</sup>

197. [REDACTED].<sup>653</sup>



198. Some detainees indicated that their families did not feel able to ask questions about their whereabouts due to fear and the risk involved in requesting information from checkpoints or detention facilities.<sup>654</sup>

199. However, some families did approach, or contact, security branches, checkpoints, or detention facilities, sometimes through intermediaries, to ask about the fate of their relatives.<sup>655</sup> In some instances, the Government provided no information in response, or denied the detainee's presence in the facility.<sup>656</sup> In other instances, the Government falsely told family members that their loved one had died,<sup>657</sup> and declined to return the detainee's belongings or identification, or provide a death certificate.<sup>658</sup> [REDACTED].<sup>659</sup>

200. According to the released detainees, their families expressed surprise or cried when they returned home,<sup>660</sup> sometimes because they believed, or had been told, they were dead.<sup>661</sup> In some instances, male detainees reported that their wives had remarried while they were in detention, because they believed their husband to be dead.<sup>662</sup> Upon release, detainees struggled to adjust to the reality that life had moved on significantly while they were detained. There were family members who had died or been displaced and children who had grown up in their absence.<sup>663</sup>

## 2. Harm to family members caused by enforced disappearance

201. Although the Mechanism's analysis of harms experienced by detainees was limited to records of interview from former detainees, the Mechanism's Central Repository also includes evidence provided by the family members of disappeared persons arrested by Syrian Government forces. This evidence includes missing persons forms and supporting documentary records attesting to the unsuccessful efforts of family members to learn the truth about their loved ones who died in Government custody. Family members of many other disappeared persons have described their inability to obtain full and truthful information despite their requests.<sup>664</sup> Instead, in cases where documentation has been provided, the Government has issued hospital death certificates with a *pro forma* cause and place of death (for example, cardiorespiratory arrest at a hospital),<sup>665</sup> or civil registry death statements with no cause and a non-specific place of death (for example, Damascus),<sup>666</sup> often issued months or years after a detainee's death. This falls short of



what is required to meet family members' rights to truth, justice, reparation, and non-repetition.<sup>667</sup> In addition, the Mechanism's Central Repository also includes collections of interview records with family members of forcibly disappeared persons, providing individual accounts of harms they have experienced, and continue to experience, as a result.

202. In this section of the Report, the Mechanism has analysed the harms described in one such collection, comprising nearly 40 first-hand accounts of family members of disappeared persons who were arrested by Syrian Government actors. The witness interview records were taken by Legal Action Worldwide (LAW), recounting the personal experiences of the witnesses, which represent a small fraction of the overall number of victims/survivors of enforced disappearance in Syria. The witnesses include male and female children and other relatives of disappeared persons. The adult witnesses are predominantly female due to the high proportion of disappeared adult men in Syria.<sup>668</sup> They describe in detail the severe psychological harm caused by their family members' disappearances and the long-term consequences of those disappearances.

203. Witness accounts of the ongoing harms caused by enforced disappearance are corroborated and bolstered by a declaration prepared by a clinical psychotherapist and the coordinator of the mental health program at the Association of Detainees and the Missing in Sednaya Prison (ADMSP) Family Center. The ADMSP Family Center has provided more than 251 family members of missing persons who have been arrested by, or are believed to be detained by, the Syrian Government<sup>669</sup> with individual and group psychotherapy treatment services.<sup>670</sup> In response to a request from the Mechanism, the ADMSP Family Center prepared a Declaration on the harms experienced by this group of their beneficiaries, detailing the psychological impact of disappearance on family members and their communities, including long-term impacts and the most pressing needs of affected families and communities for recovery. Relevant information from the Declaration is integrated throughout this section of the Report.

204. Immediate family members and the communities of people who have been disappeared by the Syrian Government—predominantly, but not exclusively, women and children—have suffered from a range of emotional and psychological harm, starting from the moment their missing family member was arrested.<sup>671</sup>



205. Close relatives of disappeared family members suffer from depression, fatigue, despair, hopelessness, especially around once-joyful holidays,<sup>672</sup> and tension with other family members,<sup>673</sup> because of the sudden loss and continuing absence of their loved ones.<sup>674</sup> This emotional and psychological trauma can manifest itself in physical symptoms, such as “various non-medically explicable chronic pains in their bodies”, as well as headaches, shortness of breath, and heaviness in the chest.<sup>675</sup> Surviving family members of the disappeared are often wracked with debilitating guilt and self-blame leading to depression, listlessness, and profound isolation from others.<sup>676</sup>

206. In particular, children faced with the sudden loss of a parent suffer from emotional harms that result in, among other things, feelings of fatigue,<sup>677</sup> confusion,<sup>678</sup> shame, dramatic behavioral swings,<sup>679</sup> decreased educational achievement,<sup>680</sup> overwhelming sorrow and hopelessness,<sup>681</sup> anger,<sup>682</sup> fear,<sup>683</sup> and abiding trauma triggered by everyday events. One child survivor of a disappeared father said that when she thinks about her father, she feels “something inside me raging.” She said her father’s disappearance makes her “tired and distressed” and as if her body is not “coping anymore.”<sup>684</sup> Another said she feels rage toward the people responsible for disappearing her father stating that, “[t]he day he was arrested, that was the worst day. I hate that day. [...] I wish I could catch somebody and just hit him, hit him, hit him, curse him and wish he was never born.”<sup>685</sup> This social isolation and trauma caused by enforced disappearance risks triggering a generation of embittered children deprived of educational and financial stability, steeped in a sense of injustice, and susceptible to acting out in violence and revenge.<sup>686</sup>

207. Families of the disappeared have often faced new lives of displacement and disconnection, coinciding with, and/or resulting from, the disappearance, which has caused them both economic and emotional suffering.<sup>687</sup> Families of the forcibly disappeared suffer from living in a state of uncertainty about the fate of their loved ones, a condition that controls every aspect of their lives on a daily basis. They waiver between feeling hope for the return of the missing person, despair and loss of hope for their return, or sadness and grief over their death.<sup>688</sup>

208. Victims/survivors of disappeared family members have suffered deep emotional harm in not knowing what has happened to their loved ones. This harm is exacerbated by the Government’s



manifest intent to conceal detainees' whereabouts,<sup>689</sup> family members' fears that searching for answers with officials would lead to their own arrest, torture, or disappearance,<sup>690</sup> and concerns that loved ones—if still alive—would be killed in retaliation.<sup>691</sup> For example, in one case, the Government arrested, detained, and tortured the sister of a disappeared man after she asked Government officials about her missing brother.<sup>692</sup> The consequences of such harms include paralysing fatigue, depression, hopelessness, anger, sadness, fear, stress, loneliness, guilt, and a consuming desperation to know anything about the fates of their loved ones.<sup>693</sup>

209. Families of people disappeared by the Syrian Government have also suffered severe, sometimes catastrophic, economic consequences, plunging some families into abject poverty.<sup>694</sup> Moreover, the enforced disappearance of a breadwinner puts additional economic strain on surviving family members,<sup>695</sup> thrusting mostly women and children into the labor market for the first time, and forcing newly-single parents to shoulder all of the parental weight.<sup>696</sup> At the same time, psychological and emotional injuries diminish or even cripple the ability of surviving family members to carry out daily tasks.<sup>697</sup> Children have had to take on jobs to support their families. They have been forced to drop out of or change schools and often struggle to keep up with the demands of work and education.<sup>698</sup> The son of a disappeared father recounted that, when his father was taken before he was 12 years old, he had to stop going to school even though he wanted to continue studying. Instead, he spent his time working to support his mother and siblings. He also recounted that it was difficult to find work at his young age, but that without work his family would have no income on which to survive.<sup>699</sup> Girls of disappeared fathers said their fathers' disappearance forced them into early marriages to alleviate the financial burden on their families.<sup>700</sup> One child of a disappeared man said, "I had to get married because we didn't have a breadwinner within the family." She said, "I didn't have [a] choice but despite my will and what I wanted, I decided to get married."<sup>701</sup> Other families have been reduced to relying on aid, sometimes inadequate, from NGOs or humanitarian organisations. Others have turned to handouts from neighbours for survival.<sup>702</sup>

210. Willing to pay exorbitant amounts of money for any information about their missing loved ones, the families of people disappeared by the Syrian Government are frequently targeted by



extortionist networks, leading to the loss of savings, sexual exploitation, and a significant economic burden.<sup>703</sup> Families sometimes pay networks—which include lawyers and other intermediaries believed to have good relations with Government officials—large sums of money for what often turns out to be futile attempts to find their loved ones. Witnesses have recounted their extensive efforts to search for family members, inquiring with and paying Government officials and intermediaries,<sup>704</sup> visiting prisons, detention centres, and security branches,<sup>705</sup> and trying to pay the “impossible amount of money” sought in exchange for information.<sup>706</sup> In desperation, they have emptied their savings, sold their property and belongings, and borrowed money all in the hopes of learning the truth.<sup>707</sup> In response, most still receive contradictory, false, or no information, or are able to obtain death certificates without further explanation.<sup>708</sup> Since they could not obtain truthful information from Government officials, families of missing persons regularly turn to released detainees for answers.<sup>709</sup> As described by the brother of a disappeared person, when a family hears that someone is being released from detention, they go to ask about the missing person, but this is very painful and they receive contradictory information.<sup>710</sup>

211. This process leads family members on an emotionally exhausting journey where they waiver between hope for their loved ones’ return and renewed despair and grief. More broadly, the pervasive trauma suffered by the surviving families of the disappeared and the accompanying displacement, poverty, shame and anxiety degrades the social cohesion of the communities in which these families live. According the ADMSP Family Center, “family bonds disintegrate, and families of the disappeared lack social support and social networks, such as relatives and friends due to migration, asylum seeking and displacement.”<sup>711</sup>



3. Corroborative findings and observations by other UN human rights bodies and notice to the Syrian Government

212. In 2011, the Committee against Torture took the exceptional measure of requesting the Syrian Government to provide it with a special report indicating the measures being taken to ensure compliance with the Convention Against Torture, which report remains outstanding. Following this request, in 2012, the Committee highlighted the prevalence of enforced disappearances early on in the conflict and expressed its “grave concern” about ongoing violations of the Convention Against Torture in Syria, including “[a]rbitrary arrests not formally acknowledged and suspects often held incommunicado without their families being notified about their arrest or whereabouts”.<sup>712</sup> Since then, the Commission of Inquiry on Syria has publicly documented the Government’s systematic use of incommunicado detention and enforced disappearance, and requested its response.<sup>713</sup>

213. Since the beginning of the conflict in early 2011, the Working Group on Enforced Disappearances (WGEID) has also reported extensively on the issue of enforced disappearances in Syria, and has requested information from the Government in response to specific allegations.<sup>714</sup> The WGEID has noted that arrest or detention was generally followed by a complete refusal on the part of Syrian authorities to disclose information about the fate or whereabouts of the concerned person, or even to acknowledge their existence.<sup>715</sup> These denials are made despite many cases whereby Syrian military officers had forcibly removed individuals in public settings, such as their home or place of work, and in view of the family and neighbours.<sup>716</sup> The WGEID has observed a systemic pattern in disappearances over the course of the conflict, primarily targeting males over the age of 15. Government security, armed forces, or militia have arbitrarily arrested and detained people at checkpoints or during mass arrests or house searches, followed by a pattern of family members being unable to obtain information regarding the place of detention or the fate of the detained loved one.<sup>717</sup> The WGEID received and conveyed reports that the Syrian Government had systematically targeted Sunni Muslims in Aleppo, Damascus, Homs, Idlib, Latakia and Rif Dimashq, including due to sectarianism, failing to perform military service, and/or as punishment for anti-Government resistance.<sup>718</sup>





214. In addition to the anguish of not knowing the fate or whereabouts of their loved ones, the families of the disappeared are exposed to additional harms in their efforts to seek the truth. For example, the WGEID and Commission have indicated that, when going through informal channels, relatives often pay large sums of money to individuals—including corrupt state officials—for information.<sup>719</sup> The WGEID and the Commission have also observed that relatives of the disappeared are exposed to acts of reprisals.<sup>720</sup> Family members of disappeared persons are sometimes arrested or disappeared themselves as a result of their inquiries with the State.<sup>721</sup> This has instilled fear, inhibiting individuals from making inquiries with the State.<sup>722</sup> In 2020, the WGEID specifically requested the Syrian Government to take necessary measures to protect relatives of the disappeared from targeted reprisals.<sup>723</sup> Despite this, reprisals against family members have continued.<sup>724</sup>

215. In the WGEID 2023 General Allegation transmitted to the Syrian Government, the WGEID reported that the Government had still not adopted adequate preventive measures to stop disappearances and was failing to carry out effective search activities and investigations.<sup>725</sup> It also noted that perpetrators are not held accountable, and that victims of enforced disappearance and their families cannot obtain redress for harms suffered.<sup>726</sup> Relatives were being made to pay bribes to obtain information on the whereabouts of their loved ones, to visit them, or to expedite their presentation to a judicial authority.<sup>727</sup> The WGEID also alleged instances of harassment and reprisal.<sup>728</sup> The Government has not yet replied to these allegations.<sup>729</sup>

216. In a General Allegation transmitted to the Syrian Government in 2023, the WGEID identified the Government's issuance of death certificates for disappeared persons without specifying the cause of death and without information as to whether there has been an investigation with its corresponding results. The WGEID has also identified the Government's routine failure to hand over the bodies of concerned persons to families.<sup>730</sup> The Commission of Inquiry has similarly reported on the pattern of issuing inaccurate and/or incomplete death certificates to relatives of the disappeared<sup>731</sup> without also releasing information on the whereabouts of bodies, providing restitution, or returning personal belongings.<sup>732</sup> Many families learned of their loved ones' deaths in May 2018 when the civil registry offices registered the deaths of the disappeared



individuals and updated family records.<sup>733</sup>

217. In other instances, families learned of deaths through the release of the Caesar photographs.<sup>734</sup> For example, the Special Procedures Communications transmitted a case to the Government in 2013 regarding a missing person who was suspected to have died in detention; however, the Government did not provide a response to the communication.<sup>735</sup> In the meantime, the family continued to make inquiries with officials but to no avail. After the Caesar photographs were released in early 2014, the family was able to identify their relative amongst them, at which point the Government finally officially acknowledged their death. However, the body and personal belongings of the deceased were never returned to the family.<sup>736</sup>

218. The WGEID and Commission have reported on the impact enforced disappearances have had on Syrian families and social structures,<sup>737</sup> including that:

- Many cases of enforced disappearances have effectively resulted in the loss of two parents, as the remaining caregivers struggle to deal with the ensuing psychological and economic harms caused by the disappearances;<sup>738</sup>
- Women have faced disparate social and legal consequences in the uncertainty created by the disappearance of their husbands or fathers, including with respect to the status of their marriage, their right to inheritance and social welfare, and the management of the property of the disappeared person;<sup>739</sup>
- Children have been required to take on new caregiving or economic responsibilities, stalling their educational development.<sup>740</sup> Enforced disappearances have been linked to a reduction in education, including due to the severe psychological and emotional consequences of enforced disappearance.<sup>741</sup>
- Young girls whose parents are disappeared, and in particular whose fathers are disappeared, have faced increased pressure to marry early as a result of losing the primary breadwinner, which further disrupted their access to education;<sup>742</sup>
- Young men and boys, under extreme pressure from having to now provide for their families, have been susceptible to an increased risk of child labour.<sup>743</sup>



## H. Detention-related crimes have caused ongoing harm and long-term consequences

219. The inhumane prison conditions in Syrian Government facilities and the brutal treatment of detainees in the Government's custody inflicted a range of long-term physical, psychological, social, and economic harm on surviving detainees and their families. Approximately 200 witnesses within the Detainee Experiences Dataset described ongoing harm and post-detention consequences at the time of their interviews.<sup>744</sup>

### 1. Long-term physical consequences

220. In total, 120 witnesses described physical effects directly resulting from physical mistreatment during detention. Ninety-six still had marks on their bodies or ongoing symptoms at the time of their interviews, ranging from scars that were consistent with poor conditions and abuse in detention, to physical disabilities and conditions requiring ongoing treatment. Witnesses bore scars from being handcuffed, burned, beaten, lashed, and cut.<sup>745</sup> Others described scarring and other long-term symptoms that resulted from illnesses contracted due to inhumane detention conditions.<sup>746</sup> Many said they continue to suffer from general and joint pain often related to stress-positions during detention, headaches, changes in blood-pressure, heart conditions due to stress of detention, impaired vision due to dark cells and constant beating, and overall physical weakness.<sup>747</sup>

221. Both men and women described ongoing consequences of sexual violence—rape, sexual mutilation and other forms of torture involving the genitals—including scarring and genital pain, urinary problems, lack of sexual desire, sexual dysfunction, extensive medical treatment to treat the effects of sexual violence, and the inability to have children.<sup>748</sup> Female witnesses specifically reported problems with their menstruation following detention and the inability to breastfeed.<sup>749</sup> As described below, this also deeply affected released detainees' families, many of which fell apart. One former detainee who was raped multiple times in 2012 while in Government detention reported several years later that because of his experience, he was unable to sleep normally, had suffered a seizure, still relived the trauma of the rapes, and felt a socially isolating sense of shame.<sup>750</sup> Another said he has no desire for marriage after his experience in detention.<sup>751</sup>



## 2. Psychological impacts

222. In total, 89 witnesses described psychological symptoms that were not present prior to their detention and resulted from the detention experience, impacting their ability to live a normal life. Specific symptoms include memory loss, lack of focus, nightmares, intrusive thoughts, and a crippling sense of social anxiety manifesting itself in a desire to isolate themselves and avoid social encounters.<sup>752</sup> Examining doctors noted signs of depression and post-traumatic stress disorder (PTSD) in former detainees.<sup>753</sup> Some former detainees described suicidal ideation and feelings of self-harm, including attempted suicide.<sup>754</sup>

## 3. Social consequences and harm

223. The social and economic consequences of detention follow common trends for many victims/survivors but differ in significant ways based on gender and age. As described further below, often fearful of re-arrest or unresolved court cases, 82 former detainees were displaced due to, or immediately after, their detention. Thirty former detainees described experiencing or perceiving social stigma related to their detention or because of the resulting physical or psychological symptoms. Forty witnesses described negative effects on relationships with family members due to detention or post-detention physical and psychological effects. Fifty-six individuals described suffering economically due to their detention, including young people whose education was interrupted due to their detention experience.

224. Young witnesses reported that their time in detention profoundly altered their life trajectories. Among the witnesses who were students before detention and provided information on post-detention effects, 30 said detention interrupted their education; only one was able to conclude their education after detention. A female witness was able to continue her education after her first detention, but was eventually expelled from her university.<sup>755</sup> Others were expelled after their detentions or were unable to complete their education out of fear of crossing checkpoints to get to class, an inability to pass exams, or missing exam dates during detention, leading in some instances to compulsory military service for young men. All of this does not even touch on the crippling psychological impacts for those detained at a young age.<sup>756</sup>



225. Children of detainees also suffered from the effects of their parents' detention. Female witnesses described being separated from family in detention and their children being taken away from them by other family members.<sup>757</sup> Female witnesses further described the negative effects of their children being raised by others while in detention and a loss of control over their children's upbringing and safety.<sup>758</sup> Witnesses reported that the psychological effects of their detention profoundly altered their relationships with their children. Both male and female witnesses reported negative behaviours towards their children such as violence, neglect, or lack of affection that was not present prior to detention.<sup>759</sup> Both female and male witnesses reported their children did not recognise them upon release, which had a negative emotional impact on the witness.<sup>760</sup>

#### 4. Impact of stigma

226. Female witnesses reported suffering harm from social stigma related to their detention at a significantly higher rate than male witnesses. This harm manifested itself most visibly in the way witnesses described changes in their family relationships and their perceived role within their families. Female witnesses reported that the physical and psychological effects of detention and torture rendered them unable to live up to expectations related to housework, outside work, or normal social interactions.<sup>761</sup> Men said their experiences rendered them unable to fulfil expectations with respect to supporting their families, often financially.<sup>762</sup> They also described losing their ability or desire to have children.<sup>763</sup> One male witness described having to depend on his wife and children to complete basic life functions, then broke down in tears during the interview.<sup>764</sup>

227. Both male and female witnesses said the broader social stigma of being a former detainee negatively affected their self-perception and work opportunities, resulted in diminished opportunities for their children and partners, and engendered a general lack of respect from society.<sup>765</sup> One male witness said that, even though he was perceived by the broader society as a "hero" after his detention, he suffered economically after being displaced because of a fear of being arrested again.<sup>766</sup> Both male and female victims/survivors felt stigmatised due to a loss of respect and dignity caused by dramatic, negative changes in their economic situations.<sup>767</sup> Female witnesses described the blame placed on them for their detention and the resultant hardship to the



family.<sup>768</sup>

228. Female witnesses also described facing particular stigma related to their detention: the broad assumption that they had been raped or subjected to sexual violence in detention, whether or not it actually happened.<sup>769</sup> Even if people around them did not directly express this perception, female witnesses were often afraid their family or society as a whole would perceive them as having experienced sexual violence.<sup>770</sup> Meanwhile, men who were raped were terrified to admit this to the people around them.<sup>771</sup> Both men and women said they felt they were unable to speak to their family or others about any part of their experiences in detention, whether related to sexual violence or not.<sup>772</sup>

229. Among the 30 records in which witnesses report social stigma, 13 additionally stated that their detention had an impact on their family relationships, often linking negative changes in relationships to the social stigma affiliated with detention.

230. Both male and female witnesses described negative impacts on their marital relationships or inability to sustain sexual relations.<sup>773</sup> Witnesses reported separation and divorce as a consequence of detention,<sup>774</sup> including female witnesses getting divorced due to accusations of being raped while detained.<sup>775</sup> Both male and female witnesses reported their spouses marrying others during or after detention.<sup>776</sup> [REDACTED].<sup>777</sup>

##### 5. Economic consequences and harm

231. At least 56 male and female witnesses provided accounts of economic hardship resulting from detention. Both female and male witnesses reported losing their jobs due to their detention.<sup>778</sup> Others said the psychological and physical impacts of detention prevented them from working or remaining in their profession.<sup>779</sup> Following their release, some male witnesses who had been in the military were required to return, and others were conscripted, prompting them to flee.<sup>780</sup> Some former detainees indicated their lack, or downgrading, of work opportunities due to their forced displacement.<sup>781</sup> Some lost the desire for work and managed to only do enough work to survive.<sup>782</sup> At least one blames his interrupted studies for not being able to find work.<sup>783</sup> Additionally, both married male and female witnesses reported that the wives and mothers had to find low-wage jobs



to financially sustain families after detention.<sup>784</sup>

232. [REDACTED].<sup>785</sup>

233. This loss of financial stability exacerbated other effects of detention, [REDACTED].<sup>786</sup> [REDACTED].<sup>787</sup> While these financial hardships affected both male and female victims/survivors, some women reported that they were blamed by their families for the economic and social costs of their detention and the cost of releasing them.<sup>788</sup> [REDACTED].<sup>789</sup>

#### 6. Deportation and fear of re-arrest

234. In 82 cases, post-detention displacement had clear links to the individual's detention experience. A majority of those blamed their displacement on a fear of being re-arrested or fear that other family members would also be arrested. Often the fear of re-arrest stemmed from unresolved court cases and an inability to obtain official identification documentation due to prior arrest.<sup>790</sup> Some reported that they and their relatives continued to be harassed after their detention<sup>791</sup> while others described a more general fear of arrest.<sup>792</sup> Fear of re-arrest, continued threats, and displacement caused isolation from family and others.<sup>793</sup> Fleeing Syria also resulted in family separation.<sup>794</sup> Witnesses described suffering psychological fear manifested in physical symptoms when passing checkpoints, seeing people in military or security uniforms, or having their identification checked.<sup>795</sup>



#### IV. GOVERNMENT STRUCTURES INVOLVED IN THE DETENTION SYSTEM

##### A. Overview: Relevant entities, *de jure* and *de facto* authority

235. As popular demonstrations in Syria grew in intensity and scope in the spring and summer of 2011, the Syrian Government mobilised to address the unrest by all means at its disposal, unleashing a coordinated campaign to arrest, detain, and torture and/or inflict ill treatment on anyone perceived to be affiliated with opposition to the Government. From early 2011, the Syrian Government used high-level coordinating bodies—in particular, the Central Crisis Management Committee (“CCMC”), the National Security Bureau (“NSB”), and other Baath Party structures—to organise the country’s entire security apparatus, including the military, police, and intelligence agencies from Damascus out through the governorates behind the singular purpose of violently repressing dissent.

236. Among other State organs, the Government has used its four main intelligence agencies—the Military Intelligence Department, the General Intelligence Directorate, the Air Force Intelligence Directorate, and the Political Security Department—to systematically arrest wanted persons, detain them in inhumane conditions, and torture them to extract confessions and information that would be shared among intelligence agencies, including to arrest, detain, and torture “new targets”.<sup>796</sup> Detainees have been transferred to different facilities within and across agencies, where they have often faced fresh interrogations, and remained out of reach of inquiring family members and the legal protections they are entitled to. When they finally surfaced in court or in regular prisons where they were more frequently able to contact family and legal counsel, judicial actors have frequently kept detainees in custody despite being confronted with evidence of their coerced confessions under torture. Massive bribes were frequently required in order to move cases forward and secure their release. The Military Police have overseen military prisons where horrendous violations have occurred. Despite keeping records on all detainees who pass through their custody and/or military prisons, they and other Government actors have withheld information regarding detainees from their family members. In coordination with intelligence agencies and the Military Police, military hospital personnel helped cover up detainee deaths in





Government custody by falsifying documentation of detainee deaths. Each Government entity has played a critical role in service to the Syrian Government’s objective to suppress opposition by all means available, resulting in the widespread torture and disappearance of dissenters and anybody else the Government viewed as a threat. These entities, their organisational structure, and relevant authority are described below, as established in relevant Syrian laws, Government documents, and corroborating witness and other evidence.

## **B. Syrian Government leadership and coordinating entities**

### **1. President and Commander-in-Chief, and Regional Commander of the Baath Party**

237. Bashar al-Assad has been President of Syria since 2000 and by virtue of his role, he exercises extraordinary *de jure* and *de facto* control over the Syrian Government military, judicial, legislative, and executive structures primarily responsible for the Government’s violent campaign of repression starting in 2011. He derives this power from both the Syrian Constitution and through his leadership of the Baath Party. Since 2000, Bashar al-Assad has also headed the Baath Party as its “Regional Secretary”,<sup>797</sup> a position previously held by Hafez al-Assad until his death.<sup>798</sup>

238. Under the Syrian Constitution, the President is the Commander-in-Chief of the Armed Forces.<sup>799</sup> He has the power to issue all decisions necessary to exercise this authority, including appointing civilian and military employees and ending their service in accordance with the law.<sup>800</sup> According to the Military Service Law (which does not reflect the specific command structure of these forces), the Armed Forces comprise the Syrian Arab Army—including the Land Forces, Air Forces and Air Defence. It also lists the Internal Security Forces, the Reserve Forces, and the Popular Army as “subsidiary forces” and other forces “to be established as necessary.”<sup>801</sup> Other key entities fall under the command of the Syrian Armed Forces/Ministry of Defence, including two intelligence agencies (the Military Intelligence Department and Air Force Intelligence Directorate), the Military Police (who also oversee military prisons), and military hospitals.<sup>802</sup>

239. The Syrian Constitution also empowers the President to enact decrees, decisions, and orders, and pass or reject laws approved by the People’s Assembly.<sup>803</sup> As President, al-Assad also



has the authority to enact legislation himself under certain circumstances.<sup>804</sup> As Chair of the Supreme Judicial Council, he has authority to appoint and replace judges and prosecutors, including for the Counter-Terrorism Court established in 2012.<sup>805</sup>

240. The President sets the general policy of the State and oversees its implementation through the Council of Ministers whom he appoints.<sup>806</sup> Central to the Government's detention infrastructure is its Ministry of the Interior, which oversees the Political Security Department, the Criminal Security Directorate, the police, and civilian prisons.<sup>807</sup>

241. As set out in more detail below, the General Intelligence Directorate, the NSB and, during its existence, the CCMC, also report directly to Bashar al-Assad as the President.<sup>808</sup>

## 2. Baath Party

242. Until 2012, the Baath Party was constitutionally mandated as the “leading party in the society and the state”.<sup>809</sup> While this provision was not retained in the 2012 Constitution, the Baath Party has continued to play an influential role in the Syrian Government, including through Party institutions and structures, described below, and the armed forces which required Baath Party loyalty.<sup>810</sup> Since 2000, President Bashar al-Assad has led the Baath Party as its “Regional Secretary”,<sup>811</sup> overseeing the Baath Party Regional Command.<sup>812</sup> The Syrian Government coordinated its response to demonstrations and mounting opposition through Baath Party institutions, including the CCMC, NSB, Security Committees, Joint Investigation Committees, and mobilised Popular Committees and other Baath Party loyalists. From March 2011 until mid-2012,<sup>813</sup> the CCMC, the NSB,<sup>814</sup> and the governorate-level Security Committees<sup>815</sup> coordinated and implemented the Government's response to the demonstrations, including the arrest, detention, and interrogation of persons suspected to be involved in them.

243. The Regional Command oversees the Baath Party's entities and bureaus across Syria, and the affairs of the Party more generally,<sup>816</sup> and the Regional Secretary (the President) oversees the activity of the Regional Command.<sup>817</sup> Under the Baath Party's Regional Command Decision 140 of 2006, the decisions of the Regional Command are binding on the Government.<sup>818</sup> The Regional Command is responsible for giving general directions in areas including national security and



implementing the State’s public plans and policies via its offices, Party branches, and Party organisations.<sup>819</sup> Baath Party policy and directives are implemented by entities operating throughout Syria at the branch, section, division, and cell levels.<sup>820</sup> Nominations of members of the popular organisations and syndicates are submitted to the Regional Command.<sup>821</sup> The Regional Command is further entitled to “deal with any mistake committed by the government or any failure thereof,” and seek accountability or discharge of any officer or manager who failed to do his job or “committed a mistake”.<sup>822</sup>

244. In the early stages of the uprising, the Government mobilised members of these popular organisations and syndicates,<sup>823</sup> as well as other loyalists, to form the so-called Popular Committees,<sup>824</sup> discussed further below.

### 3. Central Crisis Management Committee (CCMC) (March 2011- July 2012)

245. To coordinate the Government’s response to the popular uprising, the CCMC was created on or around 27 March 2011 as an organ of the Baath Party.<sup>825</sup> This national-level *ad-hoc* security body—composed of senior political, security, and military officials—was responsible for coordinating the security and military response to the demonstrations—and the emerging armed opposition.<sup>826</sup> During its existence between March 2011 and around July 2012,<sup>827</sup> the CCMC was the highest national security body in the Syrian Government, and reported directly to President Assad.<sup>828</sup> It was initially chaired by the Assistant Regional Secretary of the Baath Party, and its members included the four heads of the intelligence agencies (the General Intelligence Directorate, the Air Force Intelligence Directorate, the Military Intelligence Department, and the Political Security Department), the Minister of Defence, the Deputy Minister of Defence, the Minister of the Interior and the Head of the NSB, which operated before and after the CCMC’s existence.<sup>829</sup>

246. The CCMC formulated strategic and operational instructions to Syrian Government entities meant to coordinate Government efforts to repress dissent, including on conducting joint arrest operations and processing detainees. These instructions were disseminated *via* the NSB to the four main intelligence agencies, which then disseminated these instructions *via* their own chains



of command.<sup>830</sup> Each department also sent regular reports containing updates on security issues back up the chain of command.<sup>831</sup>

#### 4. National Security Bureau (NSB)

247. The National Security Bureau of the Regional Command of the Arab Socialist Party (NSB) was formed as a Baath Party organ under the Regional Command of the Party.<sup>832</sup> The NSB is a control and coordination body for Syrian intelligence agencies, connecting them to the Presidency and Baath Party leadership.<sup>833</sup>

248. During the existence of the CCMC, the NSB served as the link between the CCMC and the Security Committees in the governorates and districts.<sup>834</sup> It sent and received information on the Government's ongoing efforts to suppress dissent in Syria,<sup>835</sup> including information on such matters as the detention of prisoners<sup>836</sup> and conducting joint arrest operations,<sup>837</sup> and intelligence from governorate-level intelligence agencies and Security Committees.<sup>838</sup> The CCMC apparently ceased functioning in mid-2012, around the same time that the NSB was placed under the direct and official control of the Syrian President rather than the Baath Party.<sup>839</sup> The decree emphasised that the NSB would be "directly connected to the President of the Republic, operate according to his instructions, and submit its reports and the results of its work to him."<sup>840</sup>

249. Government documents issued after July 2012 (when the CCMC ceased) show that its core mission remained intact: to serve as a control and coordinating body for the Syrian Government's intelligence agencies and other security forces.<sup>841</sup> They also confirm that, post-CCMC, the NSB wielded key oversight and decision-making authority, including with respect to decisions on whether to release certain detainees, and how to handle the deaths of detainees in Government detention.<sup>842</sup> Although the Mechanism's Central Repository only contains internal NSB Government documents dated through 2015,<sup>843</sup> according to Syrian Government official state media, in January 2024, Bashar al-Assad chaired a meeting with the NSB and the heads of the intelligence agencies and other security forces. Al-Assad focused the meeting on restructuring in the security field and "developing coordination between agencies to enhance the performance of the security forces in the next stage, as well as developing anti-terrorism tools after the important



results achieved over the past years.”<sup>844</sup>

## 5. Security Committees

250. Governorate-level Security Committees are Baath Party entities that pre-date the demonstrations starting in 2011.<sup>845</sup> The governorate Baath Party secretaries chaired Security Committee meetings, which coordinated the Government’s governorate-level response to the ongoing protests.<sup>846</sup> For example, Security Committees planned for the arrest of people on wanted lists and “instigators who participated in the demonstrations and offended the country and its leader”,<sup>847</sup> and coordinated the establishment of checkpoints and patrols.<sup>848</sup> The Committees are comprised of important members of the Syrian Government, including the relevant governor, the governorate-level heads of the four intelligence agencies, the police commanders, the military police commanders, and sometimes military commanders, who took decisions on how to respond to ongoing events.<sup>849</sup> In addition to ensuring the communication and dissemination of NSB and CCMC instructions to all security forces in their governorates, Security Committees oversaw their implementation, established the Joint Investigation Committees, and oversaw collaboration with pro-Government militias within their sectors.<sup>850</sup>

251. Government documentation shows the high level of communication and coordination between Security Committees, the NSB, and the CCMC during its existence. Security Committees received information and disseminated implementing instructions from the CCMC and/or the NSB in their geographic areas of responsibility.<sup>851</sup> For example, the Head of the NSB sent the 5 August 2011 instruction to the heads of the Security Committees in six governorates, ordering the launch of “daily joint security-military campaigns” to arrest and detain protestors.<sup>852</sup> Security Committees were directed to report back to the NSB on the results of searches and arrests on a daily basis.<sup>853</sup> Security Committees also sent information and requests back up to the NSB.<sup>854</sup>

252. In October and November 2011, the CCMC modified the Security Committees in many governorates to enable greater coordination between security forces and the military, replacing the heads of Security Committees with high-ranking military commanders. The latter would command both the Security Committee and all military forces in their respective governorates, centralising



the authority in a single commander.<sup>855</sup> Subsequently, these commanders had authority over all military and security operations in their respective governorates, including detentions by intelligence branches.<sup>856</sup> An order from President al-Assad appointing one of these commanders further describes the level of their authority. Such commanders were considered as head of the Security Committee and “charged with the command of all military units and formations, the different security forces, the internal security forces and the government and party authorities” within the governorate.<sup>857</sup>

#### 6. Joint Investigation Committees

253. On 5 August 2011, the CCMC ordered the creation of Joint Investigation Committees in the governorates of Hama, Rif Dimashq, Deir-Ezzor, Homs, Idlib, and Daraa. Composed of representatives of the governorate-level intelligence agencies, the Joint Investigation Committees were ordered to interrogate detainees so that the Government could collect information to draw up wanted lists of anyone implicated during these interrogations.<sup>858</sup> The CCMC ordered the creation of these committees to address the perceived weakness of the intelligence agencies in dealing with the protests and to improve information-sharing between these agencies.<sup>859</sup>

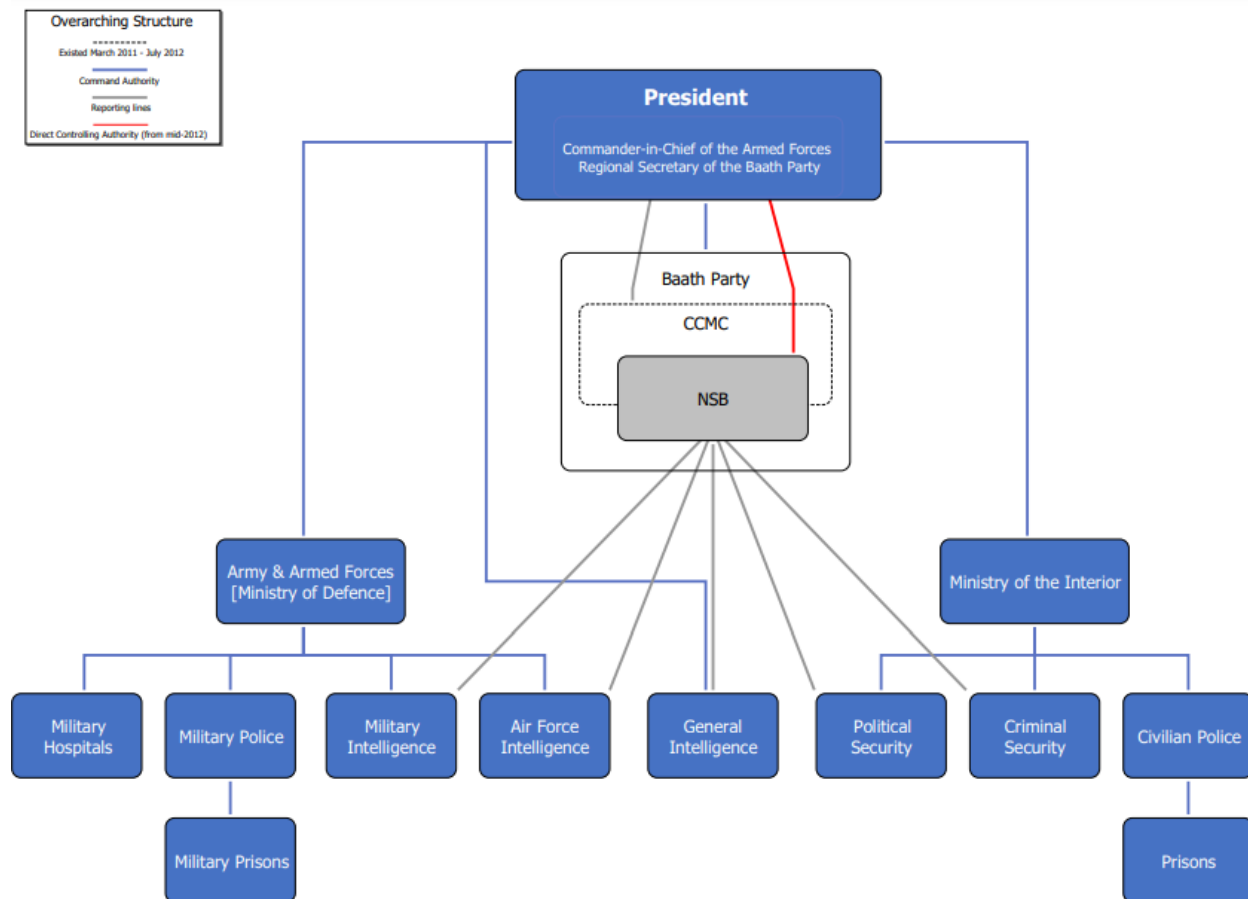
254. In compliance with these instructions, Joint Investigation Committees were established in the governorates of Hama,<sup>860</sup> Deir-Ezzor,<sup>861</sup> Homs,<sup>862</sup> and Idlib.<sup>863</sup> In the governorates of Raqqa<sup>864</sup> and Aleppo,<sup>865</sup> Investigation Committees with the same structure and purpose already existed prior to these instructions, and continued to function in the same manner afterwards. The Joint Investigation Committees interrogated thousands of detainees, including at detention facilities in Homs and Aleppo.<sup>866</sup>

#### C. **Intelligence agencies**

255. The Syrian Government wielded its four main intelligence agencies as necessary tools for implementing its widespread campaign of arrest, detention, torture and ill treatment launched in the spring of 2011. Intelligence agencies have been on the front lines of the Government’s campaign to quash dissent by all means, working in a coordinated way to carry out CCMC and NSB instructions.



256. When the scale of protests increased in the spring of 2011, the Syrian Government already had in place an entrenched intelligence apparatus, renowned for mistreating and torturing people in its custody. The four main intelligence agencies and coordinating bodies comprising this intelligence apparatus all reported directly to the President or indirectly through the Army and Armed Forces or Ministry of the Interior, the Military Intelligence Department,<sup>867</sup> the Air Force Intelligence Directorate,<sup>868</sup> the General Intelligence Directorate (also known as “State Security”)<sup>869</sup> and the Political Security Department.<sup>870</sup> These agencies began working in closer coordination when the Government formed the CCMC in late-March 2011. For purposes of describing the locations of detention facilities, “security branches” refers to the branches of the four main intelligence agencies and the Criminal Security Directorate.





257. During the existence of the CCMC, the NSB oversaw the implementation of executive instructions, coordinating directly with the heads of each of the intelligence agencies, who also participated in the CCMC during its existence.<sup>871</sup> In devising and launching the Government's response to the mass demonstrations, the heads of the intelligence agencies sent NSB and CCMC instructions down their respective chains of command, and reported back to the NSB and the CCMC regarding implementation of instructions.<sup>872</sup>

258. In implementing these instructions, each intelligence agency has contributed to the Syrian Government's campaign to quash dissent, including by collecting, evaluating, disseminating, and acting on intelligence and security information; developing and distributing lists of wanted people; staffing checkpoints; monitoring and counteracting demonstrations; participating in arrest operations; detaining and interrogating prisoners; and transferring them to other branches or intelligence agencies that sought to interrogate them.<sup>873</sup>

259. All four of these intelligence agencies operate according to a similar, highly centralised organisational structure. The heads of these agencies are based in Damascus. Each agency has "central" branches and "governorate" branches.<sup>874</sup> Central branches, located in Damascus, include investigation branches, information branches, and special tasks or raids branches, amongst others, including various administrative and technical branches. Governorate branches are usually located in the capitals of each governorate.<sup>875</sup> They are made up of sections with responsibilities in areas that tend to reflect the central branches' areas of specialization (investigation, information, special tasks, etc.). Governorate branches further extend this network through detachments and sections located at various other towns and villages within their governorate. Although each agency might use different terminology for the names of certain branches, or have slightly different geographical coverage in the governorates, they all operate according to this broad structure, radiating authority from the Head in Damascus to small detachments throughout Syria.<sup>876</sup> The NSB and the heads of the intelligence agencies have used this structure to disseminate instructions and received regular reporting from across the country in return.<sup>877</sup>

260. Each intelligence agency has also maintained its own network of detention facilities in Damascus and in governorates throughout Syria. Based on a dataset of 501 witness interview





records provided by three independent sources (Detention Locations Dataset), the Mechanism mapped 111 Syrian Government facilities across all four intelligence agencies and other Government entities (see Annex B). As detailed in Annex B, the 111 facilities were identified from witness accounts as locations where they were detained and transferred, and for which the detaining entity could be verified in Government documents. In addition to these 111 Government facilities, the Mechanism identified more than 30 other facilities where detainees were mistreated and/or transferred as part of the detention process, but had insufficient information to confirm the Syrian Government entity in control of the facility and/or its location. This list is not comprehensive and represents a fraction of the total number of such facilities, since the dataset that served as a basis for the mapping is limited to detainees who passed through at least one of 10 identified key facilities relevant to the Mechanism's detention line of inquiry within its Structural Investigation (*see* Annex A). Based on the Mechanism's analysis of these interview records, the Syrian Government's intelligence agencies alone have detained people in at least 80 facilities across the country:

- The Military Intelligence Department operates at least 33 detention facilities, spanning all governorates, including more than five in Damascus;<sup>878</sup>
- The Air Force Intelligence Directorate operates at least 16 detention facilities, including in Damascus, Aleppo, Homs, Daraa, Deir-Ezzor, Hama, Latakia, and Raqqa;<sup>879</sup>
- The General Intelligence Directorate operates at least 16 detention facilities (including branches, sections, and detachments) including in Damascus, Homs, Hama, Aleppo, Latakia, Deir-Ezzor, Idlib, Daraa, Raqqa, and al-Hasakah;<sup>880</sup> and
- The Political Security Department operates at least 14 detention facilities (including branches and detachments) including in Damascus, Homs, Aleppo, Daraa, Latakia, Hama, Deir-Ezzor, Raqqa, Quneitra, and Tartus.<sup>881</sup>

261. Of the 111 identified facilities corroborated by Government documents, 94 were identified in the accounts of former detainees analysed as part of the Detainee Experiences Dataset. These witness accounts show that Syrian Government actors have subjected these detainees to inhumane detention conditions, ill treatment and/or torture in 92 of these 94 identified facilities.<sup>882</sup> The body of evidence analysed strongly supports their accounts that intelligence agencies and other Syrian security forces used the information obtained through torture to identify and arrest other persons,



and provided it for use in court proceedings against them.<sup>883</sup>

#### **D. Military Police**

262. The Military Police, under the command of the Army and Armed Forces of Syria,<sup>884</sup> have conducted joint patrols and raids to find and detain wanted individuals,<sup>885</sup> transport prisoners,<sup>886</sup> and document the deaths of detainees who died in custody at military hospitals.<sup>887</sup> The Military Police also have a registry office, where family members have been directed to seek information about persons believed to be in Government custody.<sup>888</sup> The Military Police also oversee military prisons where severe mistreatment of detainees has occurred.

263. The organisational structure of the Military Police is similar to that of the four intelligence agencies described above. The commander of the Military Police is based in Damascus, at the Military Police headquarters in al-Qaboun. This is also the location for Military Police central branches, such as the Military Criminal Investigations Branch, the Investigation and Prisons Branch and the Forensic Photography Section. Governorate-level branches and posts, and smaller detachments and stations, exist in cities and towns across Syria.<sup>889</sup>

264. “Caesar”, who brought thousands of photographs of detainee bodies out of Syria, worked in the Military Police Forensic Photography Section.<sup>890</sup> Prior to the uprising, Caesar and his colleagues’ main role had been photographing military personnel who had been killed or injured in accidents, crimes, or combat, but starting in 2011, they were required to photograph a large number of bodies of civilians who had been killed, many of whom showed obvious signs of torture and mistreatment.<sup>891</sup>

265. The Military Police have detention facilities at their premises around the country and are responsible for running military prisons, including:<sup>892</sup>

- First Military Prison (Sednaya);
- Second Military Prison (Tadmur);
- Third Military Prison (“al-Balouna”, Homs);
- Military Police facilities, al-Qaboun, Damascus.<sup>893</sup>



266. Military prisons are under the jurisdiction of the Military Police, including First Military Prison.<sup>894</sup> Many detainees have been sent to First Military Prison from Military Intelligence Branches via the Military Field Court.<sup>895</sup>

### **E. Military Hospitals**

267. The Government has used military hospitals across Syria to process the bodies of detainees who died there or in the security branches of intelligence agencies.<sup>896</sup> Detainees from security branches or military prisons who were sent to military hospitals for medical treatment have been severely abused by hospital staff and intelligence or military police personnel deployed to the hospitals.<sup>897</sup> According to the accounts of former detainees and insider witnesses, this mistreatment occurred despite their transfer for medical treatment due to the animosity of pro-Government military hospital staff and security personnel at the hospitals towards detainees, who they deemed to be “terrorists”.<sup>898</sup>

268. Military hospitals in Syria are part of the Syrian Armed Forces. They fall under the Medical Services Directorate, which is subordinate to the Logistics and Supply Commission, which in turn is subordinate to the General Command for the Army and Armed Forces.<sup>899</sup> The Medical Services Directorate is commanded by a Director, a doctor who holds the rank of Major General in the Armed Forces.<sup>900</sup> Generals also serve as Chief Physicians of the military hospitals.<sup>901</sup> Most hospital personnel, such as doctors and nurses, are military personnel with ranks.<sup>902</sup> In practice, military personnel have also been supplemented by civilian doctors working as contractors, particularly those with a medical speciality needed by the hospital.<sup>903</sup> In addition to the regular medical personnel, security officers are stationed in military hospitals. The security officer is the liaison with the Military Intelligence branch. In addition to coordinating with Military Intelligence branches that bring detainees to military hospitals for treatment, security officers have monitored hospital personnel for perceived anti-Government sentiment and referred reports to the relevant Military Intelligence branch for questioning.<sup>904</sup>

269. Forensic medicine departments within military hospitals conduct medical examinations of bodies, including the bodies of detainees brought to military hospitals.<sup>905</sup> These departments have



played a key role in concealing the causes of death of detainees, by neglecting to conduct medical examinations of their bodies and instead providing inaccurate information in official death reports.<sup>906</sup>

270. Some military hospitals also had detention facilities or holding cells under the control of the Military Police, as well as intelligence agencies that brought detainees to the hospitals.<sup>907</sup>

#### **F. Ministry of the Interior**

271. The Ministry of the Interior is a recognised entity under the Syrian Constitution<sup>908</sup> and the President of the Republic appoints the Minister of the Interior.<sup>909</sup> Internal Security Forces under the Ministry of the Interior include the Political Security Department, the Criminal Security Directorate, the Prisons Department, the Riot Police Command, and governorate-level police commands.<sup>910</sup>

272. The police and other Ministry of the Interior personnel have operated civilian prisons,<sup>911</sup> operated checkpoints,<sup>912</sup> arrested individuals including protesters,<sup>913</sup> broken up demonstrations,<sup>914</sup> detained arrestees in police stations before their transfer to other Government-run entities,<sup>915</sup> and conducted joint patrols and interrogations.<sup>916</sup> The NSB and Security Committees have provided instructions requiring the police to collaborate with and work alongside the intelligence agencies.<sup>917</sup>

273. Civilian prisons, including Adra Prison (also known as Damascus Central Prison), are operated by the Ministry of the Interior, via the Prisons Department and the Police.<sup>918</sup> The Government held detainees in Adra Prison before and between their court appearances and to serve their sentences.<sup>919</sup>

#### **G. Judicial System**

274. The Syrian Government's judiciary has sustained and contributed to the Government's detention system and its mistreatment of detainees through the lack of due process afforded to detainees, filing unsupported charges, and keeping them detained for prolonged periods despite a lack of evidence other than security reports based on their coerced confessions. Government actors



played their individual roles in perpetuating these injustices and enriching themselves with bribes paid by detainees' family members to secure court appearances and release. The Syrian Government institutionalised this system through the promulgation of legislation and procedures that have enabled these violations and the procurement of forced confessions under torture. This system has also allowed the intelligence apparatus to retain custody of detainees who should be referred to judicial authorities without exception. Judicial entities have also failed in their responsibility to supervise prisons and places of detention, and to ensure the well-being of detained persons.

275. For most of the period of relevance since early 2011, there have been four court systems operating in Syria:

- Ordinary criminal courts;
- The Counter-Terrorism Court;
- Military Courts; and
- Military Field Courts.

The vast majority of witnesses whose accounts were analysed as part of the Detainee Experiences dataset had an interaction with one or more of these court systems, primarily the Counter-Terrorism Court, the Military Courts, and/or the Military Field Courts, rather than the ordinary criminal courts. The Counter-Terrorism Court and the Military Field Courts are exempted from the usual procedures for prosecution and trial, as described in further detail below.

276. At the outbreak of protests in 2011, Syria was still under a State of Emergency that had been declared in 1963. The State of Emergency Law had given the state extraordinary powers to detain people indefinitely without reference to the courts.<sup>920</sup> Associated with the State of Emergency, the Supreme State Security Court was established in 1968. This court was exempted from the usual legal processes and provided no right to appeal.<sup>921</sup> On 21 April 2011, in apparent response to the demands of protestors, the President ended the State of Emergency and abolished the Supreme State Security Court.<sup>922</sup> On the same day, he issued Legislative Decree 55, which



allowed for 60 days' detention during the investigation with judicial approval.<sup>923</sup> In July 2012, the Syrian Government issued a Counter-Terrorism Law<sup>924</sup> and established a new court, the Counter-Terrorism Court.<sup>925</sup>

277. Each of the court systems has its own public prosecution and investigative judges, except for the Military Field Courts, which has a public prosecution simultaneously empowered with the role of the investigative judge. These authorities have the power to order detentions, file and refer cases, and/or dismiss charges where they are unsupported.

278. The role of the public prosecution<sup>926</sup> is to file and prosecute criminal cases.<sup>927</sup> This includes collecting evidence, arresting suspects, referring investigations to the investigative and/or referral judge in certain cases or to the appropriate courts.<sup>928</sup> For ordinary courts, the Minister of Justice appoints the judges of the public prosecution,<sup>929</sup> including the Prosecutor-General,<sup>930</sup> by decree based on a decision of the Supreme Judicial Council,<sup>931</sup> which is chaired by President al-Assad.<sup>932</sup> The military courts have their own military prosecutors and judges who are generally officers appointed by a decree issued upon the recommendation of the Commander-in-Chief of the Army and Armed Forces.<sup>933</sup> The Counter-Terrorism Court's judges and members of its public prosecution are appointed by a decree based on a recommendation from the Supreme Judicial Council,<sup>934</sup> which is chaired by the President.

279. The public prosecution has the authority to extend detention periods for detainees arrested for security related offences. Legislative Decree 55 allows intelligence agencies to detain individuals arrested for security related crimes for 7 days, subject to renewal by the Prosecutor-General up to 60 days.<sup>935</sup> In jurisdictions where there is no prosecutor, their role is assumed by other members of the judiciary.<sup>936</sup> In cases presented to the military judiciary, the single military judge has approved extensions of detention periods.<sup>937</sup> The public prosecution is also responsible for supervising prisons and other places of detention.<sup>938</sup>

280. Investigative judges in the ordinary courts, the military courts and the Counter-Terrorism Court have the authority to refer cases to the appropriate court, or dismiss the charges and release the accused if they determine that the act does not constitute a crime or if the evidence is insufficient.<sup>939</sup> Once investigative judges complete their investigation, they provide a decision on



the case file and submit the investigation file to the Prosecutor-General.<sup>940</sup> Government documents show that investigative judges could issue orders to detain or release detainees, potentially awaiting further court dates.<sup>941</sup> In the regular military courts, if the investigative judge dismisses a case for lack of sufficient evidence, they must notify the Military Prosecutor-General who then notifies the Chief of the General Staff.<sup>942</sup> The investigating judge or justice of the peace are required to verify the well-being of persons held in detention centers and prisons once per month.<sup>943</sup>

281. Military courts are under the control of the General Command of the Army and Armed Forces.<sup>944</sup> The military judicial system has its own Prosecutor-General. The system consists, *inter alia*, of permanent military courts located in Damascus, Homs, and Aleppo,<sup>945</sup> military investigative judges, and single military judges.

282. During its operation between 1968 and 2023,<sup>946</sup> the Military Field Courts were exempted from the usual procedural law.<sup>947</sup> The public prosecution at the Military Field Courts possessed all the powers and authorities granted to the Military Prosecutor-General and the military investigative judge<sup>948</sup> and could order detentions.<sup>949</sup> The Military Field Courts allowed trials *in absentia*,<sup>950</sup> and their judgments were not subject to appeal.<sup>951</sup>

283. In July 2012, the Syrian Government passed a new Counter-Terrorism law. This defined terrorist acts as:

Any act aimed at creating a state of panic among the people, disturbing public security or damaging the infrastructure of the State and is committed by the use of weapons; ammunitions; explosives; inflammable materials; toxic or incendiary products; or epidemiological or microbial agents, irrespective of the type of such means, or by any device that serves the same purpose.<sup>952</sup>

284. The same month, the Government established the Counter-Terrorism Court in Damascus.<sup>953</sup> The role of the Counter-Terrorism Court is to examine terrorism cases and other cases brought to it by its own public prosecution.<sup>954</sup>

285. Accused who appear before the Counter-Terrorism Court are usually charged with crimes under the Counter-Terrorism law, for involvement in terrorist acts,<sup>955</sup> membership in a terrorist organisation,<sup>956</sup> and/or financing terrorism.<sup>957</sup> The law also prohibits conspiracy,<sup>958</sup> training,<sup>959</sup>



promoting, and threatening to commit terrorist acts.<sup>960</sup> The Counter-Terrorism Court is not bound by the regular procedures provided for during prosecution and trial.<sup>961</sup> The Court allows trials *in absentia*,<sup>962</sup> and judgments are subject to appeal.<sup>963</sup> In practice, exercising the rights of the defence before the Counter-Terrorism Court has been severely curtailed.<sup>964</sup>

286. Government documents show that the intelligence agencies have referred detainees to the public prosecutors in the judicial system, transferring them with statements taken during interrogation or summaries of accusations against them.<sup>965</sup> The Prosecutor-General has the authority to not pursue prosecution if they determine that the act does not constitute a crime or if the evidence is insufficient.<sup>966</sup> In practice, however, the exercise of this authority in favour of the accused has often required the payment of bribes.<sup>967</sup> Moreover, the NSB and intelligence agencies have retained high-level authority to make release decisions with respect to certain detainees or decline to refer them to judicial authorities.<sup>968</sup>

#### **H. Pro-Government militias**

287. In addition to intelligence agencies, police, and regular armed forces, the Syrian Government relied on paramilitary units to suppress protests and to arrest and detain protestors. Since 2011, the Syrian Government has augmented its security forces with pro-Government militias, including the Popular Committees and the National Defence Forces, ensuring their subordination under the Security Committees, security branches, and military commanders.<sup>969</sup> Commonly referred to by many Syrians under the colloquial term of “*shabiha*”, pro-Government militias provided reinforcements for depleted security forces. Detainees identified male and female “*shabiha*” as having participated in their arrests at checkpoints and during raids, often in coordination with other Syrian Government forces.<sup>970</sup>

288. From the outset of the popular uprising in March 2011, the Syrian Government used existing Baath Party structures to mobilise loyalists to confront opposition demonstrators and serve as a reserve force at Baath Party offices.<sup>971</sup> The relationship between the intelligence agencies and these loyalist forces evolved, as they “became a source of intelligence, monitoring and guidance for action in the districts where they reside.”<sup>972</sup> Bashar al-Assad characterised them as young





people protecting the country.<sup>973</sup>

289. For a time, Government documents conflicted on the use of Popular Committees, with some indicating that they should be disbanded,<sup>974</sup> while others sought to utilise them and continue recruiting members.<sup>975</sup> In August 2011, the CCMC and NSB continued to instruct the mobilization of Baath Party loyalists and existing local government structures to retain control of security sectors after they had been cleared of opposition forces.<sup>976</sup> By the end of 2011, the CCMC and NSB confirmed their awareness of abuses being perpetrated by Popular Committee members, particularly those not directly supervised by “security branches”, with the NSB recommending that Popular Committees should be increasingly brought under the control of “security branches”.<sup>977</sup>

290. In February 2012, the NSB reported to Political Security that “[c]omrades in the party branches received instructions to carry out security missions in order to guard the party headquarters and public facilities and to contribute to confronting the terrorists along with the security forces and army units.” It warned the Political Security Department to refrain from arresting these people at checkpoints and to “not oppose them.”<sup>978</sup>

291. Various documents demonstrate the security branches’ management of Popular Committees.<sup>979</sup> A form for recruiting new members of Popular Committees, attached to a Baath Party document dated December 2012, indicated that recruits must be approved by the Ministry of Defence via the NSB, and that Popular Committees in the governorates were under the command of the Military Commander in every governorate.<sup>980</sup>

292. In a June 2013 interview, President Bashar al-Assad explained that “[l]ocal militias have been formed, and they are defending their own territory working together with the army.”<sup>981</sup> He credited the Government’s success to “Popular Forces” comprised of “local citizens”, fighting with the army now in defence of their areas”.<sup>982</sup>



293. By 2013, the Syrian Government created the National Defence Forces (“NDF”) to organise armed pro-Government forces under the control of the military,<sup>983</sup> but continued using Popular Committees in joint or autonomous operations until at least 2015.<sup>984</sup> Security and Military Committees and security branches were responsible for the recruitment of members of the NDF and terminating association with them.<sup>985</sup> Media articles describe the incorporation of women within the NDF, mainly deployed at military roadblocks and search centers in Damascus, Lattakia, Tartus, and Suweida.<sup>986</sup>



## V. THE SYRIAN GOVERNMENT DETENTION SYSTEM FUNCTIONS AS A TOOL OF REPRESSION

### A. Overview: The Syrian Government has used the detention system to serve its objectives

294. The mass violations described by hundreds of victims/survivors of the Syrian Government's detention system whose accounts the Mechanism analysed in Section III of this Report—a fraction of the thousands of Government detainees—demonstrate patterns of severe harm inflicted at every stage of the process. The scope, scale, and consistency of the Syrian Government's harming of vast numbers of the population for their opposition (or perceived opposition) to the Government is incompatible with any lawful criminal justice process. Rather, the analysis of detainee accounts confirms that the Government carried out arrests, detentions, and interrogations in accordance with its stated objectives to suppress any political dissent (whether referenced as such or as “terrorism”), by any means. To attain its political objectives, the Government subjected detainees to inhumane detention conditions and severe mental and physical harm. The systematic and intentional nature of these acts and the overall context in which they were committed evidence a policy by the Syrian Government to use the Syrian detention system as a tool to violently repress any anti-Government opposition.

295. The witness accounts of former detainees analysed by the Mechanism also describe the overall process and system of detention, based on their own experiences in more than 100 Government detention facilities across Syria.<sup>987</sup> Witnesses have described their violent arrests and transfers to Government detention facilities throughout Syria; the appalling conditions in which the Government detained them including lethal starvation and disease; the severe physical and mental harm inflicted on them by Government actors throughout their detention and during interrogations aimed at forcing them to confess and implicate others in specific crimes; hearing and seeing the torture and deaths of detainees at the hands of Government actors in brutal ways; and being held incommunicado without contact with their families who were desperately seeking information about them, at great risk and expense. Many detainees who survived and were released also had to first navigate a lengthy and arbitrary judicial process where they were denied due



process and confronted with coerced confessions, with ultimate release often dependent on bribes that exploited their families.<sup>988</sup>

296. However, many detainees did not survive. Deaths inevitably resulted from the severe mistreatment of detainees, from disease, medical neglect, starvation and torture. The Syrian Government then concealed their true fates from family members and covered them up by falsifying death records and secreting their remains into mass graves. These systematic abuses were perpetrated by Government actors in a highly coordinated way, implementing high-level instructions in line with the Syrian Government's overarching policy to repress Government opposition. The massive scale of the resulting atrocities and violations was widely reported, including directly to the Syrian Government. It could have only continued as part of a deliberate plan, facilitated by a climate of impunity.

297. This section of the Report analyses the roles of Government entities involved in this system and how they have perpetuated the harms described in Section III. It complements and corroborates the accounts of hundreds of victims/survivors, primarily through the analysis of Syrian Government documents, legislation, and accounts of former Government officials (witnesses) and other corroborating evidence. This overall body of evidence demonstrates that the Syrian Government has used its system of detention to commit and perpetuate these violations, including by:

- Conducting mass arrests during demonstrations, through targeted raids and at checkpoints reliant on the compilation and circulation of wanted lists including the names of thousands of people;
- Establishing a customary practice of interrogating detainees through torture, used to coerce confessions to be provided to courts and to implicate other targets for investigation, perpetuating the cycle;
- Using an extensive network of Government detention facilities to transfer, detain and interrogate detainees in intelligence agency branches throughout Syria, preventing communication with the outside world until they reached a court or prison;
- Using military hospitals and the military police (among others) to systematically conceal the reasons for detainees' deaths in Government custody, which had resulted from torture and ill treatment that continued even at military hospitals;



- Denying access and information regarding detainees to families, and attempting to provide legal cover for Government officials involved; and
- Obtaining and using forced confessions of detainees in their cases before judicial entities, and enlisting the judicial system to prolong their detention and issue convictions without due process.

298. Government documents, public statements and official submissions attributable to the Syrian Government also reflect a common pattern of providing a veneer of legality and justifications for its actions. Considered in context, however, these statements demonstrate the intention to perpetuate the use of the detention system to serve the Government's objectives rather than genuine efforts to address the specific violations of which the Government has been repeatedly put on notice. For example, the Syrian Government has:

- Defended the strength of its laws prohibiting the use of torture, while providing de facto immunity for Government officials involved in torture;
- Issued death certificates using similar terminology suggesting a natural cause of death and updated civil registries to reflect the deceased status of detainees, instead of acknowledging the true fates of persons who died in Government custody and providing recourse to surviving family members;
- Responded to international condemnation of Government atrocities by denying the veracity of allegations and evidence, including leaked photos taken by the Military Police to document deaths, and taking further steps to cover up crimes rather than investigate them;
- Issued token reminders to Government entities not to mistreat detainees or withhold information from family members, to respect detainees' rights and to improve prison conditions, without taking effective measures to address the extensive reported violations which subsequently persisted and increased; and
- Devised and calibrated the Syrian legal framework and court system to facilitate prolonged detention and lengthy sentences based on coerced confessions and without due process.

299. Rather than guaranteeing the non-repetition of violations reported by former detainees, these actions have contributed to a pervasive culture of impunity for the range of crimes and violations committed as part of the Syrian Government detention system. These actions have also ensured that this entrenched system, and the entities that sustain and drive it, can continue to serve the Government's objectives, including through the unmitigated use of torture and ill treatment.



**B. The Syrian Government has issued high-level instructions to ensure implementation of its policy to repress opposition by all means**

300. The Syrian Government has deployed a vast, centralised and coordinated system of arrest, detention, torture and ill treatment in response to anti-Government protests starting in the spring of 2011. In response to increasing protests, and within weeks of its formation, the Central Crisis Management Cell (CCMC) on 18 April 2011 decided that “the time for tolerance and meeting demands is over”. The CCMC outlined a multi-faceted plan to confront demonstrations, arrest “known offenders” and not release any detainee, but refer them to the judiciary.<sup>989</sup> Two days later, the CCMC announced the start of a “new phase [...] to counter conspirators by initiating the use of force against them”. The NSB was tasked to supervise detailed plans to counter armed and unarmed demonstrations and sit-ins.<sup>990</sup> However, the mounting killings of demonstrators and arrests only accelerated the spread of demonstrations.

301. In response, on 5 August 2011, the CCMC instituted specific, coordinated repressive measures to address what the CCMC perceived as “laxness in handling the crisis in the region, and the poor coordination and cooperation among security agencies in sharing information and the results of the ongoing investigations”.<sup>991</sup> Among other measures, security agencies were directed to:

- Launch daily joint security-military campaigns and arrest persons involved in demonstrations, and “those who tarnish the image of Syria in foreign media and international organizations”;
- Cleanse each sector of wanted persons and maintain control with security and Baath Party presence;
- Interrogate all persons arrested in security campaigns and send the results to all security branches to use in “identifying and seriously pursuing new targets” for investigation, to find and arrest organisers of demonstrations; and
- Report back to the NSB with results of searches and names of arrested persons on a daily basis.<sup>992</sup>

302. The NSB disseminated this CCMC directive, which became the blueprint for arrest, interrogation, and information-sharing implemented by Syrian Government security forces across the country. Subordinate branches of the intelligence agencies complied with these instructions.



For example, on 22 August 2011, the Head of the Political Security Department branch in Raqqa informed the Head of the Political Security Department that he sent two joint patrols “with the mission of arresting inciters and participants in demonstrations”, in response to a Political Security Department circular of 16 August 2011 (which mirrored the language of the 5 August CCMC instruction).<sup>993</sup> Consistent with these and other orders, Syrian Government security forces established checkpoints and conducted raids across Syria, arresting thousands of people.<sup>994</sup> Protests led to mass defections and unrest, which resulted in more Government arrests and interrogations, which provided the Government with new targets and further arrests.

303. Extensive Government communications show how the Syrian Government maintained centralised control of its detention system through its hierarchal structure in which high-level instructions and orders from Damascus were transmitted through established chains of command to security forces throughout the country. The Syrian Government’s system of repression was centralised and top down, but CCMC and NSB instructions also demanded coordination between security branches and through joint committees.<sup>995</sup> The various branches of the intelligence agencies shared information about wanted individuals and other information they considered to be of value, often obtained through torture.<sup>996</sup> People arrested and detained by one intelligence agency were routinely passed to other agencies for further interrogation, together with results from completed interrogations.<sup>997</sup>

304. The mass arrest and interrogation mandate led to overcrowded facilities, inhumane detention conditions, and widespread torture.<sup>998</sup> In response to an increasing number of detainee deaths, the Syrian Government disseminated further high-level instructions on the necessary procedures to be followed, to ensure “judicial immunity” for their work and avert liability “before any judicial authority in the future.”<sup>999</sup> On 3 December 2012, the NSB issued instructions on processing the bodies of deceased detainees for the security forces in whose custody the detainees died, involving the military hospitals and military police in documenting the deaths.<sup>1000</sup> Pursuant to these instructions, military hospitals, military police and security branch personnel were instructed to methodologically document and provide justification for not returning detainees’ bodies to their family members.<sup>1001</sup>



305. The instructions also acknowledged “the rise in the number of killed terrorists and the long stays of the bodies in the hospitals despite the limited accommodation capacity, and therefore the disintegration of the bodies, the distortion of their features and emanation of bad smells”.<sup>1002</sup> The documentation compiled by military photographers in accordance with this procedure showed signs of torture and mistreatment of these deceased “terrorists”, marked with the number/letter of the security branch where they died.<sup>1003</sup> This provided a clear indication of the impact of the Government’s policy to repress opposition by all means the Government deemed necessary, and its high-level instructions for implementing it. Rather than change course and take measures to effectively address the mounting detainee deaths, the Government simply disseminated token reminders not to mistreat detainees, repeatedly, while torture and deaths in detention continued to occur. Rather than put a stop to these atrocities, the Government issued documents that omitted the true causes of death of detainees and buried them in mass graves to hide the evidence of these crimes.<sup>1004</sup>

306. Government documents show that the Syrian Government knew, from at least 2011 onwards, of the widespread mistreatment, torture, and deaths of detainees in its custody, and the refusal of Government actors to provide information about their fates to inquiring family members. In response, the NSB repeatedly disseminated circulars indicating that it was continuing to receive reports of such violations, despite the previous issuance of circulars requesting their cessation.<sup>1005</sup> As already recognised by the CCMC in October 2011, issuing circulars and orders was insufficient to ensure their enforcement.<sup>1006</sup> In addition, these violations continued and even increased after the instructions were disseminated.<sup>1007</sup> In stark contrast to the heightened control exerted to ensure the implementation of orders in line with the Government’s policy of repression,<sup>1008</sup> orders reflecting follow-up, oversight or other concrete actions to ensure protection for detainees and inform their family members were not located in the Mechanism’s Central Repository. Despite being repeatedly put on notice that their subordinates were abusing and torturing detainees in Government custody and concealing information about their fates from family members, the Syrian Government failed to take any real steps to stop and redress these violations.





307. Through the issuance of high-level directives, communicated and implemented through coordinated steps by designated security forces across Syria, the Syrian Government maintained and perpetuated the vast system of arrest, ill treatment, torture, and death that functioned precisely in the manner intended: to repress the burgeoning anti-Government sentiment by all means available.

**C. The Syrian Government has arrested thousands of people as part of its campaign to repress anti-Government dissent**

1. Government entities issued and widely shared lists of people to arrest at Government checkpoints

308. As the CCMC indicated in August 2011, obtaining the names of anyone who might be connected to anti-Government activity was a key aim of interrogation.<sup>1009</sup> As the Government escalated its response to the widespread protests in 2011, its four main intelligence agencies—the Military Intelligence Department, the Air Force Intelligence Directorate, the General Intelligence Directorate, and the Political Security Department—and the Military Police collected and distributed lists of the names of thousands of people wanted in connection with their investigations.<sup>1010</sup>

309. Interrogations produced new names to be added to wanted lists. Interrogators included these names in the reports they submitted up their chains of command, so that they could be added to the regular circulars of wanted persons. The Military Intelligence Department reminded its branches of the obligation to send detailed information about the people they submitted for inclusion on the lists, including where they lived, their occupation, any academic diplomas they held and “the [r]eason the individual is being pursued and available information on the said individual”.<sup>1011</sup>

310. For example, in a 19 November 2014 interrogation report, General Intelligence Directorate Branch 331 reported that a 62 year-old man had been arrested “due to his name figuring on wanted persons lists as an armed terrorist.”<sup>1012</sup> During repeated interrogation, he named his sons as having “worked with the terrorist gangs” and said his sons-in-law had defected.<sup>1013</sup> The Head of the



General Intelligence Directorate approved the recommendation of General Intelligence Directorate Branch 331 to “pursue the terrorists named in the detainee’s statement” and “to have their names disseminated to all border crossings in order to have them arrested for our Branch.”<sup>1014</sup> Names were submitted for inclusion on wanted lists based on information provided by other sources as well, such as informers,<sup>1015</sup> and the monitoring of communications<sup>1016</sup> and social media.<sup>1017</sup> In addition, the NSB could order the addition or removal of names from wanted lists,<sup>1018</sup> just as it could request from intelligence agencies names of wanted persons, such as those suspected of financing terrorist groups.<sup>1019</sup>

311. All four intelligence agencies circulated lists of people wanted in connection with their investigations both within their own agencies and externally, to the other intelligence agencies, other Government entities, and the Military Police.<sup>1020</sup> Intelligence agencies and the Military Police also kept databases of individuals on wanted lists and shared them with other agencies.<sup>1021</sup>

312. When an agency received wanted lists from the other agencies, they distributed them down their own chains of command, with instructions for where those arrested should be sent.<sup>1022</sup> The Ministry of the Interior also received wanted lists from intelligence agencies and further distributed them to government entities, such as the Police, the Criminal Intelligence Directorate, and the Immigration and Passports Administration.<sup>1023</sup>

313. The Military Police Investigation and Prisons Branch collated wanted notices received from the intelligence agencies and sent hundreds of circulars containing these notices to its units across Syria.<sup>1024</sup>

314. Intelligence agencies sent lists to the military, adding names to wanted lists at checkpoints. For example, the security office of the Fifth Division of the Armed Forces on 20 February 2012 requested subordinate units to add the names of eight people to “wanted lists” so that they could be “promptly arrested and transferred to the competent security agencies” if seen. The names were provided by the Military Intelligence Department and the Political Security Department. The security office ordered that the wanted list was to be circulated “exclusively at checkpoints.”<sup>1025</sup>



315. This information-sharing between agencies resulted in the arrest of wanted people and their transfer to the respective entities that initiated the search for them.<sup>1026</sup> When a person appeared on the wanted list of more than one of the Government’s intelligence agencies, the agencies coordinated to ensure the person’s transfer to all agencies.<sup>1027</sup> For example, on 17 February 2014, the Political Security Branch in Idlib sent a communication to the Air Force Intelligence Section in Idlib, informing the latter that they were handing over a detainee who confessed to protests, because he was wanted by the Air Force Intelligence Investigation Branch. The communication requested that, after the Air Force Intelligence finished with the detainee, he be sent to the Idlib Public Prosecutor. The communication noted that the detainee was also wanted by General Intelligence Branch 331 in Idlib.<sup>1028</sup>

316. Given the mass distribution of lists of people wanted for investigation to checkpoints,<sup>1029</sup> detainees’ journeys through the Syrian Government’s system of abuse and repression often began upon their arrest at a checkpoint.<sup>1030</sup> Checkpoints were established and staffed by Syrian security forces, including members of the army, intelligence agencies, military police, and pro-Government militias.<sup>1031</sup> Some were joint checkpoints staffed by members of more than one military or intelligence agency, while others were agency-specific.<sup>1032</sup> Persons staffing the checkpoints checked those lists against the identities of those passing through and arrested persons on the list,<sup>1033</sup> often violently.<sup>1034</sup> As the protests escalated in 2011, the military and intelligence agencies set up an increasing number of these checkpoints, in both inner cities and on transit roads in rural areas.<sup>1035</sup>

2. The Syrian Government leadership required all security branches to participate in arrest campaigns and raids to arrest targets

317. Conducting raids to arrest wanted persons to interrogate and torture anti-Government protesters became an essential Government tactic for repressing opposition following the spread of demonstrations.<sup>1036</sup> Raids, arrests campaigns, and “inspections” were ordered from the highest levels of the intelligence agencies’ hierarchy, to be carried out by subordinate intelligence structures throughout Syria. The CCMC issued orders to Security Committees in specific governorates, ordering raids and arrests in joint military-security operations that showed close



cooperation between these Government entities.<sup>1037</sup>

318. The Syrian Government’s blueprint for a coordinated response provided for “[a]ll security branches to participate in daily joint military-security campaigns” in the Hama, Rif Dimashq, Deir-Ezzor, Homs, Idlib, and Daraa governorates to “raid the locations of persons wanted for crimes of sabotage, killing, assaulting citizens and attacking their properties and government establishments” and to arrest “those who are inciting people to demonstrate, funders of demonstrators, members of coordination committees who organize demonstrations, conspirers who communicate with people abroad to keep demonstrations ongoing and those who tarnish the image of Syria in foreign media and international organizations.”<sup>1038</sup>

319. Subordinate branches of the intelligence agencies complied with these instructions. For example, on 22 August 2011, the Political Security Department branch in Raqqa reported back to the Head of the Political Security Department on implementation of the 5 August 2011 CCMC instruction, indicating that two joint patrols were sent “with the mission of arresting inciters and participants in demonstrations.”<sup>1039</sup> The Hama Joint Investigation Committee described arrests in people’s homes pursuant to the 5 August CCMC instruction.<sup>1040</sup>

320. In accordance with these instructions, these operations were often conducted jointly and resulted in a large number of arrests that caused overcrowding in the detention facilities run by intelligence agencies. Corroborating the accounts of detainees and the Caesar files and related forensic evidence, insider witnesses from Air Force Intelligence and Military Intelligence branches including Branch 220 and Unit 215, attested to coordinated joint raids and mass arrest campaigns, their regularity, scale and impact on detention conditions. For example:

- Beginning in 2011, Air Force Intelligence personnel regularly carried out raids,<sup>1041</sup> arresting so many people that its detention facilities quickly became overcrowded;<sup>1042</sup>
- Military intelligence branches regularly conducted arrest raids in their areas of responsibility, often jointly with other Syrian Government entities.<sup>1043</sup> Military Intelligence Branch 220 conducted joint raids with regular army units.<sup>1044</sup> The raids beginning in 2011 swelled Military Intelligence Branch 220 prison facilities, leaving them cramped and overcrowded;<sup>1045</sup>
- Personnel from the Military Intelligence Unit 215 Raids/Assaults were deployed to other Military Intelligence Department branches to assist them with raids. For example, a joint



force of personnel from Military Intelligence Unit 215 and Military Intelligence Department Branches 235, 291 and 293 deployed to Daraa on 21 March 2011. They participated in a raid on the town along with personnel from the General Intelligence Directorate, Political Security Department, Air Force Intelligence and police.<sup>1046</sup>

**D. Syrian Government entities have coordinated the transfer of detainees across a vast network of detention facilities**

321. From early on in the crisis sparked by the protests, the Syrian Government has relied on its vast and far-reaching system of detention facilities to ensure that arrested persons could be interrogated by all interested intelligence agencies, kept under Government control and effectively neutralised. This network stretches from cells in the security branch interrogation units—where detainees are held incommunicado and interrogated—to military and civilian prisons where they serve sentences resulting from convictions obtained through torture, or are held for lengthy periods pending court hearings. This network of detention facilities is bound together by a coordinated transfer system.

322. As described above, the Government entities involved in the arrest, detention and interrogation of detainees are centralised: the four main intelligence agencies share a similar overall structure, in that their central decision-making branches, including investigation branches, are located in Damascus.<sup>1047</sup> This structure has necessitated the physical transfer of detainees arrested across the country to central branches in Damascus, at least in those cases where the agencies or a Joint Investigation Committee decided that an individual's case required further investigation at a central branch. In a circular dated 19 March 2012, Military Intelligence Branch 248, the Investigation Branch based in Damascus, instructed branches across the Military Intelligence Department that they should ensure they send detainees to the central branches for cases within their jurisdiction as soon as possible so that they would have sufficient time to complete their investigations within the 60 days allotted.<sup>1048</sup> The 60-day time period refers to the permissible period of detention pending investigation with judicial approval, promulgated by President al-Assad after ending the State of Emergency in 2011.<sup>1049</sup>



323. Syrian Government authorities exercised tight control over the movement of prisoners through the Government's vast system of detention facilities. Prisoners could only be transferred to a prison or other location with proper authorisation, often from the heads of the relevant intelligence agencies.<sup>1050</sup> Government documents show the communication process underlying the system of transfers. Branches in the governorates sent their investigation reports to Damascus, with concluding recommendations, in some cases for the transfer of a detainee to a central branch. Agency heads and deputy heads then approved or amended these recommendations,<sup>1051</sup> and detainees whose transfers were approved were sent to the relevant branch.<sup>1052</sup> For example, on 24 September 2011, Military Intelligence Branch 220 sought approval from the office of the Head of the Intelligence Department (via Branch 291/B) to transfer a detainee to Military Intelligence Branch 248 (for a soldier who destroyed a picture of the President because he was opposed to being deployed in Daraa).<sup>1053</sup>

324. The Military Police coordinated the physical transfer of detainees between military prisons and military courts, and sometimes functioned as a conduit for transfers between branches.<sup>1054</sup> For example, Government documents show how detainees were moved from the Military Intelligence branch to the local Military Police building.<sup>1055</sup> From there, the Military Police transported them to the relevant branch, usually via Military Police facilities along the route. Detainees were usually taken to the Military Police Headquarters in Damascus, at al-Qaboun, before being taken to their intended destination.<sup>1056</sup> Detainees who were transferred to the capital from areas north of Damascus usually went through the Third Military Prison, also known as al-Balouna.<sup>1057</sup>

325. Detainees' paths through this system were not always linear; often, detainees would be wanted by multiple intelligence branches. Detainees were transferred between different branches of the same agency, and across agencies. Government documents indicate that these transfers required authorization, as described above, and that the detainees were accompanied by relevant documentation when transferred.<sup>1058</sup>

326. Following detention and interrogation procedures within intelligence facilities, many detainees who survived were eventually transferred to courts. Government documents show



transfers from the intelligence agencies in the governorates (outside of Damascus) to the local judiciary. These documents outline the accusations against the detainees and indicate that the statements taken by intelligence agencies were sent with the detainees.<sup>1059</sup> Documents from branches in Damascus also show recommendations for the transfer of detainees to appear before the judiciary. For example, in January 2013, General Intelligence Branch 251 recommended that three individuals it described as “terrorists” should be transferred to the Military Field Court via General Intelligence Branch 285, and another detainee who had allegedly attended protests against the Government and written negatively about the country on Facebook should be transferred to the public prosecutor in Damascus. The Director of the General Intelligence Directorate approved these recommendations.<sup>1060</sup> Military Intelligence Branches in Damascus followed a similar process.<sup>1061</sup>

327. Once transferred from intelligence facilities, many detainees continued to be held in Government prisons while awaiting and attending court sessions.<sup>1062</sup> Continued detention at this stage was approved by courts, which would issue detention orders,<sup>1063</sup> and release orders (which could include referrals to other public prosecutors).<sup>1064</sup> In some cases, detainees were released on bail awaiting court sessions.<sup>1065</sup> Release orders issued by courts included the qualification that the individual concerned should only be released if they are not wanted for any other reason. Before being released, detainees’ statuses were checked, and they could be returned to detention at intelligence agencies if they were recorded as still wanted for other reasons.<sup>1066</sup>

328. These documents corroborate the interconnected nature of this system of transfers across the country and between agencies, as recounted in the first-hand experience of hundreds of former detainees analysed by the Mechanism in the previous section of the Report.



**E. The Syrian Government has interrogated detainees, including through the widespread use of torture, to extract information to use against them and to generate additional targets**

329. As part of the Syrian Government’s campaign to crush anti-Government opposition, and in accordance with CCMC and NSB instructions, Syrian Government actors systematically interrogated detainees upon arrest. Interrogations served as a key tool of Government repression. As detailed above,<sup>1067</sup> Syrian Government interrogators commonly used torture to punish, coerce and extract information from the people they had detained. This information was then used against the tortured person in subsequent legal proceedings, shared with other intelligence agencies, and used to fill Government lists of additional people to be arrested, interrogated, and tortured. The Government’s notorious, pervasive and persistent practice of torturing detainees—despite consistent, express notice—shows that it could only have been conducted as part of Syrian Government policy.

330. High-level instructions demonstrate the Syrian leadership’s specific expectations for interrogations and their outcome. In August 2011, to strengthen the sharing of information obtained through interrogations across intelligence agencies, the NSB ordered the establishment of joint investigation committees to conduct interrogations in restive governorates,<sup>1068</sup> and that “[t]he results of these interrogations shall be sent to all security branches so that they can be used in identifying and seriously pursuing new targets”.<sup>1069</sup>

331. In addition to the Joint Investigation Committees, governorate level branches and central branches coordinated the interrogation of detainees, which included transferring detainees between branches with their interrogation records when they were wanted by multiple branches. For example, on 6 March 2012, Military Intelligence Branch 271 sent to Military Intelligence Branch 291 “for your reception and necessary measures” a detainee whom Military Intelligence Branch 271 claimed had confessed to joining “an armed terrorist group”.<sup>1070</sup> This detainee is among those known to have died in Syrian Government custody and photographed by Caesar’s Forensic Photography Section.<sup>1071</sup> Similarly, on 4 August 2012, Military Intelligence Branch 271 sent a report of interrogation of two detainees and recommended they be sent to Military Intelligence Branch 291 for further interrogation.<sup>1072</sup> During this entire time period of interrogations by





intelligence agencies, the Government held detainees incommunicado. The Head of the Military Intelligence Department instructed all Military Intelligence branches and the Committees at Branches 291 and 293 “[n]ot to arrange any visit for any detainee in your custody or allow them to communicate with anyone unless you have presented the matter, with mandating reasons, before the Head of the Department and obtained the appropriate decision in this concern.”<sup>1073</sup>

332. The Government used information from interrogations against people they had interrogated by sending the results of interrogation to public prosecutors.<sup>1074</sup> In 2023, General Intelligence Branch [REDACTED] sent a detainee, with his interrogation records, to the Counter-Terrorism Court.<sup>1075</sup> This detainee had previously been tortured and threatened with execution at the General Intelligence Branch in [REDACTED], which then transferred him to another General Intelligence Branch.<sup>1076</sup>

333. Government agencies also shared information obtained during interrogations to help identify other people to arrest for anti-Government activities and to facilitate determinations on the transfer of detainees between branches. For example, in April 2012, Military Intelligence Branch 271 in Idlib requested that Military Intelligence Branch 290 in Aleppo send the statement Military Intelligence Branch 290 took from a man they had arrested and interrogated because he appeared on a Military Intelligence Branch 271 wanted list. Although Military Intelligence Branch 271 indicated there was no need to transfer the detainee to them, they wanted to use his statement to identify, arrest, and interrogate anyone mentioned in the statement.<sup>1077</sup>

334. In another example, Military Intelligence Unit 215 sent a summary of an interrogation they conducted to the Head of the Military Intelligence Department in June 2014. It stated that another detainee who was interrogated at Unit 215, and who later died, had identified during interrogation the current detainee as an accomplice. The deceased detainee’s statement was cited as evidence against the current detainee.<sup>1078</sup> After obtaining approval from the Head of the Military Intelligence Department, Military Intelligence Unit 215 transferred the detainee to the Counter-Terrorism Court via the Military Public Prosecution in Damascus, along with all investigative materials concerning him.<sup>1079</sup>



335. As directed, the Syrian Government’s intelligence agencies shared the results of interrogations with other branches and agencies that had an interest in the detainees. In one example, the Political Security Department branch in Idlib transferred a detainee to the Commander of the Idlib Air Force Intelligence Branch after being arrested on an Air Force Intelligence Branch warrant. In the letter accompanying the detainee, the Political Security Department noted that the detainee had “confessed to participating in a number of opposing demonstrations in the city of Idlib that gathered at al-Mutanabi square and repeating negative and grudgeful chants insulting the government and the president, and to participating in a number of funerals of killed armed gang members.”<sup>1080</sup> In another example, after a man was detained and interrogated by Military Intelligence Branch 271, he attempted to retract his confession and denied all allegations against him, stating that he made his confession to the border guards “due to the intensity of the physical pressure” that he was subjected to. While acknowledging that, “upon repeating the interrogation with him a number of times, he stuck to his account”, Military Intelligence agents did not believe him and recommended his transfer to the Committee at Branch 291, which was approved.<sup>1081</sup>

336. Despite being prohibited by the Syrian Constitution and penal code, torture, or “force” [*al-shidah*], was a clearly accepted practice to be used among the techniques available to extract information during interrogations. For example, an internal guide for conducting intelligence work called “Sources of Information” advises, under the section titled “Investigation and Interrogation” describing interrogation methods, that “[s]everal approaches, such as empathy, courtesy and persuasion may be used to obtain information, as well as force and brutality.”<sup>1082</sup>

337. Subordinate intelligence agencies sent regular reports up their chains of command that detailed the results of interrogations.<sup>1083</sup> Sometimes these reports, and the reports detailing the outcome of interrogations of detainees who died, provided specific notice when interrogated detainees were subjected to force or died in the custody of intelligence agencies.<sup>1084</sup> Detainees described the existence of “torture rooms” in detention facilities that included equipment used for notorious torture techniques used by the Syrian Government for decades.<sup>1085</sup> Internal Government documents reflect repeated, specific awareness that torture, inhumane conditions and enforced



disappearance were occurring,<sup>1086</sup> yet the measures taken—mechanically distributing circulars advising against such violations—had no impact as violations continued, and continued to be reported, unabated.

338. Moreover, documents show that the same functionaries passing down these instructions concurrently and subsequently approved the use of torture and decisions not to return bodies of detainees who died in Government custody to families. For example, the NSB repeatedly issued circulars and orders in 2011 reminding intelligence agencies that the NSB was receiving reports of abuse of detainees, including “information about the arrest of citizens who are being subjected to beatings and torture without justification”.<sup>1087</sup> Despite these instructions, which were also repeated and disseminated within the branches,<sup>1088</sup> torture not only continued, but specific instances were reported and approved.<sup>1089</sup> For example:

- A 4 August 2012 report from the Head of the Investigation Section of General Intelligence Directorate Branch 331 to the Head of the Branch about the interrogation of a detainee indicated that “[t]he detainee was re-interrogated with force, and he persistently maintained his version of the story”;<sup>1090</sup>
- On 20 December 2013, the Head of Military Intelligence Branch 223 reported the results of an interrogation of a detainee to the Head of the Military Intelligence Department, and recommended he be transferred to Military Intelligence Branch 235 “for further interrogation”. At the end of the report, the Head of Branch 291 made the following additional recommendation, which was subsequently approved by the Head of the Military Intelligence Department: “I agree with the proposal and suggest using force during interrogation with him”;<sup>1091</sup>
- On 27 December 2013, the Head of Military Intelligence Branch 261 reported to the Head of the Military Intelligence Department on the results of the interrogations of two students at Al-Baath University. At the bottom of the report, the Head of the Military Intelligence Department approved a recommendation from the Head of Branch 291 to “use force on [the detainees] during interrogation, as they may be connected with others in the university”;<sup>1092</sup>
- On 19 November 2014, the Head of General Intelligence Branch 331 in Idlib informed the Head of the General Intelligence Directorate of the detention and interrogation of a 62-year-old man who was on a wanted list. The report stated that he confessed to participation in protests, but denied allegations that he was an armed militant and engaged in terrorist acts against the State. The report noted that “the individual is elderly and suffers from a number of sicknesses, and it is not possible to apply physical pressure on him”, implying that “physical pressure” was a method that the Directorate expected interrogators to employ



by default.<sup>1093</sup> (This document should not be construed to suggest that elderly detainees were not tortured in general, documented elsewhere in this Report.<sup>1094</sup>)

339. The repeated and empty admonitions prohibiting the use of torture, coupled with repeated reports, explicit approval to continue using torture, and efforts to conceal it in response to massive increase in detainee deaths, show that the Government was aware of and repeatedly failed to stop its agents from torturing detainees. Far from regarding torture as a practice that must be stopped, the Government's clear tolerance of the practice showed that it considered torture to be a useful tool in its integrated system of repressing anti-Government dissent.

**F. The Syrian Government has used military hospitals and sanitised official reports to cover up the deaths of thousands of detainees who were killed in Government custody**

340. From the beginning of the popular uprising, the Syrian Government mobilised various entities under its control to cover up the deaths of the thousands of detainees who died in its detention facilities and hospitals. The Government was able to sanitise its brutal record of detention-related deaths by concealing them through a well-established system that involved the military police, military hospitals, and intelligence agencies. While most detainees had already died in detention before being transported to hospitals, others died at the hospital where they were severely mistreated<sup>1095</sup> and sometimes killed by hospital staff or security forces<sup>1096</sup> who considered them to be "terrorists".<sup>1097</sup> The evidence presented in this section, from NSB instructions, to burials in mass graves, and the provision of falsified death documentation, shows that the Syrian Government implemented a system to process and conceal the increasing volume of detainees killed in detention facilities. This system enabled the Government to continue with its campaign of repression through mass arrests, torture, and other ill treatment.

1. High-level Government instructions established formal procedures for concealing the deaths of detainees in Government custody

341. The need for a system to cover up the deaths of detainees became clear early in the protests in 2011, which gained momentum following the death of Hamza al-Khatib. The 13-year-old child was shot and detained during a protest march that was passing through the village of Saida in the



Daraa governorate in April 2011. When his body, showing signs of torture and bullet wounds, was later returned to his family, they posted a video of his mutilated body on the internet. The video generated public outrage and inspired subsequent anti-Government protests.<sup>1098</sup> In response, the Syrian Government had a forensic pathologist, Dr. Akram al-Shaar, appear on Syrian State television to present results of the autopsy performed on al-Khatib's body and deny that it bore signs of torture.<sup>1099</sup> Dr. al-Shaar worked at Tishreen Military Hospital,<sup>1100</sup> one of the hospitals where Caesar's team of Military Police photographers documented persons killed in Government custody. Photos of Hamza al-Khatib's body were located within the Caesar files, along with another child, Thamer al-Sharei, a 15-year-old boy arrested in Daraa the same day as Hamza.<sup>1101</sup> These photos of children in Daraa provide early confirmation of the process that followed the killing of civilians in the custody of intelligence agencies, recorded and archived centrally by Caesar's team within the Military Police. As discussed below, the Syrian Government thereafter rarely returned deceased detainees to families, and took coordinated steps to hide their true fates and maltreated bodies.

342. "Caesar" is the code name assigned to a Syrian Military Police photographer, in the Forensic Photography Section,<sup>1102</sup> which took official photographs at Mezzeh Military Hospital and Tishreen Military Hospital.<sup>1103</sup> He left Syria in August 2013.<sup>1104</sup> His unit photographed the body of each deceased detainee as part of the official investigation into their death, as described below.<sup>1105</sup> He brought nearly 27,000 of these photographs out of Syria, depicting the conditions of nearly 7,000 deceased detainees between March 2011 and August 2013.<sup>1106</sup> Contrary to the official, innocuous causes of death listed as part of these investigations, the bodies depicted in the Caesar files showed obvious signs of torture and abuse, including blunt injuries, indications of suffocation, removal of fingernails, signs of extensive skin diseases, bondage marks on wrists, and severe emaciation.<sup>1107</sup> As discussed below, the detainee and branch numbers appearing in the photographs have also been identified in Military Intelligence internal reports on detainee deaths, and the system of marking deceased detainees with such numbers is corroborated by eyewitnesses.<sup>1108</sup>



343. The Government established formal procedures for addressing deaths in detention. These procedures served the Government’s needs to both document the deaths of people in its custody and obscure the role played by Government officials in these deaths.<sup>1109</sup> The analysed evidence shows that Military Intelligence and General Intelligence followed these procedures, with indications that Air Force Intelligence personnel were involved in some of the hospitals where these procedures were in effect.<sup>1110</sup> The Military Police are a central player in these procedures, responsible for ensuring forensic and judicial examinations are undertaken, arranging for the return or burial of bodies, and retaining files on the deceased.<sup>1111</sup>

344. The procedures are described in a Military Intelligence circular from the Head of Military Intelligence addressed to all Military Intelligence branches, dated 18 December 2012, regarding steps to follow in the case of the death of a detainee in Military Intelligence custody.<sup>1112</sup> Part of the circular summarises an earlier instruction from the NSB from 3 December 2012. The NSB principally refers to the bodies of “killed terrorists”, but also references the bodies of detainees (see second step of NSB instructions below). According to the summary, the earlier NSB instruction states that the Medical Services Directorate “conducts medical and judicial examinations of the bodies of terrorists referred to it by the security agencies as a result of combat activities. It then deposits them in the morgues of military hospitals.”<sup>1113</sup> The NSB instruction then outlines the following three steps to be followed:

- a. The families of the “killed terrorists” should be informed through the Military Police.<sup>1114</sup> As indicated below, later in the circular, the Head of Military Intelligence outlines more detailed procedures providing for an exception in cases of necessity or security, which have typically applied to detainees.
- b. If the body belongs to a detainee, a medical report of the case should be attached for future documentation.<sup>1115</sup>
- c. If the family does not come to retrieve the body within 10 days, the body should be buried in coordination with the Office of the Burial of the Dead.<sup>1116</sup> This part of the NSB instruction regarding holding bodies for 10 days is also referenced in General Intelligence Directorate documentation.<sup>1117</sup>

345. After summarising these NSB instructions in the circular, the Head of the Military Intelligence Department then provided further implementing instructions to all Military

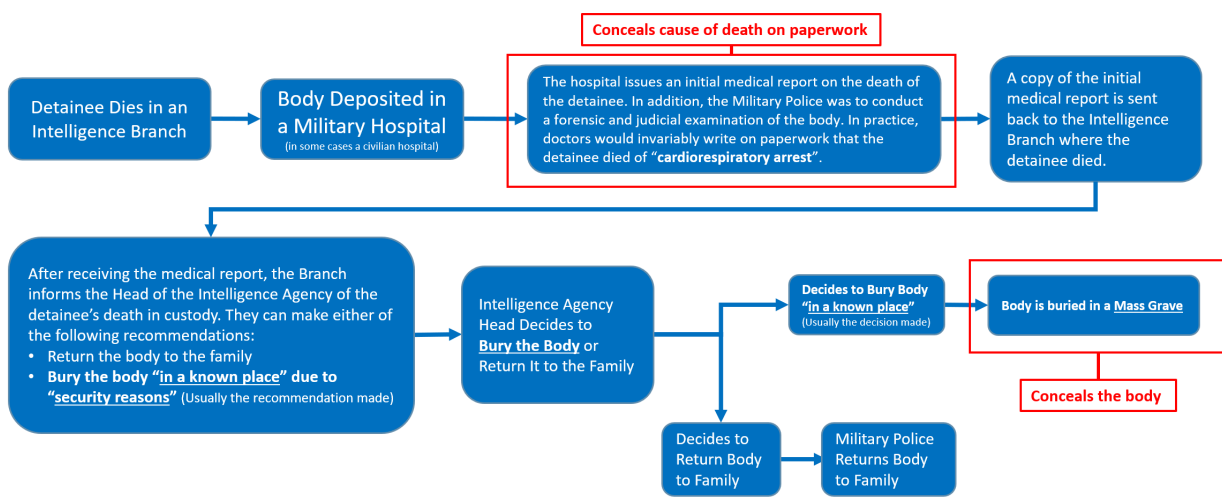


Intelligence branches. Whenever detainees died in prisons of Military Intelligence branches, their bodies were to be taken to a hospital (in Damascus, this included Tishreen, Mezzeh (Hospital 601), and Harasta Military Hospitals).<sup>1118</sup> The hospital should then prepare a preliminary report on the cause of death. The status of the deceased must then be presented to the Head of the Military Intelligence Department with the reasons for their arrest, the findings of their interrogation, and the causes of death. The status report should further recommend releasing the body to the family, except “in cases of necessity or cases that can ensure security benefits”, which should be presented with sound reasons to the Department Head.<sup>1119</sup> The Head would then decide what to do with the detainee’s body. The Military Police must provide the concerned branch with a copy of the medical examiner’s final report to be retained in the concerned person’s record.<sup>1120</sup> The stated reason for such instructions was “to take the necessary legal and judicial measures which constitute a judicial immunity for the work of the Intelligence Department” in order to avert liability.<sup>1121</sup>

346. As with other NSB instructions that are disseminated to various intelligence agencies, evidence within the Central Repository provides corroboration for its implementation within the General Intelligence Directorate as well.<sup>1122</sup>

347. The combined procedures for detainee deaths in the Military Intelligence circular, including both the instructions and what happened in practice, are outlined in the chart below:

## Administrative Process for Burying Bodies of Dead Detainees





348. Military Intelligence reports demonstrate that these instructions were subsequently implemented in documentation of detainee deaths. Nine reports on the death of a detainee, sent from Military Intelligence Branches to the Head of the Military Intelligence Department, and postdating the instructions outlined above, have been identified in the Mechanism’s Central Repository. They follow the instructions in reporting the reason for arrest, the findings of the interrogation, and the cause of death.

349. Of the nine examples within the Mechanism’s Central Repository, eight were sent from Military Intelligence Branch 227,<sup>1123</sup> and one was sent from Military Intelligence Branch 216.<sup>1124</sup> In accordance with the instructions, the reports summarise the conclusions from the investigation, in particular, the information obtained during interrogation of the deceased detainee. The reports then propose a course of action, either to return the body to the family or bury it in a “known place”. All but one of the reports<sup>1125</sup> recommend burying the body instead of returning it to the family and recount the purported confessions made by the detainee, summarise allegations, and/or recommend using the information obtained from the detainee in further investigations.

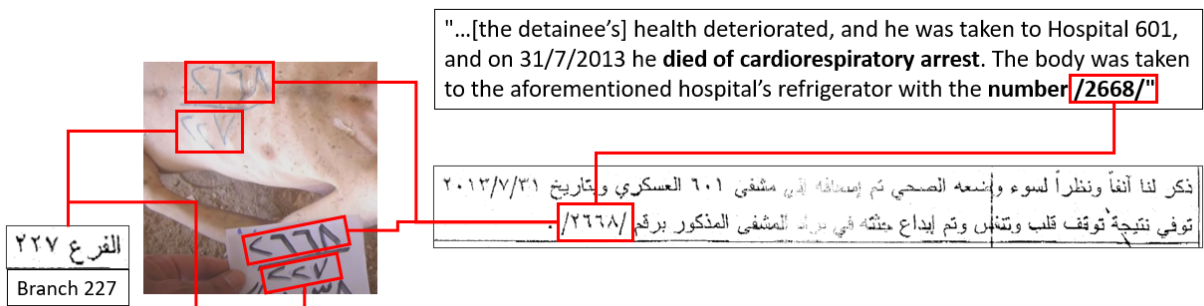
350. In addition, images of five of the nine individuals have been identified within the Caesar files.<sup>1126</sup> For each individual, the identification number provided in the Military Intelligence report is also marked on the body or written on a piece of paper and held next to the body in the Caesar images. The Mechanism document reference for the Military Intelligence Branch communication, the name of the deceased, and the Mechanism document reference for the Caesar photographs of their bodies are shown in the table below:

Military Intelligence Report	Date of Report	Deceased Name	Date of Death	Caesar Photographs
ED00527042-ED00527044	05/08/2013	[REDACTED]	31/07/2013	ED00997189, ED00997190, ED00997191, ED00997192
ED00526990-ED00526992	06/08/2013	[REDACTED]	31/07/2013	ED00978549, ED00978550, ED00978551, ED00978552
ED00526986-ED00526988	06/08/2013	[REDACTED]	03/08/2013	ED00978812, ED00978813, ED00978814, ED00978815
ED00527033-ED00527035	05/08/2013	[REDACTED]	03/08/2013	ED00978672, ED00978673, ED00978674
ED02036218, pp. 2-9	30/07/2013	[REDACTED]	25/07/2013	ED00996785, ED00996786, ED00996787





351. Caesar photographs are not reproduced here, but an example of one of the reference numbers visible in a Caesar photograph and specified in a Military Intelligence Branch 227 communication is illustrated below:<sup>1127</sup>



352. The remaining Military Intelligence reports concerned deaths in detention that occurred after Caesar left Syria,<sup>1128</sup> or before his departure, but could not be identified amongst the Caesar files because the report did not include the detainee identification number.<sup>1129</sup> However, these documents demonstrate the continuing implementation of the same reporting system, and the continuation of detainee deaths in detention, beyond the thousands of victims depicted in the Caesar photos. The documentation also supports the inference that death certificates issued for other detainees who died in Government custody with the same innocuous cause of death are also likely intended to conceal the true fates of those detainees. The Mechanism has received many such death certificates (issued by hospitals), as well as death statements (issued by civil registries), discussed below.

353. As the number of persons dying in Government detention increased, it strained the Government's capacity to deal with the bodies. In issuing instructions on how to process detainee deaths in 2012, the NSB noted "the rise in the number of killed terrorists and the long stays of bodies in hospitals despite the limited accommodation capacity, and therefore the disintegration of the bodies, the distortion of their features and emanation of bad smells".<sup>1130</sup> [REDACTED].<sup>1131</sup> Bodies of detainees at Military Hospital 601 in Mezzeh were strewn across the ground by the hospital garage,<sup>1132</sup> which was captured in Caesar photos and satellite images.<sup>1133</sup>



354. The piling up of bodies was exacerbated by processing delays by intelligence agencies. The aforementioned Military Intelligence circular mentioned that “some branches of the [Military Intelligence] Department are late in presenting the status of any detainee who dies in their custody which delays the procedures for releasing them to their families or burying them. Therefore, the body is kept for a longer period resulting in its disintegration and the Medical Services Administration [Directorate] is forced to bury them and not to release them to their families.”<sup>1134</sup> General Intelligence faced a similar issue. The Medical Services Directorate inquired whether General Intelligence Directorate Branch 251 and its affiliated forces were reluctant to bury the dead bodies delivered to military hospitals.<sup>1135</sup> After complaints about the stench of the bodies at Harasta Military Hospital, new measures were introduced to ensure bodies would be documented at the hospital quickly and then sent to mass graves on the same day.<sup>1136</sup>

355. As bodies piled up, hospital staff obfuscated the causes of death of the deceased detainees on paperwork. Witnesses recalled that the recorded cause of death for each detainee was a “heart attack”.<sup>1137</sup> Documents demonstrate that the precise term used was “cardiorespiratory arrest”. This exact cause of death appears in various Government records of detainee deaths, such as medical reports concerning a death,<sup>1138</sup> hospital death certificates,<sup>1139</sup> and the aforementioned Military Intelligence reports of detainee deaths.<sup>1140</sup> As described by one eyewitness to the process, procuring a death certificate “was like a management matter [...]. It’s easy to prepare a death certificate for someone they’ve never seen”, even if the body did not pass through the hospital.<sup>1141</sup>

356. The practice of declaring that detainees died of “cardiorespiratory arrest” contrasts sharply with the state of the victims in the Caesar photos, who died in the custody of Military Intelligence Branches 215, 216, 220, 227, 235, 248; General Intelligence Branch 251; Air Force Intelligence; Military Police; and miscellaneous and unknown locations.<sup>1142</sup> An expert from the Institute for Forensic Medicine at the University Hospital Cologne analysed the photos, and concluded that many bodies displayed signs of severe physical abuse and neglect, including severe beatings, removal of fingernails and toenails, strangulation and suffocation, and emaciation and starvation.<sup>1143</sup> Indeed, it was this very stark contrast between the stated cause of death and state of the bodies that prompted Caesar to share the photos depicting the true condition of detainees with



the outside world. He told a journalist: “We wanted to release these photos so that the families of the dead men could know whether their loved ones had died. People needed to know what was happening in the prisons and the detention centres.”<sup>1144</sup>

357. Security and intelligence agency personnel tightly controlled the processing of detainees’ corpses at military hospitals.<sup>1145</sup> Hospital staff reported that security agency personnel would monitor hospital staff and give them orders regarding anything pertaining to detainees.<sup>1146</sup> The intelligence agencies controlled access to the bodies, even when they were in military hospital morgues.<sup>1147</sup> As indicated in Government documents, decisions regarding disposal of the bodies remained with the intelligence agencies, resulting in a backlog of decaying corpses.<sup>1148</sup>

358. The next step in the process was the transportation of bodies from hospitals to mass graves, referred to in documents as a “known place”. While there are many such mass graves for detainees in Syria, evidence regarding mass graves in Najha, Bahdaliyah, and al-Qutayfah outside Damascus have been attested to by eyewitnesses and corroborating evidence within the Mechanism’s Central Repository. In implementing NSB instructions regarding disposal of bodies, the intelligence agencies responsible for the deaths of detainees in custody very rarely recommended the return of the victims’ bodies to family members. Instead, they justified burying the bodies in a “known place”—known only to Syrian Government actors.<sup>1149</sup> The available reports in the Central Repository indicate that the burials were to be carried out by the Military Police Branch in Damascus,<sup>1150</sup> or by the Office of the Burial of the Dead in coordination with the Military Police Branch in Damascus.<sup>1151</sup> In practice, intelligence agencies have been involved in transporting the bodies of detainees to mass graves, as attested to by insider witnesses from those branches<sup>1152</sup> and Government workers who were instructed to help with the burials.<sup>1153</sup>

359. Bulldozer equipment was used to dig long trenches to accommodate the delivery of hundreds of bodies from military hospitals. Eyewitnesses described mass graves in the area of Najha and Bahdaliya approximately 10-15 kilometers southeast of Damascus, and a mass grave in al-Qutayfah approximately 40 kilometers northeast of Damascus.<sup>1154</sup> The German Aerospace Center’s analysis of satellite photos of the mass grave in al-Qutayfah, located at coordinates 33.756887, 36.603874, show that between 2014 and 2019, graves were dug with dimensions up to



120 meters long and 3 to 5 meters wide, and the area in use for burials increased from 19,000 to 40,000 square meters.<sup>1155</sup>

2. Official Government documentation of detainee deaths concealed their true causes of death in Government custody

360. In addition to physically hiding the bodies of detainees that could provide evidence of torture and ill treatment, the Syrian Government ensured that documents recording their deaths would cover up their true causes of death. Three types of documents relevant to the documentation of a death have been issued for detained and disappeared persons. These are a medical report concerning a death [تقرير طبي خاص بالوفاة], a death certificate [شهادة وفاة], and a death statement [بيان وفاة]. The Mechanism has analysed and compared medical reports, hospital death certificates, and civil registry death statements within its Central Repository obtained from independent sources, which support the patterns of (1) the same, innocuous causes of death recorded on death reports and death certificates issued by Tishreen Military Hospital; and (2) the issuance of death statements by the Ministry of the Interior that do not list a cause or place of death, confirming the deaths of individuals previously reported as in Government custody.

361. **Medical reports** concerning a death are issued by the relevant hospital. The Mechanism's Central Repository includes medical reports acquired by families of deceased detainees.<sup>1156</sup> They record basic information about the detainee's death, including name, date, direct cause of death, and indirect cause of death. In all of them, the cause of death is listed as "cardiorespiratory arrest" [توقف قلب وتنفس], and the indirect cause of death as "cardiovascular collapse" [وهط قلبي دوراني]. They are stamped and signed by the "Forensic Medicine Section" of the issuing hospital.

362. Ordinarily, a **death certificate** is issued at a hospital, as described above. It is based on a blank form issued by the Directorate-General of Civil Status, part of the Ministry of the Interior. When completed, it includes a cause of death and is signed by a doctor and two witnesses. Death certificates in the Mechanism's Central Repository that were issued by Tishreen Hospital for detainees who died in Government custody usually display stamps for the Forensic Medical Department and Tishreen Military Hospital; the cause of death is listed as "cardiorespiratory arrest"



[توقف قلب وتنفس], and, with one exception,<sup>1157</sup> the indirect cause of death as “cardiovascular collapse” [وهط قلبي دوراني].<sup>1158</sup> The hospital death certificate is used to register a death at the civil registry.<sup>1159</sup>

363. A **death statement** [بيان وفاة], also sometimes referred to in English as a death certificate, is a document issued by the Civil Affairs department of the Ministry of the Interior and shows that a death has been officially registered at the civil registry.<sup>1160</sup> In isolation, it is not possible to see a link between a death statement and a death in detention. The documents do not include a cause of death, or specify the hospital where the death was registered, or make any mention of the deceased person having been in Government detention. However, it has been widely reported that, since January 2018, families started to discover that their missing relatives had been registered as deceased at the civil registry without their knowledge.<sup>1161</sup> In some cases, they discovered this when they made enquiries at a Civil Registry Office, but it has also been reported that some Civil Registry Offices published lists of updated civil registry records.<sup>1162</sup> During 2022, Zaman Al-Wasl, an electronic newspaper, collected civil registry extracts, including death statements, for named individuals described as “detainees and missing people” who “went missing between 2011 and 2015”, which includes documents related to persons reported to have been in Government custody.<sup>1163</sup>

364. In addition to taking the “necessary legal and judicial measures which constitute a judicial immunity” for the work of the intelligence agencies,<sup>1164</sup> the process of justifying the burial of detainees’ corpses without returning them to their families, and cleansing of official death-related documentation, effectively hid bodies of deceased detainees from loved ones and prevented them from knowing how they died. Witnesses described their unsuccessful attempts to obtain truthful information about the fates of their loved ones detained by the Syrian Government, as a result of the whitewashed death certificates they received and their inability to recover their bodies from the mass graves.<sup>1165</sup> The family members were simply provided with death certificates issued by Tishreen Military Hospital Forensic Medicine Department, listing the cause of death as “cardiorespiratory arrest”.<sup>1166</sup>



**G. The Syrian Government has controlled the release of detainees through a judicial system that has tolerated coerced confessions, denied due process protections and prolonged detention**

365. Syrian Government actors—including from the judiciary, the security forces and NSB—controlled the ongoing detention and release of those detained in Syrian prisons, though the process of release at times seemed as arbitrary as the reasons for which people were detained in the first place. The judiciary had the authority under law to release detainees, where it was confirmed that detainees were not wanted by any other authority. However, many detainees who were eventually released reported they were only let go on the payment of bribes that were diverted to Syrian Government officials. They were rarely afforded the opportunity to meaningfully present their cases before a judge, and no action was taken despite their in-court complaints of coerced confessions and mistreatment in detention.

366. Although public prosecutors and judges have the authority to dismiss unfounded charges,<sup>1167</sup> they rarely did so without extortion. In addition, detainees reported being charged arbitrarily, for example, for terrorism-related offences of providing medical or humanitarian aid to areas under siege.<sup>1168</sup> They were not able to meaningfully challenge such allegations, as the legal defence of those tried before the courts is severely restricted. For example, while they were operational, lawyers were not permitted to attend the Military Field Courts, [REDACTED].<sup>1169</sup> Lawyers representing clients before the Counter-Terrorism Court were restricted in their ability to see the court's files on their client, submit requests for witnesses or documents, or submit exculpatory evidence before the court.<sup>1170</sup>

367. Few detainees were afforded the opportunity to present their cases before the judiciary in a reasonable time, or informed of the specific evidence against them.<sup>1171</sup> Some detainees only learned of their convictions after they had been imposed.<sup>1172</sup> The Government regularly used information against accused persons that was provided by the transferring intelligence agency, including that obtained through torture.<sup>1173</sup> Government documents confirm the expectation that detainee statements or confessions obtained during interrogation had to include sufficiently serious offences to support robust convictions and sentences. For example, in May 2011, the Political Security Department expressed dissatisfaction with the investigation reports on protesters who



were being released immediately by courts because the charges against them were too light.<sup>1174</sup> Detainees who only admitted in their confessions to protesting and chanting “peaceful, peaceful” and calling for “freedom” were being released; and interrogators were advised to charge them with crimes relating to protesting, riots, firearms possession, undermining the prestige of the state and weakening national sentiment, insulting state employees, assaulting state employees, burning property, or stirring sectarianism.<sup>1175</sup> In August 2013, the Head of the Military Intelligence Investigation Branch reminded all Military Intelligence investigations branches that they needed to improve the quality of arrestee statements containing confessions and provide more specific information, since “the statement is the most important document of all the investigation documents because it is forwarded to the court to base the ruling on—in case of unavailability of enough incriminating evidence.”<sup>1176</sup>

368. While the Syrian Government has informed the Committee against Torture that a “confession made to a security officer is not sufficient in and of itself for the issuance of a verdict”,<sup>1177</sup> as indicated above, detainees reported being convicted based solely on their coerced confession, or were subject to continued detention even though the judge was made aware that confessions were provided under torture.<sup>1178</sup> Despite their responsibility to supervise detention and ensure the well-being of persons held in Government detention centers and prisons, judicial actors have failed to take action even when directly confronted with evidence of their mistreatment in detention.<sup>1179</sup> Lawyers representing the accused appearing before the Counter-Terrorism Court confirmed accounts that the physical evidence of their torture is flagrant, “right in front of the eyes of the judges.”<sup>1180</sup>

369. Detainees reported being released at different junctures in their cases, but this was often contingent on the payment of bribes.<sup>1181</sup> Whether released by military judges or by the Counter-Terrorism Court, detainees often reported that their status was not clear and their cases were not settled.<sup>1182</sup> Their lawyers sometimes requested confirmation regarding the status of their release, which was often conditional.<sup>1183</sup> In addition, detainees’ fates remained subject to the whims of the intelligence apparatus. For example, they could only be released if not wanted for other reasons.<sup>1184</sup> In February 2012, the NSB ordered the Minister of Justice to instruct public



prosecutors “in all governorates not to release any ‘Syrian or foreign’ detainees who were previously transferred to the State Security Court or the Field Court for offences relating to State security [...], before first consulting the authority that arrested them”. This was to give the NSB a chance “to assess their situations so that the appropriate decision can be made in each case.”<sup>1185</sup> A communication from the Head of Military Intelligence from December 2013 directed all Military Intelligence branches “to not release any female detainee in your custody at the present time and to not refer them to the judicial authorities until further notice, pending instructions in their regard”.<sup>1186</sup> These instructions illustrate the ability of the intelligence apparatus to divert detainees from the judicial process to which they are entitled, and to which the Syrian Government claims to strictly adhere.

**H. Despite being repeatedly confronted with notice of mass violations, the Syrian Government has continued to perpetrate detention-related crimes and has failed to take effective measures to prevent or redress them**

370. The Syrian Government has received specific and repeated notice of detention related crimes on a massive scale, including torture and ill treatment, including enforced disappearance. However, it has responded by denying or ignoring allegations and evidence, making efforts to provide legal cover, and issuing token instructions to responsible Government entities not to abuse detainees without taking any effective measures to stop, prevent, or redress violations.

371. Before UN bodies, the Syrian Government has noted the strength of its laws prohibiting the use of torture,<sup>1187</sup> without responding to the *de facto* immunity for Government officials involved in torture provided under its legal framework.<sup>1188</sup> Syrian laws shield Government actors from liability by placing the authority for punishing perpetrators in the very hands of those who control and direct the detention system through which the crimes have been committed. High-ranking members of the military chain of command, including the Commander-in-Chief, control the prosecution of members of the military, including Military Intelligence Department personnel. Civil servants working for any Government ministry and leading members of the Baath Party, National Progressive Front, popular organisations, trade unions, and international organisations can only be summoned or detained with the permission of the NSB.<sup>1189</sup> Military prosecutors can





prosecute members of the Military Intelligence Department based only on a decree, order, and/or recommendation by the Commander-in-Chief and/or the Chief of Staff, depending on the member's rank.<sup>1190</sup> Further, prosecuting members of Military Intelligence requires the approval of their superior, and in some cases, where no delegation is provided, the approval of the Commander-in-Chief.<sup>1191</sup> Similarly, members of the General Intelligence Directorate may not be prosecuted for crimes committed while carrying out their assigned tasks, except by an order issued by the Director.<sup>1192</sup>

372. Despite the Syrian Government's claim that its laws do not contain immunity provisions,<sup>1193</sup> immunity has been invoked in Government documents and in courts. For example, the Military Intelligence Department cautioned branches to follow instructions issued by the NSB regarding procedures for disposing of bodies of detainees to ensure immunity from judicial process for "the work of the [Military] Intelligence Department and avert the liability of [Military Intelligence] Department personnel before any judicial authority in the future".<sup>1194</sup> A Syrian Council of State decision<sup>1195</sup> confirms the existence and invocation of the immunity provisions in [unpublished] Legislative Decree 14 of 1969 and Decree 549 of 1969.<sup>1196</sup> In the case before the Council of State, the General Intelligence Directorate invoked these provisions to ensure that its employees could not be prosecuted for crimes committed during the execution of tasks assigned to them, except by virtue of a prosecution order issued by the Director of the General Intelligence Directorate.<sup>1197</sup> A former member of the General Intelligence Directorate invoked another provision as a defence from prosecution for crimes against humanity in France, arguing that a 1950 decree guarantees Military Intelligence services and the Air Force immunity from prosecution for crimes committed in the exercise of their functions.<sup>1198</sup> The existence and invocation of such provisions further demonstrates the impact of the Syrian Government's efforts to shield its officials from liability. This expectation of immunity further perpetuates abuses and embeds a culture of impunity.<sup>1199</sup>



373. The Government has taken a similar approach of deflection and legal justification in respect of prosecution of detainees. In response to earlier criticisms regarding its court system, the Syrian Government abolished the State Security Court,<sup>1200</sup> but then revised Syria’s legal framework to facilitate some of the same practices that the abolition of the court was supposed to address, allowing intelligence agencies to hold detainees for up to 60 days<sup>1201</sup> before referring them to judicial authorities with the results of their interrogations.<sup>1202</sup> In practice, this timeline has not frequently been observed<sup>1203</sup> and detainees have been held incommunicado during this entire period pending their “investigation” in intelligence agency detention facilities. The Government also initiated the Counter-Terrorism Court,<sup>1204</sup> which, together with Military Field Courts, has been characterised by rules and procedures that severely limit the right of defendants to a fair trial.<sup>1205</sup> The Government has claimed that Syrian law does not allow convictions based solely on confessions of detainees taken by intelligence agencies, but this is inconsistent with the absolute prohibition on using confessions obtained through torture, which detainees have confirmed occurs in practice.<sup>1206</sup>

374. The Syrian Government has declined to respond to allegations of systematic enforced disappearance, but then issued hundreds of death statements and updated civil registries to reflect the deceased status of detainees without informing their families, and without acknowledging the true fates of persons who have died in Government custody.<sup>1207</sup>

375. In response to international condemnation of Government atrocities supported by concrete evidence, such as the Caesar files, the Government has denied the veracity of allegations and evidence.<sup>1208</sup> Rather than investigate these allegations, the Government has taken further steps to cover up crimes by concealing the true cause of death of detainees in Government custody and preventing families from accessing information or the bodies of the victims.<sup>1209</sup>

376. In response to these specific complaints and evidence, rather than taking effective remedial action, the Syrian Government has continually issued token reminders to Government entities not to mistreat detainees, to respect their rights and to improve prison conditions. Seeking to avoid “reputational damage”, the Syrian Government has publicly reported on its practice of issuing circulars, claiming to draw “attention to the importance of ensuring the promptness, precision and



legality of procedures taken when making arrests and referring cases to the courts and of only taking such action as is provided for by law.”<sup>1210</sup> However, these circulars also contain information regarding the Government’s knowledge of specific violations which, due to the lack of effective action and continued efforts to cover them up, have only persisted and increased.<sup>1211</sup> For example:

- In March 2011, the Head of Military Intelligence Branch 243 wrote to all “sections and detachments” under his command, attaching a copy of “Special Instructions for Security Agencies and Police”, which are described as originating from the NSB. Amongst other provisions, this document includes instructions for ensuring citizens are not held in detention for extended periods; forbids detention based on false or malicious reports; and forbids the security agencies from holding people as hostages to force wanted family members to turn themselves in;<sup>1212</sup>
- In April 2011, the Head of the Political Security Department sent an instruction to the Political Security Department governorate-level branches to refrain from hitting detainees or using “violence on them during interrogation” so that the Government would not suffer “reputational damage”;<sup>1213</sup>
- On 13 May 2011, the Head of the NSB sent a document entitled “Special Instructions for Security Agencies and Police” to the Head of the Air Force Intelligence.<sup>1214</sup> They retain the instructions that citizens should not be held in detention for extended periods; forbid detention based on false or malicious reports; and forbid the security agencies from holding people as hostages to force wanted family members to turn themselves in.<sup>1215</sup> These instructions were also circulated within the Political Security Department and the Military Intelligence Department.<sup>1216</sup> The NSB also referred back to these instructions when communicating supposed concerns about the treatment of detainees;
- On 9 July 2011, the NSB sent a reminder to the Minister of the Interior noting that released detainees had complained that they had been “subjected to abuse on the part of the security elements and interrogators”. The NSB ordered the Minister to advise his employees, “especially in the interrogation branches, to not tamper with the personal dignity of the citizen.”<sup>1217</sup> Two days later, the Ministry of the Interior circulated this instruction to “the heads of the Political Security branches at headquarters and in the governorates”;<sup>1218</sup>
- On 6 September 2011, with reference to the “Special Instructions” of 13 May 2011 described in brief above, the NSB sent a message to the Ministry of the Interior noting that it was “still receiving information about the arrest of citizens who are being subjected to beatings and torture without justification, and in some cases, it is revealed that after being beaten and tortured, some are innocent”;<sup>1219</sup>
- On 6 December 2011, the Head of the Military Intelligence Department issued a circular, citing an NSB meeting of 5 December 2011, prohibiting “arbitrary arrest to preserve the dignity of civilians” and to hold accountable those who expose detainees to “verbal abuse, humiliation, degradation and beatings.” This circular also emphasised the importance of



abiding by the NSB's "Special Instructions".<sup>1220</sup>

377. The Government also issued regular instructions and reminders specifically concerning the correct application of laws relating to the arrest and detention of protestors, which included the acknowledgement of incommunicado detention.<sup>1221</sup> Despite these repeated instructions against incommunicado detention, a circular issued by the Head of the Military Intelligence Department instructed branches to ensure that detainees remain incommunicado.<sup>1222</sup>

378. While these repeated admonitions and instructions reflected notice of specific crimes and violations, they did not result in improved conditions or stop torture and deaths in detention, or enforced disappearance and incommunicado detention. Despite their clear inadequacy, the Syrian Government's chosen remedial action continued to be the issuance of circulars. In May 2012, the Head of the Military Intelligence Department issued a circular noting that it was aware that "cases of abuse and beating of the arrestees are still occurring" and ordering subordinate branches to "totally refrain from beating the arrestees no matter for what reason."<sup>1223</sup>

379. As indicated above, following the issuance of these circulars, arrests, torture, and deaths in detention surged. In August 2013, the month that Caesar defected with thousands of photos of tortured bodies, the Head of the Military Intelligence Department was sent a memo summarising a meeting of the heads of investigation sections from various Military Intelligence branches held at Branch 248 on 23 August 2013. The memo reminds recipients to comply with an earlier circular prohibiting "beating, humiliating or mistreating the arrestees during arrest, interrogation or escort to the competent authorities"; to "pay attention to the cleanliness of prison and all facilities" to "minimize deaths" of the detainees that have "lately been remarkably increasing"; and to avoid "malpractices" observed among some of the division branches, including "the use of force, beating and torture" against detainees. This same instruction reminds Military Intelligence investigation sections to comply with a previously issued circular from May 2012, which strictly prohibited the same behaviour, and indicated that the violators shall be punished. Yet, rather than following up regarding the lack of punishment for violators and increase in violations, the proposed solution was to circulate the memo and dispatch new "volunteer members to the division" to help with the workload of interrogators at branches the participants complained were understaffed.<sup>1224</sup>



380. Despite the repeated, specific notice of continued and increased violations, the Syrian Government’s repeated issuance of reminders failed to meaningfully address these violations. They have persisted, as reported by released detainees and reflected in the continued issuance of death statements of forcibly disappeared persons amid the Syrian Government’s silence.

## **VI. ANNEX A – IIIM MANDATE AND METHODOLOGY**

*See separate file “IIIM\_DetentionReport\_Public\_Annex A\_Methodology”*

## **VII. ANNEX B – MAPPING AND GEOCOORDINATES OF DETENTION FACILITIES**

*See separate file “IIIM\_DetentionReport\_Public\_Annex B\_Mapping & Geolocation”*

## **VIII. ANNEX C – GLOSSARY**

*See separate file “IIIM\_DetentionReport\_Public\_Annex C\_Glossary”*



## ENDNOTES – Sections I-V

<sup>1</sup> The current Report provides an analysis of information and evidence within the Mechanism’s Central Repository of Information and Evidence (“Central Repository”) and open-source materials. The Mechanism’s mandate entails the sharing of information with national, regional or international courts or tribunals in order to facilitate and expedite fair and independent criminal proceedings. The Mechanism has further determined that it will support proceedings not of a criminal law nature that nevertheless deal with core international crimes committed in Syria and provide a meaningful justice opportunity for victims/survivors. In an effort to support a broad range of proceedings across relevant jurisdictions, this Report does not articulate specific legal definitions or the application of such definitions to facts. Rather, the inclusion of relevant information, evidence and analysis has been guided by definitions of crimes and violations pursuant to international treaties and international criminal law that relate to detention-related crimes and violations. *See* Annex A.

<sup>2</sup> The terms “Syrian Government” and “Government” are used in this Report to refer to the political, military, security, and intelligence personnel and structures within Syria, including President Bashar al-Assad, the Central Crisis Management Cell (“CCMC”), the National Security Bureau (“NSB”), the Baath Party, intelligence agencies, Security Committees, (military and civilian) police forces, and/or military forces.

<sup>3</sup> *See e.g.* Human Rights Committee Concluding Observations, CCPR/CO/71/SYR (2001), paras. 12-14; Human Rights Committee Concluding Observations, CCPR/CO/84/SYR (2005), para. 9; Committee Against Torture Concluding Observations, CAT/C/SYR/CO/1 (2010), paras. 7, 10; Committee Against Torture Concluding Observations, CAT/C/SYR/CO/1/Add.2 (2012), para. 20. *See also Eyad A.* Judgment, p. 9.

<sup>4</sup> *See* Human Rights Committee Concluding Observations, CCPR/CO/84/SYR (2005), para. 9 (expressing the Human Rights Committee’s deep concern “at continuing reports of torture and cruel, inhuman or degrading treatment or punishment” and that “these practices are facilitated by resort to prolonged incommunicado detention, especially in cases of concern to the Supreme State Security Court, and by the security or intelligence services.”). *See also Eyad A.* Judgment, p. 10.

<sup>5</sup> *See below* Section V.H (referring to invocation of immunity provisions).

<sup>6</sup> This has been referred to in Government documents and the criminal law as “*al-shidah*”. *See e.g.* Memorandum presented to Major General, Head of the Intelligence Division, 14 November 1989, CIJA Ref. Nos. SYR.D0399.016.090-092 and SYR.D0399.016.094-017.003 [IIIM Ref. Nos. ED01419696-ED01419697 and ED01419699-ED01419708, at ED01419704] (presenting a report of interrogations at Military Intelligence Branch 235 indicating that the detainees “stuck to their account despite a lengthy and intense interrogation with them and the use of all interrogation methods, including force [*al-shidah*].”); Memorandum of information and decision of Deputy Chief of Staff – Head of Intelligence Division, 12 August 1998, CIJA Ref. Nos. SYR.D0338.028.014-019 [IIIM Ref. Nos. ED01250542-ED01250547, at ED01250544 and ED01250545] (presenting a report of interrogation of a detainee from Military Intelligence Branch 271 indicating that “[u]sing force [*al-shidah*] on him, and during face-to-face interrogations with [the other detainees], his account settled on the following [...] despite the use of force [*al-shidah*] on him, he insisted on his statement.”); Communication from Military Intelligence Branch Idlib to Military Intelligence Branch 291/4, 13 March 2005, CIJA Ref. Nos. SYR.D0376.008.091-094 [IIIM Ref. Nos. ED01361100-ED01361103, at ED01361102] (presenting an interrogation report from Military Intelligence Branch Idlib noting that “despite the use of force [*al-shidah*] and pressure on the three detainees, they confirmed that they had no knowledge [...]”); Communication from Military Intelligence Branch Idlib to Military Intelligence Branch 291/B, 14 June 2005, CIJA Ref. Nos. SYR.D0375.030.002-003 [IIIM Ref. Nos. ED01360216 and ED01360218, IIIM English unofficial translation TR00000548-TR00000549] (presenting an interrogation report from Military Intelligence Branch Idlib, noting “[w]e couldn’t use force [*al-shidah*] with the detainee because of his health and mental state”). *See also below* Section V.E (referencing more recent Government documents, in addition to these historical cases).

Government documents, in particular those originating from the Military Intelligence Department, commonly refer to the Military Intelligence Department and its branches without actually using the word “Military”. The word “Military” has been added to the Mechanism’s descriptions of those documents for clarity. The Mechanism has also used



consistent Latin alphabet transliterations of Arabic words within the report, which may differ from the transliterations used in some referenced sources and translations.

<sup>7</sup> Syrian Arab Republic follow-up responses to the Committee Against Torture, CAT/C/SYR/CO/1/Add.1 (2011), para. 1 (“Although there is no law that provides a specific definition of torture, article 391 of the Criminal Code makes it clear beyond any shadow of a doubt that torture in its most basic form is a punishable offence. The article uses the phrase “anyone who subjects a person to a harsh beating”. In other words, it refers to the most basic form of torture and torture situations.”). Although the original Arabic phrase “ضرباً من الشدة” (*daroub min al-shidah*) is translated as “harsh beating” in the aforementioned document, the translation of the Arabic word *daroub* (ضروب) as “beating” does not convey the meaning of the term in context, which describes “kinds” or “types” of force. See Human Rights Committee, Fourth Periodic Report by the Syrian Arab Republic, CCPR/C/SYR/4 (2021), para. 38 (“The Syrian Criminal Code criminalizes torture and prescribes severe penalties for persons *who use force* to extract a confession to an offence or information pertaining thereto. Article 391 of the Code prescribes a term of imprisonment of up to three years in such cases.” (emphasis added)). As referenced below (Section V.E), the term *al-shidah* is used in Government documents reporting on interrogations of detainees, and is referred to as “force” in English throughout this Report.

<sup>8</sup> See Human Rights Committee, Replies of the Syrian Arab Republic to the list of issues, CCPR/C/SYR/RQ/4 (2024), paras. 40-42 (referring to Prevention of Torture Law No. 16 of 2022); Syrians for Truth and Justice (2022), referencing Law No. 16 of 2022.

<sup>9</sup> Committee Against Torture Concluding Observations, CAT/C/SYR/CO/1 (2010), para. 7.

<sup>10</sup> Committee Against Torture Concluding Observations, CAT/C/SYR/CO/1 (2010), para. 13.

<sup>11</sup> Committee Against Torture Concluding Observations, CAT/C/SYR/CO/1 (2010), para. 15.

<sup>12</sup> Committee Against Torture Concluding Observations, CAT/C/SYR/CO/1 (2010), para. 30.

<sup>13</sup> Committee Against Torture Concluding Observations, CAT/C/SYR/CO/1 (2010), para. 33.

<sup>14</sup> See also Human Rights Committee Concluding Observations, CCPR/CO/71/SYR (2001), paras. 12-14 (noting the many allegations of torture and inhumane prison conditions in Syrian prisons and expressing concern about hundreds of people held in pre-trial detention, indicating that “[t]he next report should contain precise statistics on the number of people held in pre-trial detention and on the duration of and reasons for such detention.”); Human Rights Committee Concluding Observations, CCPR/CO/84/SYR (2005), paras. 4, 8, 9 (indicating that the recommendations addressed to the Syrian Government in 2001 had not been fully taken into consideration, information provided was insufficient, and remaining subjects of concern included disappearances, incommunicado detention, torture, and ill treatment of prisoners).

<sup>15</sup> See Commission of Inquiry on Syria Report, A/HRC/S-17/2/Add.1 (2011), para. 27 (“In February 2011, limited protests broke out around issues such as [...] the release of political prisoners.”); Syrian Arab Republic Reply to Letter SYR 3/2012 (2012) in response to Special Procedures of the Human Rights Council Letter, SYR 3/2012 (2012) (indicating that “[i]n early 2011, popular movements in Syria demanded reforms and the State responded by enacting numerous laws and statutes. [...] However, the objective behind the demands was not reform, but rather the destruction of Syria.”); *Eyad A.* Judgment, pp. 13-14, 80 (“In summary, the report concludes that limited protests broke out in February 2011 around issues such as poverty, corruption, freedom of expression, democratic participation, and the release of political prisoners, combined with demands for economic and political reforms.”).

<sup>16</sup> Military Intelligence Branch 243 instruction to subordinate sections and detachments, 12 March 2011, appended to Brown Expert Report, Ex. C-46.

<sup>17</sup> Military Intelligence Branch 243 instruction to subordinate sections and detachments, 12 March 2011, appended to Brown Expert Report, Ex. C-46. Regarding the “secret mechanisms” and “false pretexts”, see also Syrian Arab Republic Reply to Letter SYR 3/2012 (2012), p. 1 (stating that the objective behind popular movements demanding reforms in Syria was not reform, “but rather the destruction of Syria [...] accompanied by confessional and sectarian strife, lies propagated in the international arena and the smuggling of large quantities of weapons into Syria.”).

<sup>18</sup> The Convention on the Rights of the Child defines “child” as any person under the age of 18. Syria is a party to the Convention and its civil code also deems a child to become an adult when attaining the age of 18 years.



<sup>19</sup> See Brown Expert Report, para. 26; *Eyad A. Judgment*, p. 14. See also below Section V.F (providing further information regarding the detained children).

<sup>20</sup> See below Section III.B (providing further information regarding arrested persons).

<sup>21</sup> Brown Expert Report, paras. 28, 146, quoting “President al-Assad Delivers Speech at People’s Assembly”, Syrian Arab News Agency (SANA), dated 30 March 2011; SANA Article (2011). See also Circular from Military Intelligence Branch 294, 20 April 2011, appended to Brown Expert Report, Ex. C-127 (referencing a letter of the “Regional Command” summarising CCMC meeting and conclusions); CCMC Minutes of Meeting issued by the Baath Party “Syrian Arab Region - Regional Command”, 20 April 2011, appended to Brown Expert Report, Ex. C-128; CCMC Report on the Security Situation, 25 April 2011, appended to Brown Expert Report, Ex. C-153 (summarising a meeting held by Homs Branch Secretary and Governor with local clerics, highlighting “the importance of reactivating the role of clerics and warning the youth who have been lured about the conspiracies fomented against national unity, security, and stability.” Local demands included finding “a way to appease the relatives of the dead and release the non-convicted detainees”; allowing peaceful demonstrations without security personnel interference; and not falsely accusing anyone of belonging to Salafism, or being a “traitor”).

<sup>22</sup> Minutes of Meeting of Deir-Ezzor Security Committee, 14 April 2011, appended to Brown Expert Report, Ex. C-78 (“Comrade Head of the Interim Committee presented the decision of the Regional Command number 569 /1 [illegible in Arabic], of 27/3/2011, stipulating the establishment of a central and branch crisis management cell.”). See also Brown Expert Report, para. 45.

<sup>23</sup> See below Section IV.B (Syrian Government leadership and coordinating bodies). See also Brown Expert Report, para. 12.

<sup>24</sup> See below Sections IV.B (Syrian Government leadership and coordinating bodies), IV.C (Syrian Government’s intelligence agencies), V.B-C (High-level instructions and arrest campaign).

<sup>25</sup> See below Section III.B (Detainee accounts of arrests); V.C (Government’s arrest campaign).

<sup>26</sup> CCMC Minutes of Meeting issued by the Baath Party “Syrian Arab Region - Regional Command”, 20 April 2011, appended to Brown Expert Report, Ex. C-128 (“A new phase should be started to counter conspirators by initiating the use of force against them as of this date. It is necessary to find a solution for the battle as well as to demonstrate the power and capacity of the state.”). See also Brown Expert Report, para. 154; *Eyad A. Judgment*, pp. 20-21.

<sup>27</sup> See e.g. UN Secretary-General Letter (2012), p. 9 (Enclosure 3: Report of the Secretary-General of the League of Arab States concerning the Observer Mission to Syria: “Since March 2011, such violence has sparked a reaction from protesters, the opposition and the so-called Free Syrian Army, creating a risk of civil war. Paragraphs 71 and 74 of the report refer to the state of severe tension, injustice and repression to which Syrian citizens are subjected. The opposition has taken to bearing arms as a result of the excessive force deployed by Government forces in response to protests, in addition to the repression, imprisonment, torture and human rights violations perpetrated by the security services.”); *Eyad A. Judgment*, p. 69 (“The first desertions had already taken place in summer 2011.”), p. 23 (“The Free Syrian Army (FSA) was founded; its members were initially largely recruited from among deserters from the regular army.”).

<sup>28</sup> Communication from Head of the NSB dated 6 August 2011, disseminated by Military Intelligence Branch 294, 17 August 2011, appended to Brown Expert Report, Ex. C-40.

<sup>29</sup> Communication from Head of the NSB dated 6 August 2011, disseminated by Military Intelligence Branch 294, 17 August 2011, appended to Brown Expert Report, Ex. C-40. See also Brown Expert Report, paras. 173-175.

<sup>30</sup> See below Sections IV.B (Syrian Government leadership and coordinating bodies), IV.C (Syrian Government’s intelligence agencies), V.B (High-level instructions).

<sup>31</sup> CCMC Minutes of Meeting issued by the Baath Party “Syrian Arab Region - Regional Command”, 24 July 2011, appended to Brown Expert Report, Ex. C-172. See also Barakat Declaration, para. 25.

<sup>32</sup> See below Section III.D.3 (Interrogation of detainees).

<sup>33</sup> See below Sections IV.G, V.G (Judicial system).

<sup>34</sup> See below Section V.C (Government’s arrest campaign).

<sup>35</sup> See below Section III.B (Detainee accounts of arrests).

<sup>36</sup> See below Sections V.B (High-level instructions), V.F (Covering up deaths in detention).





<sup>37</sup> See below Sections V.B-G.

<sup>38</sup> See below Sections III.C-E.

<sup>39</sup> See below Section III.E (Deaths in detention).

<sup>40</sup> See below Section V.F; *Eyad A.* Judgment, pp. 26, 90, 92. See also SNHR Report (2015), p. 12.

<sup>41</sup> See below Sections III.C-D.

<sup>42</sup> See below Sections III.C-D, H; Lawyers and Doctors for Human Rights (LDHR) “Report on the Types of Violence and Associated Injuries and Harms Reported during Forensic Medical Evaluations of 222 Syrian Former Detainees Held in State Detention Centers”, produced by five Medical Expert Authors at the Mechanism’s request, 31 December 2023 (“LDHR Expert Report”) [IIIM Ref. Nos. ED02037651 (English), ED02037652 (Arabic)].

<sup>43</sup> See below Section V.H.

<sup>44</sup> See Annex B. Of the 128 Government detention facilities identified in witness accounts, 111 facilities were corroborated by Government documents as to official names of detaining entities. Mistreatment was reported in 92 of the 111 confirmed facilities.

<sup>45</sup> See below Sections III.C-E.

<sup>46</sup> See below Sections III.C-E.

<sup>47</sup> See below Section III.D.

<sup>48</sup> See below Section III.H.

<sup>49</sup> See below Sections III.G (Incommunicado detention and enforced disappearance), V.F. (Covering up deaths in detention).

<sup>50</sup> See below Section III.G.

<sup>51</sup> See below Section V.F.

<sup>52</sup> See below Sections III.F, G.

<sup>53</sup> SNHR Report (2023), p. 14.

<sup>54</sup> SNHR Report (2023), p. 12. Note on p. 12, the report initially indicates the total number of disappeared individuals between “March 2011 and March 2013”; however this is likely intended to read “March 2011 to March 2023”, as the data in the following paragraphs in the section cover the time period from 2011 to 2023, pp. 12-13.

<sup>55</sup> SNHR Report (2023), p. 15.

<sup>56</sup> HRDAG Technical Memo (2016), p. 1.

<sup>57</sup> HRDAG Technical Memo (2016), p. 10.

<sup>58</sup> Secretary-General’s Implementation Report and Terms of Reference (2017), para. 3, Annex, paras. 3-4. See also above endnote 1.

<sup>59</sup> Secretary-General’s Implementation Report and Terms of Reference (2017), Annex, para. 30.

<sup>60</sup> Secretary-General’s Implementation Report and Terms of Reference (2017), para. 5. See also Ninth Mechanism UNGA Report (2023), para. 11.

<sup>61</sup> The 10 Syrian Government detention facilities that were identified as key facilities for analytical focus comprise six Military Intelligence branches: (1) Military Intelligence Branch 227, Damascus; (2) Military Intelligence Branch 235 Palestine Branch, Damascus; (3) Military Intelligence Branch 248 Investigation Branch, Damascus; (4) Military Intelligence Branch 291, Damascus; (5) Military Intelligence Branch 290, Aleppo; (6) Military Intelligence Unit 215 Raids/Assault, Damascus; (7) General Intelligence Branch 251, al-Khatib, Internal Branch, Damascus; (8) Air Force Intelligence Investigations Branch, Damascus; (9) First Military Prison Sednaya Prison, Damascus; and (10) Adra Central Prison, Damascus.

<sup>62</sup> In the endnotes, some of the detention facilities where the described harms occurred and the relevant year(s) are provided, while others are excluded or redacted.

<sup>63</sup> As described below (Section III.C), upon arrival at security branches, many witnesses described being taken downstairs to underground cells with poor ventilation and light.

<sup>64</sup> See Convention on the Rights of the Child (expands the protection afforded to children in armed conflict and obliges State parties to take all feasible measures to ensure protection and care of children in accordance with their obligations under international humanitarian law); Convention on the Rights of Persons with Disabilities, Articles 1 and 11 (aims to promote, protect and ensure the human rights, freedom and dignity of persons with disabilities, including a specific



obligation for States to ensure the protection and safety of those with disabilities in situations of risk, including armed conflict).

<sup>65</sup> See below paras. 113, 122.

<sup>66</sup> [REDACTED].

<sup>67</sup> See e.g. Sections III.C.3-4, D.4-6, E.3-4.

<sup>68</sup> See below Sections V.B-C.

<sup>69</sup> Communication from Head of the NSB dated 6 August 2011, disseminated by Military Intelligence Branch 294, 17 August 2011, appended to Brown Expert Report, Ex. C-40.

<sup>70</sup> See below Sections V.B-C.

<sup>71</sup> Communication from Head of the NSB dated 6 August 2011, disseminated by Military Intelligence Branch 294, 17 August 2011, appended to Brown Expert Report, Ex. C-40.

<sup>72</sup> See e.g. below Sections III.C-H (describing the mistreatment of detainees in relation to their real or perceived political affiliation, religion, place of origin, family relationships, societal roles, age and gender, and the impacts of violations in consideration of these characteristics, as well as socioeconomic status and disability).

<sup>73</sup> See below Section III.G.

<sup>74</sup> See below Section III.D.6 (Corroborative reports and evidence from non-governmental organisations).

<sup>75</sup> Communication from General Intelligence 331 to General Intelligence Directorate regarding recommendation for transfer of a detainee, 19 November 2011, CIJA Ref. No. SYR.D0246.027.001 [IIIM Ref. Nos. ED00654926-ED00654928, IIIM English unofficial translation TR00000573-TR00000575]; Communication from the Political Security Branch in Idlib to the Air Force Intelligence section in Idlib, 17 February 2014, SJAC Ref. No. DOC.2015.B0001.F135.0215 [IIIM Ref. No. ED00676239, IIIM English unofficial translation TR00000606]; Communication from the Political Security Branch in Idlib to the Military Security Branch in Idlib, 5 August 2014, SJAC Ref. No. DOC.2015.B0001.F135.0299 [IIIM Ref. No. ED00676323, IIIM English unofficial translation TR00000608].

<sup>76</sup> See below Section III.F (Judicial process).

<sup>77</sup> See e.g. Witness interview records, IIIM Ref. Nos. [REDACTED]; XXX65; XXX86; XXX69; XXX73; XXX25; XXX22; [REDACTED]; [REDACTED]; XXX57; XXX58.

<sup>78</sup> See Annex B for the list of mapped facilities, categorised by the detaining Government entity and the parent/hierarchical unit identified in Government documents.

<sup>79</sup> See below Sections III.D.3 and V.D-E (detailing detainee interrogations and transfers).

<sup>80</sup> See below Sections III.F.2 and V.G.

<sup>81</sup> See Communication from Head of the NSB dated 6 August 2011, disseminated by Military Intelligence Branch 294, 17 August 2011, appended to Brown Expert Report, Ex. C-40. See also Brown Expert Report, paras. 174-175.

<sup>82</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX62; Witness interview record, IIIM Ref. No. XXX83; [REDACTED]. The interview records refer to the following locations in 2011: [REDACTED]; Military Intelligence Branch 290 Aleppo; [REDACTED]; Air Force Intelligence Investigation Branch.

<sup>83</sup> Witness interview record, IIIM Ref. No. XXX15; Witness interview record, IIIM Ref. No. XXX24; Witness interview record, IIIM Ref. No. XXX26. The interview records refer, e.g., to the following locations in 2011 and 2012: Section 40, General Intelligence Branch 251; General Intelligence Branch 251; Military Intelligence Branch 211 Signals Branch.

<sup>84</sup> Witness interview record, IIIM Ref. No. XXX83; Witness interview record, IIIM Ref. No. XXX27; Witness interview record, IIIM Ref. No. XXX15; Witness interview record, IIIM Ref. No. XXX77. The interview records refer to the following locations in 2011-2013: Military Intelligence Branch 290 Aleppo; Political Security Branch Damascus; Air Force Intelligence Branch Deir-Ezzor; General Intelligence Branch 251.

<sup>85</sup> Witness interview record, IIIM Ref. No. XXX54; Witness interview record, IIIM Ref. No. XXX38; [REDACTED]. The interview records refer to the following locations in 2011: Air Force Intelligence Information Branch; [REDACTED]; Criminal Security Branch Damascus.

<sup>86</sup> Witnesses described the presence of Syrian Government intelligence agencies or military personnel and/or their coordination with *shabiha* involved in the arrest. All individuals who reported the presence of *shabiha* were



transported to a government detention facility following their arrest. *See e.g.* Witness interview record, IIIM Ref. No. XXX83 [Military Intelligence Branch 290 Aleppo, 2011]; [REDACTED].

<sup>87</sup> While imprecise, the term *shabiha* is used in this section because that is the term used by witnesses, referring to both male and female perpetrators. The relevant Government structures that oversee or coordinate with militias falling under this umbrella term are discussed below. *See* Section IV.H (Pro-Government militias).

<sup>88</sup> Witness interview record, IIIM Ref. No. XXX15; Witness interview record, IIIM Ref. No. XXX54; Witness interview record, IIIM Ref. No. XXX62; Witness interview record, IIIM Ref. No. XXX65; [REDACTED]; [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX26; Witness interview record, IIIM Ref. No. XXX77. The interview records refer to the following Government facilities where the arrested persons were first detained in 2011-2013: General Intelligence Branch 251; [REDACTED]; [REDACTED]; Air Force Intelligence Information Branch; [REDACTED]; Air Force Intelligence Investigation Branch; Military Intelligence Branch 290 Aleppo; Political Security Branch Damascus; Section 40, General Investigation Branch 251.

<sup>89</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX65; Witness interview record, IIIM Ref. No. XXX62; [REDACTED]; Witness interview record, IIIM Ref. No. XXX54; Witness interview record, IIIM Ref. No. XXX90; Witness interview record, IIIM Ref. No. XXX94; Witness interview record, IIIM Ref. No. XXX15; Witness interview record, IIIM Ref. No. XXX26; Witness interview record, IIIM Ref. No. XXX80; Witness interview record, IIIM Ref. No. XXX77. The interview records refer to the following Government facilities where the arrested persons were first detained in 2011-2013: [REDACTED]; General Intelligence Branch 251; Air Force Intelligence Information Branch; [REDACTED]; Military Intelligence Branch 290 Aleppo; Military Intelligence Section Daraa; Air Force Intelligence Investigation Branch; Air Force Intelligence Branch Homs; Political Security Branch Damascus; Political Security Branch Aleppo; Section 40, General Intelligence Branch 251.

<sup>90</sup> Witness interview record, IIIM Ref. No. XXX77; [REDACTED]; Witness interview record, IIIM Ref. No. XXX26. The interview records refer to the following Government facilities where the arrested persons were first detained in 2011-2013: Section 40, General Intelligence Branch 251; Political Security Branch Damascus; [REDACTED].

<sup>91</sup> Witness interview record, IIIM Ref. No. XXX26 [Section 40, General Intelligence Branch 251, 2012].

<sup>92</sup> Witness interview record, IIIM Ref. No. XXX15 [General Intelligence Branch 251, 2011-2012]; Witness interview record, IIIM Ref. No. XXX26 [Section 40, General Intelligence Branch 251, 2012].

<sup>93</sup> Witness interview record, IIIM Ref. No. XXX62; Witness interview record, IIIM Ref. No. XXX65; Witness interview record, IIIM Ref. No. XXX54; [REDACTED]; Witness interview record, IIIM Ref. No. XXX77. The interview records refer to the following Government facilities where the arrested persons were first detained in 2011 and 2013: Air Force Intelligence Information Branch; Air Force Intelligence Investigation Branch; Military Intelligence Branch 290 Aleppo; [REDACTED]; Political Security Branch Damascus.

<sup>94</sup> *See below* Section V.C (Government’s arrest campaign). *See also* Circular from Military Intelligence Branch 243 to all heads of sections and detachments and Deputy Branch Head, 21 October 2011, appended to Brown Expert Report, Ex. C-35 (instructing recipients to “[a]ctivate the work of joint military security checkpoints” to search for wanted persons and suspects, and counter “the desperate attempts of armed terrorist gangs” believed to be escalating the situation in certain governorates).

<sup>95</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX86 [Military Intelligence Facilities, 2013]; Witness interview record, IIIM Ref. No. XXX50 [Military Intelligence Branch 243 Deir-Ezzor, 2014].

<sup>96</sup> Witness interview record, IIIM Ref. No. XXX40; Witness interview record, IIIM Ref. No. XXX69; Witness interview record, IIIM Ref. No. XXX94. The interview records refer to the following Government facilities where the arrested persons were first detained in 2014 and 2015: Military Intelligence Branch 227 Damascus and Air Force Intelligence Facilities Mezzeh Airbase.

<sup>97</sup> Witness interview record, IIIM Ref. No. XXX94 [Air Force Intelligence Facilities Mezzeh Airbase, 2015].

<sup>98</sup> Witness interview record, IIIM Ref. No. XXX63 [Military Intelligence Branch 261 Homs, 2015].

<sup>99</sup> Witness interview record, IIIM Ref. No. XXX83; [REDACTED]; Witness interview record, IIIM Ref. No. XXX75; Witness interview record, IIIM Ref. No. XXX35. The interview records refer, *e.g.*, to the following Government facilities where the arrested persons were first detained in 2011 and 2013: Military Intelligence Branch 290 Aleppo; Military Intelligence Branch 243 Deir-Ezzor; Military Intelligence Branch 220 Quneitra.



<sup>100</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX91 [Military Intelligence Branch 261 Homs, 2015]; Witness interview record, IIIM Ref. No. XXX78 [Military Intelligence Branch 227 Damascus, 2017-2018].

<sup>101</sup> Witness interview record, IIIM Ref. No. XXX91; [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX74; Witness interview record, IIIM Ref. No. XXX75; [REDACTED][REDACTED]; Witness interview record, IIIM Ref. No. XXX87; Witness interview record, IIIM Ref. No. XXX55; [REDACTED]. The interview records refer to the following Government facilities where the arrested persons were first detained in 2012-2014, 2017, and 2019: Military Intelligence Branch 243 Deir-Ezzor; [REDACTED]; Jableh Detachment, Military Intelligence Branch 223 Lattakia; [REDACTED]; Air Force Intelligence Branch Homs; Military Intelligence Branch 227 Damascus; General Intelligence Branch 251.

<sup>102</sup> Witness interview record, IIIM Ref. No. XXX65 [Raqa Detachment, Military Intelligence Branch 243 Deir-Ezzor, 2013]; Witness interview record, IIIM Ref. No. XXX68 [General Intelligence Branch 251, 2014].

<sup>103</sup> Witness interview record, IIIM Ref. No. XXX46; [REDACTED]; Witness interview record, IIIM Ref. No. XXX31; Witness interview record, IIIM Ref. No. XXX87. The interview records refer to the following Government facilities where the arrested persons were first detained in 2013-2014: Military Intelligence Branch 290 Aleppo; [REDACTED]; Military Intelligence Branch 243 Deir-Ezzor; Jableh Detachment, Military Intelligence Branch 223 Lattakia; Military Intelligence Branch 243 Deir-Ezzor.

<sup>104</sup> Witness interview record, IIIM Ref. No. XXX50; Witness interview record, IIIM Ref. No. XXX96; Witness interview record, IIIM Ref. No. XXX31; Witness interview record, IIIM Ref. No. XXX44; [REDACTED]. The interview records refer, *e.g.*, to the following Government facilities where the arrested persons were first detained in 2013 and 2015: Jisr al-Shigour Hospital; Military Intelligence Branch 219 Hama; Military Intelligence Unit 215 Raids/Assaults.

<sup>105</sup> Witness interview record, IIIM Ref. No. XXX31 [Military Intelligence Branch 219 Hama, [REDACTED]]; Witness interview record, IIIM Ref. No. XXX36 [Military Intelligence Facilities, Daraa Governorate, 2014].

<sup>106</sup> Witness interview record, IIIM Ref. No. XXX54; Witness interview record, IIIM Ref. No. XXX02; Witness interview record, IIIM Ref. No. XXX73. The interview records refer to the following Government facilities where the arrested persons were first detained in 2011-2013: Izra Detachment, Military Intelligence Section Daraa; Military Intelligence Branch 261 Homs; Air Force Intelligence Information Branch.

<sup>107</sup> Witness interview record, IIIM Ref. No. XXX67; Witness interview record, IIIM Ref. No. XXX75; Witness interview record, IIIM Ref. No. XXX21; Witness interview record, IIIM Ref. No. XXX80; Witness interview record, IIIM Ref. No. XXX91. The interview records refer to the following Government facilities where the arrested persons were first detained in 2012-2015: Military Intelligence Branch 290 Aleppo; Al-Suqaylabiyah Detachment, Military Intelligence Branch 219 Hama; Military Intelligence Branch 261 Homs; Mezzeh Branch, Political Security Branch Damascus; Air Force Command.

<sup>108</sup> Witness interview record, IIIM Ref. No. XXX74 [Military Intelligence Branch 227 Damascus, 2012-2013].

<sup>109</sup> Witness interview record, IIIM Ref. No. XXX35 [Military Intelligence Branch 227 Damascus, [REDACTED]].

<sup>110</sup> Witness interview record, IIIM Ref. No. XXX31 [Military Intelligence Branch 219 Hama, [REDACTED]].

<sup>111</sup> Witness interview record, IIIM Ref. No. XXX48 [Military Intelligence Branch 290 Aleppo, 2013]; Witness interview record, IIIM Ref. No. XXX50 [Military Intelligence Branch 243 Deir-Ezzor, 2014]; [REDACTED].

<sup>112</sup> Witness interview record, IIIM Ref. No. XXX91; Witness interview record, IIIM Ref. No. XXX34; Witness interview record, IIIM Ref. No. XXX67; Witness interview record, IIIM Ref. No. XXX63; Witness interview record, IIIM Ref. No. XXX38. The interview records refer to the following Government facilities where the arrested persons were first detained in 2014-2015 and 2018: Government facility in Damascus Governorate likely to be Military Intelligence Branch 216 Patrols Branch; Military Intelligence Branch 235 Palestine Branch; Military Intelligence Unit 215 Raids/Assaults; Military Intelligence Branch 261 Homs; Military Intelligence Branch 290 Aleppo.

<sup>113</sup> Witness interview record, IIIM Ref. No. XXX48; Witness interview record, IIIM Ref. No. XXX73; [REDACTED]; Witness interview record, IIIM Ref. No. XXX34. The interview records refer to the following Government facilities where the arrested persons were first detained in 2013 and 2015: Military Intelligence Branch 290 Aleppo; Military Intelligence Branch 261 Homs.



<sup>114</sup> Witness interview record, IIIM Ref. No. XXX79; Witness interview record, IIIM Ref. No. XXX97; Witness interview record, IIIM Ref. No. XXX63; Witness interview record, IIIM Ref. No. XXX38. The interview records refer to the following Government facilities where the arrested persons were first detained in 2013, 2015, and 2018: Military Intelligence Branch 261 Homs; Military Intelligence Branch 227 Damascus; Section 40, General Intelligence Branch 251; Military Intelligence Branch 216 Patrols Branch.

<sup>115</sup> Witness interview record, IIIM Ref. No. XXX50 [Military Intelligence Branch 243 Deir-Ezzor, 2014]; [REDACTED].

<sup>116</sup> Witness interview record, IIIM Ref. No. XXX24; Witness interview record, IIIM Ref. No. XXX76; Witness interview record, IIIM Ref. No. XXX78. The interview records refer to the following Government facilities where the arrested persons were first detained in 2011, 2014, and 2017-2018: 12th Armoured Brigade; Military Intelligence Branch 261 Homs; Military Intelligence Branch 227 Damascus.

<sup>117</sup> Witness interview record, IIIM Ref. No. XXX62; Witness interview record, IIIM Ref. No. XXX24; Witness interview record, IIIM Ref. No. XXX00; Witness interview record, IIIM Ref. No. XXX72; Witness interview record, IIIM Ref. No. XXX78. The interview records refer to the following Government facilities where the arrested persons were first detained in 2011-2013, and 2017-2018: Military Intelligence Branch 227 Damascus; 12th Armoured Brigade; 21st Mechanised Brigade; Military Intelligence Branch 227 Damascus; Air Force Intelligence Facilities Mezzeh Airbase.

<sup>118</sup> Witness interview record, IIIM Ref. No. XXX24; Witness interview record, IIIM Ref. No. XXX63; Witness interview record, IIIM Ref. No. XXX55. The interview records refer to the following Government facilities where the arrested persons were first detained in 2011, 2013, and 2017: Military Intelligence Branch 290 Aleppo; Air Force Intelligence Branch Homs; 12th Armoured Brigade.

<sup>119</sup> Witness interview record, IIIM Ref. No. XXX72 [21st Mechanised Brigade, 2013].

<sup>120</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX00 [Unknown military Government entity, 2014].

<sup>121</sup> Witness interview record, IIIM Ref. No. XXX74 [Military Intelligence Branch 227 Damascus, 2012-2013]; Witness interview record, IIIM Ref. No. XXX80 [Al-Suqaylabiyah Detachment, Military Intelligence Branch 219 Hama, 2014].

<sup>122</sup> Communication from Head of the NSB dated 6 August 2011, disseminated by Military Intelligence Branch 294, 17 August 2011, appended to Brown Expert Report, Ex. C-40.

<sup>123</sup> Witness interview record, IIIM Ref. No. XXX71; Witness interview record, IIIM Ref. No. XXX25; Witness interview record, IIIM Ref. No. XXX62; Witness interview record, IIIM Ref. No. XXX85; Witness interview record, IIIM Ref. No. XXX25; Witness interview record, IIIM Ref. No. XXX19; Witness interview record, IIIM Ref. No. XXX42; Witness interview record, IIIM Ref. No. XXX63. The interview records refer to the following Government facilities where the arrested persons were first detained in 2011-2014 and 2017: General Intelligence Branch 251; Air Force Intelligence Section Lattakia; Military Intelligence Branch 235 Palestine Branch; Air Force Intelligence Investigation Branch; Military Intelligence Branch 219 Hama; Military Intelligence Branch 227 Damascus.

<sup>124</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX58; Witness interview record, IIIM Ref. No. XXX35; Witness interview record, IIIM Ref. No. XXX94; [REDACTED]; Witness interview record, IIIM Ref. No. XXX86; Witness interview record, IIIM Ref. No. XXX94. The interview records refer to the following Government facilities where the arrested persons were first detained in 2012, 2013, and 2015: Military Intelligence Branch 219 Hama; Air Force Intelligence Facilities Mezzeh Airbase; Military Intelligence Branch 220 Quneitra; Military Intelligence Branch 223 Lattakia; Military Intelligence Facilities.

<sup>125</sup> Witness interview record, IIIM Ref. No. XXX70; Witness interview record, IIIM Ref. No. XXX51; [REDACTED]; Witness interview record, IIIM Ref. No. XXX23; Witness interview record, IIIM Ref. No. XXX14; Witness interview record, IIIM Ref. No. XXX84. The interview records refer to the following Government facilities where the arrested persons were first detained in 2011-2013 and 2015: Political Security Branch Damascus; Air Force Intelligence Facilities Mezzeh Airbase; Military Intelligence Branch 219 Hama; Military Intelligence Branch 219 Hama; General Intelligence Branch 322 Aleppo.

<sup>126</sup> Witness interview record, IIIM Ref. No. XXX25 [Military Intelligence Branch 227 Damascus, 2011].



<sup>127</sup> See e.g. Witness interview record, IIIM Ref. No. XXX07; Witness interview record, IIIM Ref. No. XXX89; Witness interview record, IIIM Ref. No. XXX92; Witness interview record, IIIM Ref. No. XXX72; Witness interview record, IIIM Ref. No. XXX58; Witness interview record, IIIM Ref. No. XXX37; Witness interview record, IIIM Ref. No. XXX63. The interview records refer, e.g., to the following Government facilities where the arrested persons were first detained in 2011, 2012, 2016; and 2017: Military Intelligence Branch 219 Hama; Military Intelligence Branch 216 Patrols Branch; Political Security Branch Lattakia; General Intelligence Branch 251; Military Intelligence Branch 271 Idlib.

<sup>128</sup> [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX51 [Military Intelligence Unit 215 Raids/Assaults, 2014]; Witness interview record, IIIM Ref. No. XXX88 [Criminal Security Branch Bab Masalla, 2014].

<sup>129</sup> [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX94; Witness interview record, IIIM Ref. No. XXX27; Witness interview record, IIIM Ref. No. XXX69; [REDACTED]. The interview records refer to the following Government facilities where the arrested persons were first detained in 2013 and 2014: Mezzeh Branch, Political Security Branch Damascus; Military Intelligence Branch 227 Damascus; Military Intelligence Branch 223 Lattakia.

<sup>130</sup> Witness interview record, IIIM Ref. No. XXX07; [REDACTED]; Witness interview record, IIIM Ref. No. XXX72; [REDACTED]; Witness interview record, IIIM Ref. No. XXX14; Witness interview record, IIIM Ref. No. XXX28; Witness interview record, IIIM Ref. No. XXX88. The interview records refer, e.g., to the following Government facilities where the arrested persons were first detained in 2011-2014: Political Security Branch Lattakia; Criminal Security Branch Bab Masalla; General Intelligence Branch 322 Aleppo; Air Force Intelligence Section Daraa.

<sup>131</sup> [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX27 [Mezzeh Branch, Political Security Branch Damascus, 2013]; [REDACTED].

<sup>132</sup> Witness interview record, IIIM Ref. No. XXX69 [Political Security Branch Homs, 2012]; [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX37 [Military Intelligence Branch 216 Patrols Branch, 2016].

<sup>133</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX68 [Air Force Intelligence Investigation Branch, 2014].

<sup>134</sup> Witness interview record, IIIM Ref. No. XXX09 [Air Force Intelligence Section Aleppo, 2013]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX69 [Military Intelligence Branch 227 Damascus, 2014]; [REDACTED].

<sup>135</sup> Witness interview record, IIIM Ref. No. XXX90; Witness interview record, IIIM Ref. No. XXX27; Witness interview record, IIIM Ref. No. XXX69; [REDACTED]. The interview records refer to the following Government facilities where the arrested persons were first detained in 2011, 2013, and 2014: Mezzeh Branch, Political Security Branch Damascus; Military Intelligence Section Daraa; Military Intelligence Branch 227 Damascus.

<sup>136</sup> Inhumane conditions were not reported in the following 27 facilities, which were reported by one or two witnesses each: 21st Mechanised Brigade, Air Force Intelligence Hama Section, Al Kiswah Section-Military Intelligence Branch 227 Damascus, Al Mastouma Military Camp, As Sanamayn Detachment-Military Intelligence Section Daraa, As-Salamiyah Detention Centre, As-Suqaylabiyah Detachment-Criminal Security Branch Hama, Al-Thawrah Detachment-Military Intelligence Branch 243 Deir-Ezzor, Baath Party Branch Homs, Criminal Security Branch Homs, Criminal Security Branch Idlib, Damascus Palace of Justice, Deir Shmil Detention Facility, Deir-Ezzor Air Base, Izra Detachment-Criminal Security Branch Daraa, Izra Detachment-Political Security Branch Daraa, Jisr Al Shigour Hospital, Masyaf Detachment-Criminal Security Branch Hama, Military Intelligence Branch 265 Suweida, Military Police Branch Daraa, Military Police Branch Deir-Ezzor, Military Police Branch Raqqa, Military Police Branch Tadmur, Nawa Detachment-Military Intelligence Section Daraa, Political Security Branch Deir-Ezzor, Political Security Detachment Ar-Rastan-Political Security Branch Homs, and Tartus Central Prison.

<sup>137</sup> See below Sections IV.C, F.

<sup>138</sup> See below Section III.D.6 (Corroborative reports and evidence from non-governmental organisations).

<sup>139</sup> Witness interview record, IIIM Ref. No. XXX19; [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX23; Witness interview record, IIIM Ref. No. XXX25; [REDACTED]; [REDACTED]. The interview



records refer to the following locations in 2011, 2012, and 2019: Military Police Branch Idlib; [REDACTED]; Political Security Branch Damascus; Military Intelligence Branch 235 Palestine Branch; [REDACTED].

<sup>140</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX84; Witness interview record, IIIM Ref. No. XXX13; [REDACTED]. The interview records refer, *e.g.*, to the following locations in 2013-2016: Air Force Intelligence Branch Harasta; Military Intelligence Branch 219 Hama.

<sup>141</sup> [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX78; [REDACTED]; Witness interview record, IIIM Ref. No. XXX78; Witness interview record, IIIM Ref. No. XXX54; Witness interview record, IIIM Ref. No. XXX37. The interview records refer, *e.g.*, to the following locations in 2014-2017: Military Intelligence Branch 290 Aleppo; Military Intelligence Branch 227 Damascus; Military Intelligence Branch 248 Investigation Branch.

<sup>142</sup> Witness interview record, IIIM Ref. No. XXX74; Witness interview record, IIIM Ref. No. XXX93; Witness interview record, IIIM Ref. No. XXX65. The interview records refer to the following locations in 2011-2017: Air Force Intelligence Section Lattakia; First Military Prison; Military Intelligence Branch 221 Tadmur/Badia.

<sup>143</sup> Witness interview record, IIIM Ref. No. XXX78; Witness interview record, IIIM Ref. No. XXX78; Witness interview record, IIIM Ref. No. XXX54. The interview records refer to the following locations in 2014-2016: Military Intelligence Branch 248 Investigation Branch; Military Intelligence Branch 290 Aleppo; Military Intelligence Branch 227 Damascus.

<sup>144</sup> Witness interview record, IIIM Ref. No. XXX84; Witness interview record, IIIM Ref. No. XXX54; Witness interview record, IIIM Ref. No. XXX37; [REDACTED]. The interview records refer, *e.g.*, to the following locations in 2013 and 2016-2018: [REDACTED]; Air Force Intelligence Branch Harasta; Military Intelligence Branch 227 Damascus.

<sup>145</sup> Witness interview record, IIIM Ref. No. XXX73; Witness interview record, IIIM Ref. No. XXX84; Witness interview record, IIIM Ref. No. XXX37. The interview records refer, *e.g.*, to the following locations in 2011, 2013, and 2016-2017: Air Force Intelligence Branch Damascus, unspecified; Air Force Intelligence Branch Harasta.

<sup>146</sup> Witness interview record, IIIM Ref. No. XXX73; Witness interview record, IIIM Ref. No. XXX68; Witness interview record, IIIM Ref. No. XXX68. The interview records refer to the following locations in 2013-2015: First Military Prison; General Intelligence Branch 251; Military Intelligence Unit 215 Raids/Assaults.

<sup>147</sup> Witness interview record, IIIM Ref. No. XXX73; Witness interview record, IIIM Ref. No. XXX78; Witness interview record, IIIM Ref. No. XXX37. The interview records refer, *e.g.*, to the following locations in 2011 and 2014-2017: Military Intelligence Branch 248 Investigation Branch; Air Force Intelligence Branch Damascus, unspecified.

<sup>148</sup> Witness interview record, IIIM Ref. No. XXX24 [Military Intelligence Section Daraa, 2012]; [REDACTED]; [REDACTED].

<sup>149</sup> Witness interview record, IIIM Ref. No. XXX55; Witness interview record, IIIM Ref. No. XXX84; Witness interview record, IIIM Ref. No. XXX72; Witness interview record, IIIM Ref. No. XXX07; [REDACTED]; [REDACTED]. The interview records refer, *e.g.*, to the following locations in 2012 and 2014: [REDACTED]; Military Intelligence Branch 256 Tartus; Political Security Branch Lattakia; [REDACTED]; Military Intelligence Branch 235 Palestine Branch.

<sup>150</sup> Witness interview record, IIIM Ref. No. XXX81 [Military Intelligence Branch 291, 2012-2013].

<sup>151</sup> Witness interview record, IIIM Ref. No. XXX84 [Air Force Intelligence Branch Harasta, 2013]; Witness interview record, IIIM Ref. No. XXX93 [Military Intelligence Facilities, Damascus Governorate, 2013]; [REDACTED].

<sup>152</sup> *See e.g.* Witness interview record, IIIM Ref. No. XXX92; Witness interview record, IIIM Ref. No. XXX85; [REDACTED]; Witness interview record, IIIM Ref. No. XXX84; [REDACTED]. The interview records refer, *e.g.*, to the following locations in 2012, 2015, and 2021: Military Intelligence Unit 215 Raids/Assaults; Air Force Intelligence Investigation Branch; Military Intelligence Branch 227 Damascus.

<sup>153</sup> *See e.g.* [REDACTED]; Witness interview record, IIIM Ref. No. XXX19 [Military Intelligence Branch 227 Damascus, July 2015]; Witness interview record, IIIM Ref. No. XXX37 [[REDACTED], 2016-2017].



<sup>154</sup> [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX95; Witness interview record, IIIM Ref. No. XXX63; [REDACTED]; [REDACTED]. The interview records refer, *e.g.*, to the following locations in 2012, 2014, and 2015: General Intelligence Branch 285; Military Intelligence Branch 235 Palestine Branch; [REDACTED].

<sup>155</sup> Witness interview record, IIIM Ref. No. XXX70; [REDACTED]; Witness interview record, IIIM Ref. No. XXX36; [REDACTED]; Witness interview record, IIIM Ref. No. XXX41. The interview records refer to the following locations in 2011 and 2015: Air Force Intelligence Investigation Branch; Military Intelligence Branch 243 Deir-Ezzor; General Intelligence Branch 251.

<sup>156</sup> Witness interview record, IIIM Ref. No. XXX85; Witness interview record, IIIM Ref. No. XXX63; Witness interview record, IIIM Ref. No. XXX54; [REDACTED]. The interview records refer, *e.g.*, to the following locations in 2014-2016 and 2021: Military Intelligence Branch 227 Damascus; Military Intelligence Branch 261 Homs; Political Security Branch Homs.

<sup>157</sup> Witness interview record IIIM Ref. No. XXX64 [General Intelligence Branch 318 Homs, 2011]; [REDACTED]; Witness interview record IIIM Ref. No. XXX68 [First Military Prison, 2014-2015].

<sup>158</sup> Witness interview record, IIIM Ref. No. XXX37 [[REDACTED], 2016-2017].

<sup>159</sup> Witness interview record, IIIM Ref. No. XXX78 [Military Intelligence Branch 290 Aleppo, 2014].

<sup>160</sup> [REDACTED].

<sup>161</sup> Witness interview record, IIIM Ref. No. XXX14 [Military Intelligence Branch 293 Officer's Affairs Branch, 2011- 2012].

<sup>162</sup> Witness interview record, IIIM Ref. No. XXX78 [Military Intelligence Branch 290 Aleppo, 2014].

<sup>163</sup> Witness interview record, IIIM Ref. No. XXX25 [Military Intelligence Branch 235 Palestine Branch, 2012]; [REDACTED]; [REDACTED].

<sup>164</sup> Witness interview record, IIIM Ref. No. XXX65 [Raqa Detachment, Military Intelligence Branch 243 Deir-Ezzor, 2013]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX78 [Military Intelligence Branch 290 Aleppo, 2014].

<sup>165</sup> Witness interview record, IIIM Ref. No. XXX85; Witness interview record, IIIM Ref. No. XXX05; Witness interview record, IIIM Ref. No. XXX78. The interview records refer to the following locations in 2012-2014: Air Force Intelligence Investigation Branch; Military Intelligence Branch 290 Aleppo; Military Intelligence Branch 235 Palestine Branch.

<sup>166</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX65 [Military Intelligence Branch 235 Palestine Branch, 2013]; [REDACTED]; [REDACTED].

<sup>167</sup> Witness interview record, IIIM Ref. No. XXX25 [Military Intelligence Branch 235 Palestine Branch, 2012]; [REDACTED].

<sup>168</sup> Witness interview record, IIIM Ref. No. XXX15; Witness interview record, IIIM Ref. No. XXX74; Witness interview record, IIIM Ref. No. XXX14. The interview records refer to the following locations in 2011-2013: Air Force Intelligence Facilities Mezzeh Airbase; General Intelligence Branch 322 Aleppo; General Intelligence Branch 251.

<sup>169</sup> Witness interview record, IIIM Ref. No. XXX65; Witness interview record, IIIM Ref. No. XXX37; Witness interview record, XXX93. The interview records refer to the following locations in 2013: Raqa Detachment, Military Intelligence Branch 243 Deir-Ezzor; Political Security Branch Homs; Military Intelligence Branch 227 Damascus.

<sup>170</sup> Witness interview record, IIIM Ref. No. XXX73; Witness interview record, IIIM Ref. No. XXX62; Witness interview record, IIIM Ref. No. XXX14; Witness interview record, IIIM Ref. No. XXX30; Witness interview record, IIIM Ref. No. XXX83; Witness interview record, IIIM Ref. No. XXX50; Witness interview record, IIIM Ref. No. XXX63. The interview records refer to the following locations in 2011-2015: Air Force Intelligence Branch Damascus, unspecified; Air Force Intelligence Investigation Branch; Military Intelligence Branch 293 Officer's Affairs Branch; Military Intelligence Branch 235 Palestine Branch; Military Intelligence Branch 227 Damascus.

<sup>171</sup> Witness interview record, IIIM Ref. No. XXX73; Witness interview record, IIIM Ref. No. XXX25; Witness interview record, IIIM Ref. No. XXX72. The interview records refer to the following locations in 2011-2014: Military Intelligence Branch 235 Palestine Branch; Air Force Intelligence Branch Damascus, unspecified; Military Intelligence Unit 215 Raids/Assaults.





<sup>172</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX63 [Military Intelligence Branch 235 Palestine Branch, 2018]; [REDACTED].

<sup>173</sup> Witness interview record, IIIM Ref. No. XXX50 [Military Intelligence Unit 215 Raids/Assaults, 2011]; [REDACTED]; [REDACTED].

<sup>174</sup> Witness interview record, IIIM Ref. No. XXX81; Witness interview record, IIIM Ref. No. XXX73; Witness interview record, IIIM Ref. No. XXX94. The interview records refer to the following locations in 2011-2014 and 2018: Military Intelligence Branch 291; Military Hospital 601; Military Intelligence Unit Raids/Assaults.

<sup>175</sup> Witness interview record, IIIM Ref. No. XXX73; Witness interview record, IIIM Ref. No. XXX81; Witness interview record, IIIM Ref. No. XXX54. The interview records refer to the following locations in 2011-2012 and 2016: Military Intelligence Branch 227; Military Intelligence Branch 290 Aleppo; Air Force Intelligence Branch Damascus, unspecified.

<sup>176</sup> Witness interview record, IIIM Ref. No. XXX01; Witness interview record, IIIM Ref. No. XXX94; Witness interview record, IIIM Ref. No. XXX18. The interview records refer to the following locations in 2013 and 2016-2019: Air force Intelligence Investigation Branch; Military Hospital 601.

<sup>177</sup> Witness interview record, IIIM Ref. No. XXX94; Witness interview record, IIIM Ref. No. XXX63; Witness interview record, IIIM Ref. No. XXX83; [REDACTED]; [REDACTED]; [REDACTED]. The interview records refer to the following locations in 2013-2014 and 2018-2021: Military Intelligence Branch 235 Palestine Branch; Military Intelligence Branch 223 Lattakia; [REDACTED]; [REDACTED].

<sup>178</sup> Witness interview record, IIIM Ref. No. XXX89; Witness interview record, IIIM Ref. No. XXX38; Witness interview record, IIIM Ref. No. XXX99; [REDACTED]; [REDACTED]. The interview records refer to the following locations in 2011-2013 and 2018: Military Intelligence Unit 215 Raids/Assaults; Military Intelligence Branch 235 Palestine Branch; General Intelligence Branch 251; [REDACTED].

<sup>179</sup> Witness interview record, IIIM Ref. No. XXX14 [General Intelligence Branch 285, 2013]; Witness interview record, IIIM Ref. No. XXX94 [Air Force Intelligence Facilities Mezzeh Airbase, 2015-2017].

<sup>180</sup> Witness interview record, IIIM Ref. No. XXX84 [Air Force Intelligence Branch Harasta, 2013]; Witness interview record, IIIM Ref. No. XXX47 [Military Intelligence Branch 235 Palestine Branch, 2017-2018].

<sup>181</sup> A few female witnesses reported that sanitary products were provided as needed in the Air Force Intelligence Investigation Branch, Political Security Branch Aleppo and Military Intelligence Unit 215 Raids/Assaults in 2012 and 2019. *See* Witness interview record, IIIM Ref. No. XXX62; Witness interview record, IIIM Ref. No. XXX80; [REDACTED].

<sup>182</sup> Witness interview record, IIIM Ref. No. XXX86; Witness interview record, IIIM Ref. No. XXX88; [REDACTED]. The interview records refer, *e.g.*, to the following locations in 2013-2015: Military Intelligence Branch 235 Palestine Branch; Military Intelligence Branch 227 Damascus; Criminal Security Branch Bab Masalla.

<sup>183</sup> Witness interview record, IIIM Ref. No. XXX74; Witness interview record, IIIM Ref. No. XXX51; Witness interview record, IIIM Ref. No. XXX42; Witness interview record, IIIM Ref. No. XXX20; Witness interview record, IIIM Ref. No. XXX97. The interview records refer to the following locations in 2013-2017: Military Intelligence Branch 235 Palestine Branch; Military Intelligence Unit 215 Raids/Assaults; Military Intelligence Branch 235 Palestine Branch; General Intelligence Branch 251.

<sup>184</sup> Witness interview record, IIIM Ref. No. XXX24; Witness interview record, IIIM Ref. No. XXX72; Witness interview record, IIIM Ref. No. XXX80; [REDACTED]. The interview records refer to the following locations in 2012-2013: Military Intelligence Unit 215 Raids/Assaults; 21st Mechanised Brigade; General Intelligence Branch 285.

<sup>185</sup> [REDACTED].

<sup>186</sup> Witness interview record, IIIM Ref. No. XXX13 [Military Intelligence Branch 235 Palestine Branch, 2014]; [REDACTED].

<sup>187</sup> Witness interview record, IIIM Ref. No. XXX97 [Military Intelligence Branch 235 Palestine Branch, [REDACTED]].

<sup>188</sup> Witness interview record, IIIM Ref. No. XXX97 [Military Intelligence Branch 235 Palestine Branch, [REDACTED]].

<sup>189</sup> [REDACTED].



<sup>190</sup> Witness interview record, IIIM Ref. No. XXX72; Witness interview record, IIIM Ref. No. XXX44; Witness interview record, IIIM Ref. No. XXX88; [REDACTED]; Witness interview record, IIIM Ref. No. XXX76; Witness interview record, IIIM Ref. No. XXX64; [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX80; [REDACTED]; Witness interview record, IIIM Ref. No. XXX91; Witness interview record, IIIM Ref. No. XXX88; [REDACTED]. The interview records refer, *e.g.*, to the following locations in 2012-2014 and 2017: [REDACTED]; Military Intelligence Branch 235 Palestine Branch; General Intelligence Branch 285; Military Intelligence Branch 290 Aleppo; [REDACTED]; Military Intelligence Branch 261 Homs.

<sup>191</sup> Witness interview record, IIIM Ref. No. XXX72 [[REDACTED], 2012].

<sup>192</sup> Witness interview record, IIIM Ref. No. XXX21 [[REDACTED], 2014-2015].

<sup>193</sup> [REDACTED]; [REDACTED].

<sup>194</sup> The civilian prisons covered in this section include Adra Central Prison, Aleppo Central Prison, Barzah Prison, Daraa Central Prison, Homs Central Prison, Hama Central Prison, Idlib Central Prison, Lattakia Civilian Prison and Suweida Central Prison. Inhumane conditions were not reported in Tartus Central Prison.

<sup>195</sup> Witness interview record, IIIM Ref. No. XXX76 [Adra Central Prison, 2016].

<sup>196</sup> Witness interview record, IIIM Ref. No. XXX89; Witness interview record, IIIM Ref. No. XXX84; Witness interview record, IIIM Ref. No. XXX28; Witness interview record, IIIM Ref. No. XXX74; Witness interview record, IIIM Ref. No. XXX36; Witness interview record, IIIM Ref. No. XXX87; Witness interview record, IIIM Ref. No. XXX73. The interview records refer to the following locations in 2011-2017 and 2022: Lattakia Civilian Prison; Adra Central Prison; Homs Central Prison; Aleppo Central Prison.

<sup>197</sup> Witness interview record, IIIM Ref. No. XXX81; Witness interview record, IIIM Ref. No. XXX84; Witness interview record, IIIM Ref. No. XXX41; Witness interview record, IIIM Ref. No. XXX85; [REDACTED]; [REDACTED]. The interview records refer, *e.g.*, to the following locations in 2011-2022: Aleppo Central Prison; [REDACTED]; Adra Central Prison.

<sup>198</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX05 [Adra Central Prison, 2014]; Witness interview record, IIIM Ref. No. XXX88 [Adra Central Prison, 2016-2017].

<sup>199</sup> Witness interview record, IIIM Ref. No. XXX94 [Adra Central Prison, 2012-2013]; Witness interview record, IIIM Ref. No. XXX55 [Adra Central Prison, 2012-2013]; Witness interview record, IIIM Ref. No. XXX50 [Adra Central Prison, 2015].

<sup>200</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX37; Witness interview record, IIIM Ref. No. XXX76; [REDACTED]. The interview records refer to the following locations in 2012-2020: Suweida Central Prison; Homs Central Prison.

<sup>201</sup> Witness interview record, IIIM Ref. No. XXX94; Witness interview record, IIIM Ref. No. XXX63; Witness interview record, IIIM Ref. No. XXX44; Witness interview record, IIIM Ref. No. XXX08. The interview records refer to Adra Central Prison in 2012-2013 and 2015-2019.

<sup>202</sup> Witness interview record, IIIM Ref. No. XXX89; Witness interview record, IIIM Ref. No. XXX85; Witness interview record, IIIM Ref. No. XXX74; Witness interview record, IIIM Ref. No. XXX73. The interview records refer to the following locations in 2011, 2014, 2018, and 2020-2022: Aleppo Central Prison; Lattakia Civilian Prison; Hama Central Prison.

<sup>203</sup> Witness interview record, IIIM Ref. No. XXX50; Witness interview record, IIIM Ref. No. XXX84; Witness interview record, IIIM Ref. No. XXX91. The interview records refer to Adra Central Prison in 2011, 2012, and 2014-2017.

<sup>204</sup> Witness interview record, IIIM Ref. No. XXX89; Witness interview record, IIIM Ref. No. XXX30; Witness interview record, IIIM Ref. No. XXX85; Witness interview record, IIIM Ref. No. XXX41; Witness interview record, IIIM Ref. No. XXX91. The interview records refer to the following locations in 2011 and 2014-2017: Idlib Central Prison; Adra Central Prison; Hama Central Prison.

<sup>205</sup> Witness interview record, IIIM Ref. No. XXX37 [Suweida Central Prison, 2017].

<sup>206</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX18; Witness interview record, IIIM Ref. No. XXX78; Witness interview record, IIIM Ref. No. XXX41. The interview records refer to Adra Central Prison in 2015-2017.



- <sup>207</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX84; [REDACTED]. The interview records refer to Adra Central Prison in 2015-2016 and 2018-2020.
- <sup>208</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX81 [[REDACTED], 2013-2014].
- <sup>209</sup> Witness interview record, IIIM Ref. No. XXX15 [Adra Central Prison, [REDACTED]].
- <sup>210</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX81 [[REDACTED], 2013-2014].
- <sup>211</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX57 [Idlib Central Prison, 2011]; [REDACTED]
- <sup>212</sup> *See also* [REDACTED].
- <sup>213</sup> Witness interview record, IIIM Ref. No. XXX55 [First Military Prison, 2012-2015].
- <sup>214</sup> [REDACTED].
- <sup>215</sup> Witness interview record, IIIM Ref. No. XXX76; Witness interview record, IIIM Ref. No. XXX55; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]. The interview records refer to the First Military Prison in 2012-2021.
- <sup>216</sup> Witness interview record, IIIM Ref. No. XXX72; [REDACTED]; [REDACTED]. The interview records refer to the First Military Prison in 2013-2021.
- <sup>217</sup> [REDACTED].
- <sup>218</sup> Witness interview record, IIIM Ref. No. XXX55 [First Military Prison, 2012-2015].
- <sup>219</sup> Witness interview record, IIIM Ref. No. XXX72 [First Military Prison, 2014-2015].
- <sup>220</sup> [REDACTED]; [REDACTED]; [REDACTED].
- <sup>221</sup> Witness interview record, IIIM Ref. No. XXX72 [First Military Prison, 2014-2015].
- <sup>222</sup> [REDACTED].
- <sup>223</sup> Witness interview record, IIIM Ref. No. XXX04; Witness interview record, IIIM Ref. No. XXX72; Witness interview record, IIIM Ref. No. XXX68. The interview records refer to the First Military Prison in 2012-2015.
- <sup>224</sup> Witness interview record, IIIM Ref. No. XXX72 [First Military Prison, 2015].
- <sup>225</sup> [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX97; Witness interview record, IIIM Ref. No. XXX87. The interview records refer to the First Military Prison in 2011-2021.
- <sup>226</sup> Witness interview record, IIIM Ref. No. XXX72; Witness interview record, IIIM Ref. No. XXX87; [REDACTED]. The interview records refer, *e.g.*, to the First Military Prison in 2012-2019.
- <sup>227</sup> Witness interview record, IIIM Ref. No. XXX96 [First Military Prison, 2012]; Witness interview record, IIIM Ref. No. XXX55 [First Military Prison, 2012-2015].
- <sup>228</sup> Witness interview record, IIIM Ref. No. XXX57 [First Military Prison, 2012-2014].
- <sup>229</sup> Witness interview record, IIIM Ref. No. XXX72; [REDACTED]; [REDACTED]. The interview records refer to the First Military Prison in 2011-2016 and 2020.
- <sup>230</sup> Witness interview record, IIIM Ref. No. XXX96 [First Military Prison, 2012]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX68 [First Military Prison, 2014-2015].
- <sup>231</sup> Witness interview record, IIIM Ref. No. XXX06; Witness interview record, IIIM Ref. No. XXX87; Witness interview record, IIIM Ref. No. XXX58. The interview records refer to the First Military Prison in 2012-2017.
- <sup>232</sup> Witness interview record, IIIM Ref. No. XXX38 [First Military Prison, 2012-Date of release unknown]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX72 [First Military Prison, 2014-2015].
- <sup>233</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX58; [REDACTED]. The interview records refer, *e.g.*, to the First Military Prison in 2012-2019.
- <sup>234</sup> Witness interview record, IIIM Ref. No. XXX72; Witness interview record, IIIM Ref. No. XXX65; [REDACTED]. The interview records refer to the First Military Prison in 2014-2015 and 2018-2021.
- <sup>235</sup> Witness interview record, IIIM Ref. No. XXX58 [First Military Prison, 2015-2017]; [REDACTED].
- <sup>236</sup> Witness interview record, IIIM Ref. No. XXX06 [First Military Prison, 2012-2014]; [REDACTED].
- <sup>237</sup> [REDACTED].
- <sup>238</sup> *See below* Section III.D.1; Witness interview record, IIIM Ref. No. XXX82; Witness interview record, IIIM Ref. No. XXX06; Witness interview record, IIIM Ref. No. XXX65. The interview records refer to the First Military Prison in 2011-2014.
- <sup>239</sup> Witness interview record, IIIM Ref. No. XXX06; [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX58; [REDACTED]. The interview records refer to the First Military Prison in 2013-2017.



- <sup>240</sup> Witness interview record, IIIM Ref. No. XXX27 [First Military Prison, 2012]; [REDACTED]; [REDACTED].
- <sup>241</sup> Witness interview record, IIIM Ref. No. XXX06 [First Military Prison, 2012-2014].
- <sup>242</sup> [REDACTED]; [REDACTED].
- <sup>243</sup> Witness interview record, IIIM Ref. No. XXX72; Witness interview record, IIIM Ref. No. XXX38; Witness interview record, IIIM Ref. No. XXX17; [REDACTED]. The interview records refer to the Third Military Prison in 2012, 2015-2016, and 2021.
- <sup>244</sup> Witness interview record, IIIM Ref. No. XXX42; Witness interview record, IIIM Ref. No. XXX70; [REDACTED]. The interview records refer to the Third Military Prison in 2012, 2014, and 2021.
- <sup>245</sup> Witness interview record, IIIM Ref. No. XXX51 [Third Military Prison, 2012].
- <sup>246</sup> Witness interview record, IIIM Ref. No. XXX82 [Third Military Prison, 2014-2016]; [REDACTED].
- <sup>247</sup> Fourteen out of 16 witnesses held there for more than a week were male, including one child who was 17 years old when first detained there.
- <sup>248</sup> Witness interview record, IIIM Ref. No. XXX74 [Third Military Prison, 2013].
- <sup>249</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX74; Witness interview record, IIIM Ref. No. XXX73; Witness interview record, IIIM Ref. No. XXX76. The interview records refer to the Third Military Prison in 2012-2014.
- <sup>250</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX76 [Third Military Prison, 2014].
- <sup>251</sup> Witness interview record, IIIM Ref. No. XXX42; Witness interview record, IIIM Ref. No. XXX72; Witness interview record, IIIM Ref. No. XXX73. The interview records refer to the Third Military Prison in 2012-2013.
- <sup>252</sup> Witness interview record, IIIM Ref. No. XXX92; [REDACTED]; Witness interview record, IIIM Ref. No. XXX76; [REDACTED]; [REDACTED]. The interview records refer to the Third Military Prison in 2012-2014 and 2021.
- <sup>253</sup> [REDACTED].
- <sup>254</sup> Witness interview record, IIIM Ref. No. XXX96 [Third Military Prison, 2014].
- <sup>255</sup> Witness interview record, IIIM Ref. No. XXX98; Witness interview record, IIIM Ref. No. XXX08; Witness interview record, IIIM Ref. No. XXX17. The interview records refer, *e.g.*, to the Third Military Prison in 2014-2016.
- <sup>256</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX74 [Third Military Prison, 2013].
- <sup>257</sup> Witness interview record, IIIM Ref. No. XXX38 [Third Military Prison, 2012]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX42 [Third Military Prison, 2012].
- <sup>258</sup> Witness interview record, IIIM Ref. No. XXX76 [Third Military Prison, 2014]; Witness interview record, IIIM Ref. No. XXX17 [Third Military Prison, 2015-2016].
- <sup>259</sup> Witness interview record, IIIM Ref. No. XXX76 [Third Military Prison, 2014].
- <sup>260</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX63; Witness interview record, IIIM Ref. No. XXX17. The interview records refer to the Third Military Prison in 2014-2016.
- <sup>261</sup> Witness interview record, IIIM Ref. No. XXX82 [Third Military Prison, 2014-2016]; [REDACTED].
- <sup>262</sup> *See below* Sections III.D-E.
- <sup>263</sup> *Eyad A.* Judgment, pp. 96-97.
- <sup>264</sup> *See also below* Section V.F.
- <sup>265</sup> University Hospital Cologne - Institute of Forensic Medicine, “Summary Expert Report regarding the ‘Caesar-files’”, 30 June 2020 (“Summary Expert Report regarding the ‘Caesar-files’”), p. 39 [IIIM Ref. No. ED00868455, IIIM English unofficial translation TR00000234].
- <sup>266</sup> *Eyad A.* Judgment, pp. 98-99 (summarising the evidence of forensic expert Prof. Rothschild, head of the Institute for Forensic Medicine of the University Hospital Cologne, whose findings the court found to be reliable).
- <sup>267</sup> Summary Expert Report regarding the “Caesar-files”, pp. 39-40 [IIIM Ref. No. ED00868455, IIIM English unofficial translation TR00000234]. *See also Eyad A.* Judgment, pp. 98-99 (Numerous bodies also showed severe signs of deficiencies with significant weight loss, muscle atrophy, and signs of death by starvation in cases of pronounced emaciation of the body with protrusion of skeletal structures and general muscle atrophy.).
- <sup>268</sup> *Eyad A.* Judgment, pp. 98-99 (summarising the evidence of forensic expert Prof. Rothschild, head of the Institute for Forensic Medicine of the University Hospital Cologne, whose findings the court found to be reliable).
- <sup>269</sup> Summary Expert Report regarding the “Caesar-files”, p. 39 [IIIM Ref. No. ED00868455, IIIM English unofficial translation TR00000234].



<sup>270</sup> *Eyad A. Judgment*, pp. 98-99 (summarising the evidence of forensic expert Prof. Rothschild, head of the Institute for Forensic Medicine of the University Hospital Cologne, whose findings the court found to be reliable).

<sup>271</sup> *See below* Section III.H (describing ongoing and long-term consequences of detention, for example, scarring and other long-term symptoms that resulted from illnesses contracted due to detention conditions).

<sup>272</sup> LDHR Expert Report, p. 8 [IIIM Ref. No. ED02037651]. Five Medical Expert authors reviewed and interpreted the data based on their medical expertise and experience. Relevant published literature was reviewed to provide context to the report's forensic opinions. *See* LDHR Expert Report, pp. 4-5. The LDHR Expert Report surveyed the cases of 222 Syrian former detainees, 142 men (64 percent) and 80 women (36 percent). Their average age was 33 years at the time of their first arrest/detention, with a wide range of ages from 10-66 years. Men reported longer median detention duration (men 7 months (range 1 day to 8.8 years), women 5.8 months (range 1 day to 5 years)). *See* LDHR Expert Report, pp. 7-8. Of the 222 cases, 155 former detainees consented to share the underlying forensic medical evaluations with the Mechanism, which have been preserved in the Central Repository. As indicated in the Methodology for the present Report, 26 of those cases overlap with the Detainee Experiences Dataset. *See* Annex A.

<sup>273</sup> LDHR Expert Report, p. 2 [IIIM Ref. No. ED02037651] (Forensic medical evaluations (FMEs) performed by LDHR Medical Experts follow the Istanbul Protocol on Effective Investigation and Documentation of Torture (2022). The LDHR FME process includes the following steps and assessments: (a) a rigorous informed consent process which discusses benefits and risks of conducting an examination, taking photographs, and preparing a report, as well as patient-specific requests regarding, and consent for, storage, use and dissemination of the information provided, (b) former detainee history, (c) a complete physical examination and psychological/mental status evaluation, (d) photographs of physical findings, (e) an expert report of the methodology, history, reported and/or observed physical and psychological findings, body diagrams and photographs, as well as the expert's medical opinion on the correlation between the narrated events and the reported and/or observed physical and psychological conditions, and (f) where available, results of relevant diagnostic tests or specialist referral reports that support the medical expert to better document, record and evaluate the medical results.

<sup>274</sup> LDHR Expert Report, pp. 7-8 [IIIM Ref. No. ED02037651].

<sup>275</sup> LDHR Expert Report, p. 8 [IIIM Ref. No. ED02037651].

<sup>276</sup> LDHR Expert Report, p. 10 [IIIM Ref. No. ED02037651].

<sup>277</sup> *Eyad A. Judgment*, pp. 11-12. The Court describes the "intelligence services" as including the General Intelligence Directorate; the Military Intelligence Department; the Air Force Intelligence Directorate; and the Political Security Department.

<sup>278</sup> *Eyad A. Judgment*, p. 27.

<sup>279</sup> *Eyad A. Judgment*, p. 33.

<sup>280</sup> Committee Against Torture Concluding Observations, CAT/C/SYR/CO/1 (2010), para. 30.

<sup>281</sup> *See e.g.* Commission of Inquiry on Syria, 9th Report, A/HRC/28/69 (2015), para. 73, Annex II, paras. 36, 37, 133, 156; Commission of Inquiry on Syria, "No End in Sight", A/HRC/53/CRP.5 (2023), paras. 42-61, 121, 131.

<sup>282</sup> Lakhdar Brahimi is the United Nations diplomat who served as the UN and Arab League Special Envoy to Syria between 2012-2014. The word *akhdar* in Arabic means green, and so the term "*lakhdar brahimi*" was adopted sarcastically by Syrian security and intelligence personnel around 2012 to refer to the green water pipe used to beat detainees.

<sup>283</sup> Full descriptions are referenced in the Glossary.

<sup>284</sup> Witness interview record, IIIM Ref. No. XXX74; Witness interview record, IIIM Ref. No. XXX65; Witness interview record, IIIM Ref. No. XXX97. The interview records refer to the following locations in 2011-2019: First Military Prison; Jableh Detachment, Military Intelligence Branch 223 Lattakia; Suweida Central Prison.

<sup>285</sup> Witness interview record, IIIM Ref. No. XXX24 [Military Intelligence Section Daraa, 2012]; Witness interview record, IIIM Ref. No. XXX85 [Air Force Intelligence Investigation Branch, 2012]; [REDACTED]; [REDACTED].

<sup>286</sup> Witness interview record, IIIM Ref. No. XXX51 [Military Intelligence Branch 219 Hama, 2011]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX54 [Military Intelligence Branch 248 Investigation Branch, 2016].



<sup>287</sup> Witness interview record, IIIM Ref. No. XXX73; [REDACTED]; Witness interview record, IIIM Ref. No. XXX58. The interview records refer, *e.g.*, to the following locations in 2011 and 2014-2017: First Military Prison; Military Intelligence Branch 261 Homs.

<sup>288</sup> [REDACTED]; [REDACTED]; [REDACTED].

<sup>289</sup> Witness interview record, IIIM Ref. No. XXX26 [Section 40, General Intelligence Branch 251, 2012]; Witness interview record, IIIM Ref. No. XXX37 [Military Intelligence Branch 261 Homs, 2013]; [REDACTED].

<sup>290</sup> Witness interview record, IIIM Ref. No. XXX24; [REDACTED]; Witness interview record, IIIM Ref. No. XXX31; Witness interview record, IIIM Ref. No. XXX83. The interview records refer to the following locations in 2012 and 2014-2015: 12th Armoured Brigade; Military Intelligence Branch 291; Military Intelligence Branch 235 Palestine Branch.

<sup>291</sup> [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX80 [Other Government Facilities, Damascus Governorate: reference to a facility in Kafr Susah, Military or General Intelligence, 2014].

<sup>292</sup> Witness interview record, IIIM Ref. No. XXX06 [First Military Prison, 2012-2014].

<sup>293</sup> [REDACTED].

<sup>294</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX71 [Military Police Branch al-Qaboun, 2014].

<sup>295</sup> The numbers mentioned in the table regarding forced nudity and strip searches represent the incidents that occurred upon arrival and during torture sessions inside and outside interrogation rooms. Many other detainees, both men and women, have reported being forced to undress in order to be searched, but there is insufficient information within the interview records to determine whether the individual strip search was carried out in a manner respectful of the inherent human dignity and privacy of the individual being searched, as well as the principles of proportionality, legality, and necessity. Therefore, they were not included in the overall numbers.

<sup>296</sup> Witness interview record, IIIM Ref. No. XXX08; Witness interview record, IIIM Ref. No. XXX12; Witness interview record, IIIM Ref. No. XXX51; Witness interview record, IIIM Ref. No. XXX31; Witness interview record, IIIM Ref. No. XXX71. The interview records refer to the following locations in 2011, 2014 and 2016: Military Intelligence Branch 227 Damascus; Third Military Prison; Military Intelligence Branch 243 Deir-Ezzor; General Intelligence Branch 251; Air Force Intelligence Branch Harasta.

<sup>297</sup> Witness interview record, IIIM Ref. No. XXX65; Witness interview record, IIIM Ref. No. XXX85; Witness interview record, IIIM Ref. No. XXX74. The interview records refer to the following locations in 2012 and 2013: Military Intelligence Branch 248 Investigation Branch; Raqqa Detachment, Military Intelligence Branch 243 Deir-Ezzor; Third Military Prison.

<sup>298</sup> Witness interview record, IIIM Ref. No. XXX99; Witness interview record, IIIM Ref. No. XXX07; Witness interview record, IIIM Ref. No. XXX81. The interview records refer, *e.g.*, to the following locations in 2011-2012: Air Force Intelligence Section Aleppo; Military Intelligence Branch 290 Aleppo.

<sup>299</sup> Witness interview record, IIIM Ref. No. XXX13; Witness interview record, IIIM Ref. No. XXX44; Witness interview record, IIIM Ref. No. XXX47; Witness interview record, IIIM Ref. No. XXX72; Witness interview record, IIIM Ref. No. XXX04. The interview records refer to the following locations in 2013-2016: Military Intelligence Branch 235 Palestine Branch; Adra Central Prison; General Intelligence Branch 251; Military Intelligence Branch 219 Hama.

<sup>300</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX94 [Military Intelligence Branch 227 Damascus, 2017].

<sup>301</sup> Witness interview record, IIIM Ref. No. XXX41 [General Intelligence Damascus, branch unspecified, 2016].

<sup>302</sup> Witness interview record, IIIM Ref. No. XXX94; [REDACTED]; Witness interview record, IIIM Ref. No. XXX18. The interview records refer, *e.g.*, to Military Intelligence Unit 215 Raids/Assaults in 2013-2014.

<sup>303</sup> Witness interview record, IIIM Ref. No. XXX94; Witness interview record, IIIM Ref. No. XXX18; Witness interview record, IIIM Ref. No. XXX13; Witness interview record, IIIM Ref. No. XXX51. The interview records refer to the following locations in 2013-2014: Military Intelligence Unit 215 Raids/Assaults; Military Intelligence Branch 219 Hama.



<sup>304</sup> Witness interview record, IIIM Ref. No. XXX55; Witness interview record, IIIM Ref. No. XXX09; Witness interview record, IIIM Ref. No. XXX13. The interview records refer to the following locations in 2012-2013: Military Intelligence Branch 256 Tartus; Air Force Intelligence Section Aleppo; Military Intelligence Branch 243 Deir-Ezzor.

<sup>305</sup> Witness interview record, IIIM Ref. No. XXX08; [REDACTED]; Witness interview record, IIIM Ref. No. XXX44; Witness interview record, IIIM Ref. No. XXX94. The interview records refer to the following locations in 2013, 2015, and 2017: Military Intelligence Branch 227 Damascus; Military Intelligence Facilities; Military Intelligence Branch 248 Investigation Branch.

<sup>306</sup> See below Section III.D.2.

<sup>307</sup> Witness interview record, IIIM Ref. No. XXX89 [General Intelligence Branch 251, 2011]; Witness interview record, IIIM Ref. No. XXX04 [Military Intelligence Branch 235 Palestine Branch, 2018]; [REDACTED].

<sup>308</sup> Witness interview record, IIIM Ref. No. XXX90; Witness interview record, IIIM Ref. No. XXX15; Witness interview record, IIIM Ref. No. XXX85; [REDACTED]; Witness interview record, IIIM Ref. No. XXX95. The interview records refer to the following locations in 2011-2012 and 2014: Military Intelligence Unit 215 Raids/Assaults; General Intelligence Branch 251; Air Force Intelligence Investigation Branch; General Intelligence Branch 285.

<sup>309</sup> Witness interview record, IIIM Ref. No. XXX20 [General Intelligence Branch 251, 2014-2016]; [REDACTED]; [REDACTED]; [REDACTED].

<sup>310</sup> Witness interview record, IIIM Ref. No. XXX90; Witness interview record, IIIM Ref. No. XXX26; [REDACTED]. The interview records refer to the following locations in 2011-2019: Military Intelligence Unit 215 Raids/Assaults; General Intelligence Branch 275; [REDACTED].

<sup>311</sup> Witness interview record, IIIM Ref. No. XXX94 [Military Intelligence Branch 227 Damascus, 2017].

<sup>312</sup> [REDACTED].

<sup>313</sup> Witness interview record, IIIM Ref. No. XXX08 [Third Military Prison, 2014].

<sup>314</sup> Witness interview record, IIIM Ref. No. XXX12; Witness interview record, IIIM Ref. No. XXX60; Witness interview record, IIIM Ref. No. XXX57; [REDACTED]. The interview records refer to the following locations in 2011-2016: General Intelligence Branch 285; Military Intelligence Branch 291; First Military Prison.

<sup>315</sup> Witness interview record, IIIM Ref. No. XXX42; Witness interview record, IIIM Ref. No. XXX38; Witness interview record, IIIM Ref. No. XXX95; Witness interview record, IIIM Ref. No. XXX76; Witness interview record, IIIM Ref. No. XXX78. The interview records refer, *e.g.*, to the following locations in 2012, 2014, 2016, and 2017: Air Force Intelligence Branch Damascus; Military Intelligence Branch 248 Investigation Branch; General Intelligence Branch 285; Military Intelligence Branch 227 Damascus.

<sup>316</sup> Witness interview record, IIIM Ref. No. XXX06 [First Military Prison, 2012-2014]; Witness interview record, IIIM Ref. No. XXX36 [Military Intelligence Branch 235 Palestine Branch, 2015].

<sup>317</sup> Witness interview record, IIIM Ref. No. XXX57 [First Military Prison, 2012-2014].

<sup>318</sup> Witness interview record, IIIM Ref. No. XXX57; Witness interview record, IIIM Ref. No. XXX12; Witness interview record, IIIM Ref. No. XXX66; Witness interview record, IIIM Ref. No. XXX31; [REDACTED]. The interview records refer, *e.g.*, to the following locations in 2011 and 2012-2016: Idlib Central Prison; [REDACTED]; General Intelligence Branch 285; Military Intelligence Unit 215 Raids/Assaults; Military Intelligence Branch 219 Hama.

<sup>319</sup> Witness interview record, IIIM Ref. No. XXX72 [[REDACTED], 2012]; [REDACTED].

<sup>320</sup> Witness interview record, IIIM Ref. No. XXX72 [Third Military Prison, 2012]; Witness interview record, IIIM Ref. No. XXX84 [Military Intelligence Unit 215 Raids/Assaults, 2012].

<sup>321</sup> [REDACTED].

<sup>322</sup> Witness interview record, IIIM Ref. No. XXX72 [[REDACTED], 2012].

<sup>323</sup> Witness interview record, IIIM Ref. No. XXX73 [Air Force Intelligence Branch Damascus, unspecified, 2011].

<sup>324</sup> Witness interview record, IIIM Ref. No. XXX50 [Tishreen Military Hospital, 2013].

<sup>325</sup> Witness interview record, IIIM Ref. No. XXX35 [Military Intelligence Branch 227 Damascus, [REDACTED]]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX97 [Military Intelligence Branch 235 Palestine Branch, [REDACTED]].



- <sup>326</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX99 [Air Force Intelligence Section Aleppo, 2011].  
*See also below* Section III.D.2.
- <sup>327</sup> Witness interview record, IIIM Ref. No. XXX42 [Air Force Intelligence Facilities Mezzeh Airbase, 2012]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX63 [Military Intelligence Branch 235 Palestine Branch, 2018].
- <sup>328</sup> Witness interview record, IIIM Ref. No. XXX96 [First Military Prison, 2012]; Witness interview record, IIIM Ref. No. XXX85 [Political Security Branch Homs, 2014]; [REDACTED].
- <sup>329</sup> Witness interview record, IIIM Ref. No. XXX55 [First Military Prison, 2012-2015].
- <sup>330</sup> [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX65 [Raqa Detachment, Military Intelligence Branch 243 Deir-Ezzor, 2013].
- <sup>331</sup> Witness interview record, IIIM Ref. No. XXX57 [First Military Prison, 2012-2014].
- <sup>332</sup> Witness interview record, IIIM Ref. No. XXX12; [REDACTED]; Witness interview record, IIIM Ref. No. XXX26. The interview records refer, *e.g.*, to the following locations in 2011-2012: General Intelligence Branch 285; [REDACTED]; General Intelligence Branch 275.
- <sup>333</sup> *See below* Sections III.D.2-3.
- <sup>334</sup> *See further below* Section III.H.4.
- <sup>335</sup> Witness interview record, IIIM Ref. No. XXX70; Witness interview record, IIIM Ref. No. XXX53; Witness interview record, IIIM Ref. No. XXX55. The interview records refer, *e.g.*, to the following locations in 2011-2012: Military Intelligence Unit 215 Raids/Assaults; Air Force Intelligence Investigation Branch.
- <sup>336</sup> Witness interview record, IIIM Ref. No. XXX55 [Military Intelligence Branch 235 Palestine Branch, 2012]; Witness interview record, IIIM Ref. No. XXX53 [Military Intelligence Unit 215 Raids/Assaults, 2012].
- <sup>337</sup> Witness interview record, IIIM Ref. No. XXX81 [Military Intelligence Branch 291, 2012].
- <sup>338</sup> [REDACTED].
- <sup>339</sup> Witness interview record, IIIM Ref. No. XXX50; Witness interview record, IIIM Ref. No. XXX07; Witness interview record, IIIM Ref. No. XXX14; [REDACTED]. The interview records refer to the following locations in 2013-2014 and 2017: Air Force Intelligence Section Hama; Political Security Branch Lattakia; Military Intelligence Unit 215 Raids/Assaults.
- <sup>340</sup> Witness interview record, IIIM Ref. No. XXX55 [Military Intelligence Branch 256 Tartus, 2012; [REDACTED]; Military Intelligence Branch 235 Palestine Branch, 2012]; Witness interview record, IIIM Ref. No. XXX71 [14th Special Forces Division, 2014].
- <sup>341</sup> Witness interview record, IIIM Ref. No. XXX42; Witness interview record, IIIM Ref. No. XXX24; Witness interview record, IIIM Ref. No. XXX17; [REDACTED]; Witness interview record, IIIM Ref. No. XXX55. The interview records refer to the following locations in 2011-2013: Air Force Intelligence Facilities Mezzeh Airbase; Military Intelligence Unit 215 Raids/Assaults.
- <sup>342</sup> Witness interview record, IIIM Ref. No. XXX74; [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX07; Witness interview record, IIIM Ref. No. XXX08; [REDACTED]. The interview records refer to the following locations in 2012-2014: Military Intelligence Branch 227 Damascus; [REDACTED]; Political Security Branch Lattakia; Military Intelligence Branch 235 Palestine Branch.
- <sup>343</sup> Witness interview record, IIIM Ref. No. XXX44; Witness interview record, IIIM Ref. No. XXX97; [REDACTED]; Witness interview record, IIIM Ref. No. XXX36; Witness interview record, IIIM Ref. No. XXX88. The interview records refer to the following locations in 2013-2014: Military Intelligence Branch 290 Aleppo; General Intelligence Branch 251; Military Intelligence Branch 235 Palestine Branch; Military Intelligence Branch 261 Homs.
- <sup>344</sup> Witness interview record, IIIM Ref. No. XXX89 [Military Intelligence Branch 271 Idlib, 2011]; Witness interview record, IIIM Ref. No. XXX72 [3rd Armoured Division, 2014].
- <sup>345</sup> Witness interview record, IIIM Ref. No. XXX44 [Military Intelligence Branch 290 Aleppo, 2013].
- <sup>346</sup> Witness interview record, IIIM Ref. No. XXX97 [General Intelligence Branch 251, 2013-2014]; Witness interview record, IIIM Ref. No. XXX54 [Military Intelligence Branch 248 Investigation Branch, 2016].
- <sup>347</sup> Witness interview record, IIIM Ref. No. XXX14; Witness interview record, IIIM Ref. No. XXX94; Witness interview record, IIIM Ref. No. XXX29; Witness interview record, IIIM Ref. No. XXX28; Witness interview record,





IIIM Ref. No. XXX54. The interview records refer to the following locations in 2011-2014 and 2016: Air Force Intelligence Section Daraa; Military Intelligence Branch 293 Officer's Affairs Branch; Military Intelligence Unit 215 Raids/Assaults; General Intelligence Branch 251; Military Intelligence Branch 248 Investigation Branch.

<sup>348</sup> Witness interview record, IIIM Ref. No. XXX97 [General Intelligence Branch 251, 2013-2014]; Witness interview record, IIIM Ref. No. XXX05 [General Intelligence Branch 251, 2015].

<sup>349</sup> Witness interview record, IIIM Ref. No. XXX00 [Air Force Intelligence Facilities Mezzeh Airbase, 2011-2012].

<sup>350</sup> Witness interview record, IIIM Ref. No. XXX83; Witness interview record, IIIM Ref. No. XXX76. The interview records refer to the following locations in 2014-2015: General Intelligence Branch 322 Aleppo; Military Intelligence Branch 261 Homs; Military Intelligence Branch 221 Tadmur/Badia; Military Intelligence Branch 235; Third Military Prison.

<sup>351</sup> Witness interview record, IIIM Ref. No. XXX42 [Military Intelligence Unit 215 Raids/Assaults, 2011]; [REDACTED]; [REDACTED].

<sup>352</sup> Witness interview record, IIIM Ref. No. XXX72 [[REDACTED], 2012]; [REDACTED]; [REDACTED].

<sup>353</sup> Witness interview record, IIIM Ref. No. XXX12; Witness interview record, IIIM Ref. No. XXX66; [REDACTED].

The interview records refer to the following locations in 2011-2016: General Intelligence Branch 285; Military Intelligence Unit 215 Raids/Assaults; [REDACTED].

<sup>354</sup> Witness interview record, IIIM Ref. No. XXX14 [Air Force Intelligence Section Hama, 2017].

<sup>355</sup> Witness interview record, IIIM Ref. No. XXX21 [Air Force Intelligence Facilities Mezzeh Airbase, 2014-2015].

<sup>356</sup> Witness interview record, IIIM Ref. No. XXX39; Witness interview record, IIIM Ref. No. XXX35; Witness interview record, IIIM Ref. No. XXX75; [REDACTED]; Witness interview record, IIIM Ref. No. XXX85. The interview records refer to the following locations in 2012-2015: Air Force Intelligence Facilities Mezzeh Airbase; Military Intelligence Branch 227 Damascus; Third Military Prison; Military Intelligence Branch 235 Palestine Branch.

<sup>357</sup> See above Section III.D.1.

<sup>358</sup> Witness interview record, IIIM Ref. No. XXX39; Witness interview record, IIIM Ref. No. XXX97 [General Intelligence Branch 251, 2013]; Witness interview record, IIIM Ref. No. XXX94; Witness interview record, IIIM Ref. No. XXX41. The interview records refer to the following locations in 2013 and 2015-2016: Adra Central Prison; General Intelligence Branch 251; Air Force Intelligence Facilities Mezzeh Airbase; General Intelligence Damascus branch unspecified.

<sup>359</sup> Witness interview record, IIIM Ref. No. XXX94 [Military Intelligence Unit 215 Raids/Assaults, 2013].

<sup>360</sup> Witness interview record, IIIM Ref. No. XXX18 [Adra Central Prison, [REDACTED]]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX41 [Adra Central Prison, 2016-2017].

<sup>361</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX18 [Adra Central Prison, [REDACTED]].

<sup>362</sup> Witness interview record, IIIM Ref. No. XXX74; Witness interview record, IIIM Ref. No. XXX94; Witness interview record, IIIM Ref. No. XXX86. The interview records refer to the following locations in 2012-2014: Military Intelligence Branch 223 Lattakia; Military Intelligence Branch 227 Damascus.

<sup>363</sup> Witness interview record, IIIM Ref. No. XXX74 [Military Intelligence Branch 227 Damascus, 2012-2013].

<sup>364</sup> Witness interview record, IIIM Ref. No. XXX42; [REDACTED]; Witness interview record, IIIM Ref. No. XXX55; Witness interview record, IIIM Ref. No. XXX63. The interview records refer to the following locations in 2012-2015 and 2018: Air Force Intelligence Facilities Mezzeh Airbase; First Military Prison; Military Intelligence Branch 235 Palestine Branch.

<sup>365</sup> Witness interview record, IIIM Ref. No. XXX96 [First Military Prison, 2012]; Witness interview record, IIIM Ref. No. XXX85 [Political Security Branch Homs, 2014]; [REDACTED].

<sup>366</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX18 [Military Intelligence Branch 290 Aleppo, 2015].

<sup>367</sup> Witness interview record, IIIM Ref. No. XXX94 [Military Intelligence Branch 227 Damascus, 2017].

<sup>368</sup> Witness interview record, IIIM Ref. No. XXX65 [Third Military Prison, 2011]; Witness interview record, IIIM Ref. No. XXX55; [REDACTED]; Witness interview record, IIIM Ref. No. XXX44. The interview records refer, e.g., to the following locations in 2011, 2012, and 2015: Third Military Prison; Military Intelligence Branch 256 Tartus.

<sup>369</sup> Witness interview record, IIIM Ref. No. XXX97 [First Military Prison, 2011-2012]; Witness interview record, IIIM Ref. No. XXX74 [Military Intelligence Branch 227 Damascus, 2012-2013].



<sup>370</sup> Witness interview record, IIIM Ref. No. XXX88; Witness interview record, IIIM Ref. No. XXX05; Witness interview record, IIIM Ref. No. XXX75; Witness interview record, IIIM Ref. No. XXX83; [REDACTED]; Witness interview record, IIIM Ref. No. XXX74; [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX08; [REDACTED]. The interview records refer to the following locations in 2012-2015 and 2021: [REDACTED]; Military Intelligence Branch 261 Homs; [REDACTED]; Military Intelligence Branch 243 Deir-Ezzor; Military Intelligence Branch 235 Palestine Branch; Air Force Intelligence Facilities Mezzeh Airbase.

<sup>371</sup> [REDACTED].

<sup>372</sup> Witness interview record, IIIM Ref. No. XXX88 [Political Security Branch Homs, 2014].

<sup>373</sup> [REDACTED].

<sup>374</sup> *E.g.* Witness interview record, IIIM Ref. No. XXX06; Witness interview record, IIIM Ref. No. XXX57; Witness interview record, IIIM Ref. No. XXX04; [REDACTED]. The interview records refer to the following locations in 2012-2019: First Military Prison; General Intelligence Branch 285.

<sup>375</sup> Witness interview record, IIIM Ref. No. XXX71 [Harasta Military Hospital, 2012].

<sup>376</sup> Witness interview record, IIIM Ref. No. XXX66 [Military Intelligence Unit 215 Raids/Assaults, 2012].

<sup>377</sup> *See e.g.* Commission of Inquiry on Syria, Sexual and Gender-Based Violence, A/HRC/37/CRP.3 (2018), para. 95; Euro-Mediterranean Human Rights Network (2015), p. 21 (“To fully understand the phenomenon of detention of women and its impact not only on the victim but also on entire families, communities and eventually Syrian society as a whole, one must take into consideration the social and cultural environment in which it takes place; an environment in which a woman’s chastity – and virginity until marriage – is equal to her and her family’s honour.”); Global Survivors Fund, Women Now for Development, and the ADMSP Reparations Study (2023), p. 20 (“Patriarchal cultural frameworks in Syrian society, maintain that the ‘honour’ of the family and the broader community is closely tied to the female members of their families, the way they behave, and their ‘chastity’. The impact of sexual violence on the chastity of women and girls, and thereby the family’s ‘honour’, affected entire populations”). (internal reference omitted).

<sup>378</sup> Witness interview record, IIIM Ref. No. XXX25 [Military Intelligence Branch 227 Damascus, 2012-2013]; [REDACTED].

<sup>379</sup> Witness interview record, IIIM Ref. No. XXX75; Witness interview record, IIIM Ref. No. XXX70; Witness interview record, IIIM Ref. No. XXX06. The interview records refer to the following locations in 2011 and 2012: Air Force Intelligence Facilities Mezzeh Airbase; Military Intelligence Branch 293 Officer’s Affairs Branch.

<sup>380</sup> Witness interview record, IIIM Ref. No. XXX71; Witness interview record, IIIM Ref. No. XXX75; Witness interview record, IIIM Ref. No. XXX85; Witness interview record, IIIM Ref. No. XXX73; Witness interview record, IIIM Ref. No. XXX76; Witness interview record, IIIM Ref. No. XXX75. The interview records refer to the following locations in 2012-2015 and 2017: Harasta Military Hospital; Mezzeh Branch, Political Security Branch Damascus; Al-Suqaylabiyah Detachment, Military Intelligence Branch 219 Hama; Military Intelligence Branch 261 Homs; Military Intelligence Branch 235 Palestine Branch; Political Security Department Investigations Branch.

<sup>381</sup> *See below* Section III.D.3.

<sup>382</sup> Witness interview record, IIIM Ref. No. XXX81 [Adra Central Prison, 2012].

<sup>383</sup> Witness interview record, IIIM Ref. No. XXX71 [Adra Central Prison, 2014-2016].

<sup>384</sup> Witness interview record, IIIM Ref. No. XXX71 [Harasta Military Hospital, 2012]; Witness interview record, IIIM Ref. No. XXX88 [Other Government Facilities, Rif Dimashq Governorate, 2013].

<sup>385</sup> A witness may have more than one interrogation experience. For example, if a witness was transferred to five detention facilities, but was only interrogated in two of those detention facilities, they would have had two interrogation experiences. Furthermore, a witness’s interrogation experience may include more than one interrogation session.

<sup>386</sup> The Mechanism’s approach to assessing Government detention facilities is explained in Annex A, para. 15(5)c.ii.

<sup>387</sup> Witness interview record, IIIM Ref. No. XXX17; Witness interview record, IIIM Ref. No. XXX94; [REDACTED]. The interview records refer, *e.g.*, to the Military Intelligence Branch 290 Aleppo in 2016. *See also below* Sections III.F and V.G (Judicial process and system).



<sup>388</sup> Witness interview record, IIIM Ref. No. XXX73; Witness interview record, IIIM Ref. No. XXX63; [REDACTED]. The interview records refer to the following locations in 2011, 2013, and 2019: Military Intelligence Branch, unspecified; Military Intelligence Branch 290 Aleppo; [REDACTED].

<sup>389</sup> Witness interview record, IIIM Ref. No. XXX30; Witness interview record, IIIM Ref. No. XXX14; Witness interview record, IIIM Ref. No. XXX70; Witness interview record, IIIM Ref. No. XXX21. The interview records refer to the Air Force Intelligence Investigation Branch and Air Force Intelligence Facilities Mezzeh Airbase in 2011, 2013, 2014, and 2015. [REDACTED].

<sup>390</sup> Witness interview record, IIIM Ref. No. XXX00; Witness interview record, IIIM Ref. No. XXX76; Witness interview record, IIIM Ref. No. XXX44. The interview records refer, *e.g.*, to the following locations in 2011-2012, 2014, and 2015: Air Force Intelligence Facilities Mezzeh Airbase; Military Intelligence Branch 221 Tadmur/Badia.

<sup>391</sup> Witness interview record, IIIM Ref. No. XXX82 [Political Security Branch Deir-Ezzor, 2011]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX24 [Military Intelligence Unit 215 Raids/Assaults, 2012-2013].

<sup>392</sup> *See below* Section III.F.

<sup>393</sup> [REDACTED].

<sup>394</sup> [REDACTED].

<sup>395</sup> Witness interview record, IIIM Ref. No. XXX37 [Military Intelligence Branch 216 Patrols Branch, 2016].

<sup>396</sup> Witness interview record, IIIM Ref. No. XXX37 [[REDACTED], 2016-2017].

<sup>397</sup> Witness interview record, IIIM Ref. No. XXX37 [2017].

<sup>398</sup> [REDACTED].

<sup>399</sup> [REDACTED].

<sup>400</sup> Witness interview record, IIIM Ref. No. XXX14 [Air Force Intelligence Facilities Mezzeh Airbase, 2011]; Witness interview record, IIIM Ref. No. XXX09 [Air Force Intelligence Section Aleppo, 2013]; [REDACTED].

<sup>401</sup> Witness interview record, IIIM Ref. No. XXX80 [Political Security Department Investigations Branch, 2012]; Witness interview record, XXX63 [Military Intelligence Branch 290 Aleppo, 2013]; [REDACTED].

<sup>402</sup> Witness interview record, IIIM Ref. No. XXX85; Witness interview record, IIIM Ref. No. XXX91; Witness interview record, IIIM Ref. No. XXX54; Witness interview record, IIIM Ref. No. XXX55. The interview records refer to the following locations in 2014-2017: Political Security Branch Homs; Military Intelligence Branch 261 Homs; Military Intelligence Branch 248 Investigation Branch; Air Force Intelligence Branch Homs.

<sup>403</sup> Witness interview record, IIIM Ref. No. XXX70; Witness interview record, IIIM Ref. No. XXX82; Witness interview record, IIIM Ref. No. XXX37. The interview records refer, *e.g.*, to the following locations in 2011 and 2016-2017: Air Force Intelligence Investigation Branch; Military Intelligence Branch 227 Damascus.

<sup>404</sup> Sometimes also referred to as quadripartite committee. *See below* Section IV.B.6 (Joint Investigation Committees).

<sup>405</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX35 [Criminal Security Branch Aleppo, April 2012].

<sup>406</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX14; Witness interview record, IIIM Ref. No. XXX36; Witness interview record, IIIM Ref. No. XXX65; Witness interview record, IIIM Ref. No. XXX55; Witness interview record, IIIM Ref. No. XXX55. The interview records refer to the following locations in 2012-2018: Military Intelligence Branch 256 Tartus; First Military Prison; General Intelligence Branch 322 Aleppo; Military Intelligence Branch 243 Deir-Ezzor; Military Intelligence Branch 235 Palestine Branch; Air Force Intelligence Section Aleppo.

<sup>407</sup> Witness interview record, IIIM Ref. No. XXX73; Witness interview record, IIIM Ref. No. XXX24; Witness interview record, IIIM Ref. No. XXX08. The interview records refer to the following locations in 2011-2014: Military Intelligence Branch 235; Military Intelligence Branch, unspecified; Military Intelligence Unit 215 Raids/Assaults.

<sup>408</sup> Witness interview record, IIIM Ref. No. XXX71; Witness interview record, IIIM Ref. No. XXX28; [REDACTED]. The interview records refer to the following locations in 2011, 2014, and 2021: [REDACTED]; General Intelligence Branch 251; Air Force Intelligence Facilities Mezzeh Airbase.

<sup>409</sup> Witness interview record, IIIM Ref. No. XXX17; Witness interview record, IIIM Ref. No. XXX80; Witness interview record, IIIM Ref. No. XXX27. The interview records refer to the following locations in 2011-2013: Air Force Intelligence Branch Bab Touma; Political Security Department Investigations Branch; Mezzeh Branch, Political Security Branch Damascus.

<sup>410</sup> *See below* Section III.F.



<sup>411</sup> Witness interview record, IIIM Ref. No. XXX14; Witness interview record, IIIM Ref. No. XXX80; Witness interview record, IIIM Ref. No. XXX36. The interview records refer to the following locations in 2011-2012 and 2017: Political Security Branch Aleppo; Military Intelligence Branch 293 Officer's Affairs Branch; Military Intelligence Branch 235 Palestine Branch.

<sup>412</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX72; Witness interview record, IIIM Ref. No. XXX47; Witness interview record, IIIM Ref. No. XXX24; Witness interview record, IIIM Ref. No. XXX53; [REDACTED]; Witness interview record, IIIM Ref. No. XXX38; [REDACTED]; [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX25; [REDACTED]; Witness interview record, IIIM Ref. No. XXX82; Witness interview record, IIIM Ref. No. XXX61; Witness interview record, IIIM Ref. No. XXX30. The interview records refer to the following locations in 2011-2014, 2017, and 2020-2021: Air Force Intelligence Investigation Branch; Military Intelligence Unit 215 Raids/Assaults; Military Intelligence Branch 227 Damascus; Military Intelligence Branch 261 Homs; [REDACTED].

<sup>413</sup> Witness interview record, IIIM Ref. No. XXX65; Witness interview record, IIIM Ref. No. XXX73; Witness interview record, IIIM Ref. No. XXX85. The interview records refer to the following locations in 2011 and 2013-2014: Military Intelligence Branch 261 Homs; Military Intelligence Branch 290 Aleppo; Political Security Branch Hama.

<sup>414</sup> Witness interview record, IIIM Ref. No. XXX97; [REDACTED]; [REDACTED]. The interview records refer, *e.g.*, to the following locations in 2011, 2018, and 2020: [REDACTED]; [REDACTED].

<sup>415</sup> Witness interview record, IIIM Ref. No. XXX24; Witness interview record, IIIM Ref. No. XXX63; Witness interview record, IIIM Ref. No. XXX88. The interview records refer to the following locations in 2011-2013 and 2016: Military Intelligence Unit 215 Raids/Assaults; Military Intelligence Branch 290 Aleppo; Military Intelligence Branch 216 Patrols Branch.

<sup>416</sup> Witness interview record, IIIM Ref. No. XXX28 [Military Intelligence Branch 227 Damascus, 2012-2013]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX84 [Military Intelligence Branch 219 Hama, 2015].

<sup>417</sup> Witness interview record, IIIM Ref. No. XXX24; Witness interview record, IIIM Ref. No. XXX80; Witness interview record, IIIM Ref. No. XXX55. The interview records refer to the following locations in 2012, 2014, and 2017: Air Force Intelligence Facilities Mezzeh Airbase; Military Intelligence Branch 219 Hama; 12th Armoured Brigade.

<sup>418</sup> Witness interview record, IIIM Ref. No. XXX36; Witness interview record, IIIM Ref. No. XXX04; Witness interview record, IIIM Ref. No. XXX19. The interview records refer to the following locations in 2014-2015: Military Intelligence Branch 235 Palestine Branch; Military Intelligence Unit 215 Raids/Assaults; General Intelligence Branch 285.

<sup>419</sup> Witness interview record, IIIM Ref. No. XXX85; Witness interview record, IIIM Ref. No. XXX36; Witness interview record, IIIM Ref. No. XXX04. The interview records refer to the following locations in 2014 and 2018: Military Intelligence Branch 227 Damascus; Military Intelligence Branch 219 Hama; Military Intelligence Branch 235 Palestine Branch.

<sup>420</sup> While the Syrian Government has described "*Jihad al-nikāh*", or "marriage jihad", as sexual violence against women by terrorist groups "in violation of their dignity", Syrian Government interrogators have used the term and similar allegations to insult and accuse female detainees of supporting terrorist organisations or opposition groups. *See* Human Rights Council, Second Periodic Report by the Syrian Arab Republic, A/HRC/WG.6/26/SYR/1 (2016), paras. 78-79.

<sup>421</sup> Witness interview record, IIIM Ref. No. XXX69 [Military Intelligence Branch 227 Damascus, 2014]; Witness interview record, IIIM Ref. No. XXX50 [Military Intelligence Branch 243 Deir-Ezzor, 2014-2015].

<sup>422</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX37 [Air Force Intelligence Branch Homs, 2013]; Witness interview record, IIIM Ref. No. XXX60 [Military Intelligence Branch 235 Palestine Branch, 2014].

<sup>423</sup> Witness interview record, IIIM Ref. No. XXX62 [Air Force Intelligence Investigation Branch, 2012]; [REDACTED].

<sup>424</sup> Witness interview record, IIIM Ref. No. XXX76 [[REDACTED], 2016].



<sup>425</sup> Witness interview record, IIIM Ref. No. XXX17; Witness interview record, IIIM Ref. No. XXX64; Witness interview record, IIIM Ref. No. XXX97; Witness interview record, IIIM Ref. No. XXX06; Witness interview record, IIIM Ref. No. XXX82; Witness interview record, IIIM Ref. No. XXX94; [REDACTED]; Witness interview record, IIIM Ref. No. XXX75; Witness interview record, IIIM Ref. No. XXX70; Witness interview record, IIIM Ref. No. XXX68 [First Military Prison, 2014-2015]; Witness interview record, IIIM Ref. No. XXX76; Witness interview record, IIIM Ref. No. XXX94; Witness interview record, IIIM Ref. No. XXX26; Witness interview record, IIIM Ref. No. XXX47. The interview records refer, *e.g.*, to the following locations in 2011-2017: Military Hospital 601; Air Force Intelligence Facilities Mezzeh Airbase; Military Intelligence Branch 290, Aleppo; General Intelligence Branch 318 Homs; Military Intelligence Unit 215 Raids/Assaults; Military Intelligence Branch 222 Qamishli; Military Intelligence Branch 293 Officer's Affairs Branch; Military Intelligence Branch 221 Tadmur/Baida; First Military Prison; Military Intelligence Branch 235 Palestine Branch; General Intelligence Branch 275.

<sup>426</sup> Witness interview record, IIIM Ref. No. XXX97 [[REDACTED], 2011].

<sup>427</sup> Witness interview record, IIIM Ref. No. XXX59; Witness interview record, IIIM Ref. No. XXX53; Witness interview record, IIIM Ref. No. XXX38. The interview records refer to the following locations in 2015, 2016 and 2018: Military Intelligence Branch 261 Homs; General Intelligence Branch 251; Air Force Intelligence Section Aleppo.

<sup>428</sup> Witness interview record, IIIM Ref. No. XXX99; Witness interview record, IIIM Ref. No. XXX50; Witness interview record, IIIM Ref. No. XXX88; Witness interview record, IIIM Ref. No. XXX36. The interview records refer to the following locations in 2011, 2014 and 2015: Military Intelligence Branch 235 Palestine Branch; Military Intelligence Branch 261 Homs; Military Intelligence Branch 291; Air Force Intelligence Section Aleppo.

<sup>429</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX37 [Air Force Intelligence Branch Homs, 2013]; Witness interview record, IIIM Ref. No. XXX60 [Military Intelligence Branch 235 Palestine Branch, 2014].

<sup>430</sup> See below Sections V.D-E.

<sup>431</sup> Witness interview record, IIIM Ref. No. XXX65; Witness interview record, IIIM Ref. No. XXX25; Witness interview record, IIIM Ref. No. XXX54. The interview records refer to the following locations in 2012 and 2016: General Intelligence Branch Damascus; Military Intelligence Branch 248 Investigation Branch; Military Intelligence Branch 291.

<sup>432</sup> Interrogation statement taken by the Air Force Intelligence Branch in the Northern Region submitted to the First Prosecutor-General [Public Prosecutor] in Aleppo (through the Criminal Security Branch in Aleppo), [REDACTED] 2013 [IIIM Ref. No. ED00017611, p. 2, IIIM English unofficial translation TR00000595], p. 2 ([REDACTED]).

<sup>433</sup> Witness interview record, IIIM Ref. No. XXX48 [Military Intelligence Branch 290, 2013; Air Force Intelligence Section Aleppo, 2013].

<sup>434</sup> Witness interview record, IIIM Ref. No. XXX48 [Air Force Intelligence Section Aleppo, 2013]; Interrogation statement taken by the Air Force Intelligence Branch in the Northern Region submitted to the First Prosecutor-General [Public Prosecutor] in Aleppo (through the Criminal Security Branch in Aleppo), [REDACTED] 2013, IIIM Ref. No. ED00017611, p. 2, IIIM English unofficial translation TR00000595, p. 2 ([REDACTED]).

<sup>435</sup> Memo from Military Intelligence Branch 248 to the Head of the Military Intelligence Department, 26 August 2013, CIJA Ref. Nos. SYR.D0179.034.028-031 [IIIM Ref. Nos. ED00524505-ED00524508, IIIM English unofficial translation TR00000086-TR00000088, at TR00000087].

<sup>436</sup> See below Section V.G.

<sup>437</sup> See above paras. 135-136.

<sup>438</sup> Witness interview record, IIIM Ref. No. XXX65; Witness interview record, IIIM Ref. No. XXX44; Witness interview record, IIIM Ref. No. XXX76. The interview records refer, *e.g.*, to the following locations in 2013, 2015 and 2016: Raqqa Detachment, Military Intelligence Branch 243 Deir-Ezzor; Adra Central Prison.

<sup>439</sup> Witness interview record, IIIM Ref. No. XXX64; Witness interview record, IIIM Ref. No. XXX65; Witness interview record, IIIM Ref. No. XXX37. The interview records refer to the following locations in 2011 and 2013: General Intelligence Branch Lattakia; Air Force Intelligence Branch Homs; Military Intelligence Branch 235 Palestine Branch.

<sup>440</sup> Witness interview record, IIIM Ref. No. XXX69; Witness interview record, IIIM Ref. No. XXX75; Witness interview record, IIIM Ref. No. XXX83. The interview records refer to the following locations in 2012, 2013, and



2016: Military Intelligence Unit 215 Raids/Assaults; Political Security Department Investigations Branch; Military Intelligence Branch 261 Homs.

<sup>441</sup> Witness interview record, IIIM Ref. No. XXX73; Witness interview record, IIIM Ref. No. XXX04; [REDACTED]. The interview records refer to the following locations in 2011, 2012, and 2021: Military Intelligence Branch, unspecified; [REDACTED]; Air Force Intelligence Investigation Branch.

<sup>442</sup> Witness interview record, IIIM Ref. No. XXX68; Witness interview record, IIIM Ref. No. XXX84; Witness interview record, IIIM Ref. No. XXX65. The interview records refer to the following locations in 2012-2017: Military Intelligence Branch 219 Hama; First Military Prison.

<sup>443</sup> Witness interview record, IIIM Ref. No. XXX00; Witness interview record, IIIM Ref. No. XXX08; Witness interview record, IIIM Ref. No. XXX65. The interview records refer to the following locations in 2011-2017: Air Force Intelligence Facilities Mezzeh Airbase; First Military Prison; General Intelligence Branch 318 Homs.

<sup>444</sup> Witness interview record, IIIM Ref. No. XXX76; Witness interview record, IIIM Ref. No. XXX88; Witness interview record, IIIM Ref. No. XXX94. The interview records refer, *e.g.*, to the following locations in 2016: Military Intelligence Branch 216 Patrols Branch; Military Intelligence Branch 290 Aleppo.

<sup>445</sup> Witness interview record, IIIM Ref. No. XXX82; Witness interview record, IIIM Ref. No. XXX73; Witness interview record, IIIM Ref. No. XXX45. The interview records refer to the following locations in 2011, 2013, and 2014: General Intelligence Branch 251; Military Intelligence Branch 261 Homs; Political Security Branch Deir-Ezzor.

<sup>446</sup> Witness interview record, IIIM Ref. No. XXX82; Witness interview record, IIIM Ref. No. XXX31; Witness interview record, IIIM Ref. No. XXX21. The interview records refer to the following locations in 2012-2015: Military Intelligence Branch 243 Deir-Ezzor; Military Intelligence Branch 235 Palestine Branch; Air Force Intelligence Facilities Mezzeh Airbase.

<sup>447</sup> Witness interview record, IIIM Ref. No. XXX53 [Military Intelligence Unit 215 Raids/Assaults, 2012]; Witness interview record, IIIM Ref. No. XXX13 [Military Intelligence Branch 243 Deir-Ezzor, 2013]; [REDACTED].

<sup>448</sup> Witness interview record, IIIM Ref. No. XXX35 [Air Force Intelligence Section Aleppo, 2012]; [REDACTED]; [REDACTED].

<sup>449</sup> Witness interview record, IIIM Ref. No. XXX73 [2011]; Witness interview record, IIIM Ref. No. XXX13; Witness interview record, IIIM Ref. No. XXX87. The interview records refer to the following locations in 2011, 2013, and 2014: Military Intelligence Branch 243 Deir-Ezzor; Military Intelligence Branch, unspecified; Military Intelligence Branch 223 Lattakia.

<sup>450</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX16 [Political Security Branch Damascus, 2014]; Witness interview record, IIIM Ref. No. XXX76 [[REDACTED], 2016].

<sup>451</sup> Witness interview record, IIIM Ref. No. XXX98; Witness interview record, IIIM Ref. No. XXX84; Witness interview record, IIIM Ref. No. XXX83. The interview records refer to the following locations in 2014-2016: Air Force Intelligence Branch Homs; Military Intelligence Branch 261 Homs; Military Intelligence Branch 235 Palestine Branch.

<sup>452</sup> Witness interview record, IIIM Ref. No. XXX84 [Military Intelligence Branch 235 Palestine Branch, 2015-2016].

<sup>453</sup> Witness interview record, IIIM Ref. No. XXX89 [General Intelligence Branch 251, 2011]; Witness interview record, IIIM Ref. No. XXX00 [Air Force Intelligence Facilities Mezzeh Airbase, 2011-2012]; [REDACTED].

<sup>454</sup> Summary Expert Report regarding the “Caesar-files”, p. 48 [IIIM Ref. No. ED00868455, IIIM English unofficial translation TR00000234].

<sup>455</sup> Summary Expert Report regarding the “Caesar-files”, p. 63 [IIIM Ref. No. ED00868455, IIIM English unofficial translation TR00000234]. *See also Eyad A.* Judgment, pp. 97-98 (“A large number of the individuals shown exhibited consequences of abuse predominantly using blunt injuries, such as marks of blows in the form of parallel reddened stripes with burst capillary bleeding and blood underflow, which only occur in the case of very violent, repeated blows striking the surface of the body without stopping, causing great pain and even leading to loss of consciousness”. Likely objects used included sticks, pipes, and cables, and flat objects, as well as systematic beating or kicking. Injury patterns included widespread blood stains on the legs and feet, and impact marks that merged in such a way that the number of blows could not be determined. Patterns were consistent with the violent and repeated beating of individuals in a fixed position, and the occurrence of simultaneous events.).



- <sup>456</sup> Summary Expert Report regarding the “Caesar-files”, p. 64 [IIIM Ref. No. ED00868455, IIIM English unofficial translation TR00000234].
- <sup>457</sup> Summary Expert Report regarding the “Caesar-files”, p. 64 [IIIM Ref. No. ED00868455, IIIM English unofficial translation TR00000234].
- <sup>458</sup> Summary Expert Report regarding the “Caesar-files”, p. 66 [IIIM Ref. No. ED00868455, IIIM English unofficial translation TR00000234].
- <sup>459</sup> Summary Expert Report regarding the “Caesar-files”, p. 50 [IIIM Ref. No. ED00868455, IIIM English unofficial translation TR00000234].
- <sup>460</sup> Summary Expert Report regarding the “Caesar-files”, p. 50 [IIIM Ref. No. ED00868455, IIIM English unofficial translation TR00000234].
- <sup>461</sup> *Eyad A.* Judgment, pp. 96-99 (summarising the evidence of forensic expert Prof. Rothschild, head of the Institute for Forensic Medicine of the University Hospital Cologne, whose findings the court found to be reliable).
- <sup>462</sup> See e.g. Commission of Inquiry on Syria, Arbitrary Imprisonment and Detention Report, A/HRC/46/55 (2021), Annex III, para. 6 (noting that the interviews of the Commission were conducted over almost a decade without a view to undertaking quantitative statistical analysis and may not reflect “instances where a person was not asked about a specific violation during a given interview, notwithstanding that some interviewees may have had such additional information. [...] In addition, the sample collected by the Commission was subject to the investigative priorities of the period during it was conducted.”).
- <sup>463</sup> LDHR Expert Report, p. 2 [IIIM Ref. No. ED02037651] (Since 2012, LDHR Medical Experts have conducted 638 FMEs [Forensic Medical Evaluations] for Syrian men (484) and women (154) living in Syria and in neighbouring countries (Turkey and Jordan). FMEs performed by LDHR Medical Experts follow the Istanbul Protocol on Effective Investigation and Documentation of Torture. LDHR Experts and International Experts developed a Standard Form (informed by the Istanbul Protocol on Effective Investigation and Documentation of Torture) for reporting LDHR FMEs.).
- <sup>464</sup> LDHR Expert Report, p. 12 [IIIM Ref. No. ED02037651].
- <sup>465</sup> LDHR Expert Report, p. 15 [IIIM Ref. No. ED02037651].
- <sup>466</sup> LDHR Expert Report, p. 13 [IIIM Ref. No. ED02037651].
- <sup>467</sup> LDHR Expert Report, p. 16 [IIIM Ref. No. ED02037651].
- <sup>468</sup> LDHR Expert Report, p. 16 [IIIM Ref. No. ED02037651].
- <sup>469</sup> LDHR Expert Report, pp. 16-17 [IIIM Ref. No. ED02037651].
- <sup>470</sup> LDHR Expert Report, p. 17 [IIIM Ref. No. ED02037651].
- <sup>471</sup> LDHR Expert Report, p. 14 [IIIM Ref. No. ED02037651].
- <sup>472</sup> LDHR Expert Report, p. 17 [IIIM Ref. No. ED02037651].
- <sup>473</sup> LDHR Expert Report, pp. 18-19 [IIIM Ref. No. ED02037651] (citing Interim Report of the Special Rapporteur of the Human Rights Council on torture and other cruel, inhuman or degrading treatment or punishment, UN Doc. A/66/268, 11 August 2011, para. 62).
- <sup>474</sup> LDHR Expert Report, p. 8 [IIIM Ref. No. ED02037651].
- <sup>475</sup> LDHR Expert Report, p. 20 [IIIM Ref. No. ED02037651].
- <sup>476</sup> LDHR Expert Report, pp. 22-23 [IIIM Ref. No. ED02037651].
- <sup>477</sup> *Eyad A.* Judgment, p. 9.
- <sup>478</sup> *Eyad A.* Judgment, p. 12.
- <sup>479</sup> *Eyad A.* Judgment, p. 27.
- <sup>480</sup> *Eyad A.* Judgment, p. 27.
- <sup>481</sup> *Eyad A.* Judgment, p. 163 (findings on the crime of torture).
- <sup>482</sup> Committee Against Torture Concluding Observations, CAT/C/SYR/CO/1 (2010), para. 7.
- <sup>483</sup> See e.g. Commission of Inquiry on Syria Report, A/HRC/S-17/2/Add.1 (2011), paras. 28 (noting that thousands of Syrian civilians are “reported to have been detained, tortured, and ill-treated”), 52-53 (Section: “Arbitrary detentions”), 61-66 (Section: “Torture and other forms of ill-treatment”), 65 (“Torture victims had scars and bore other visible marks. Detainees were also subjected to psychological torture, including sexual threats against them and their families



and by being forced to worship President al-Assad instead of their god.”); Commission of Inquiry on Syria, “No End in Sight”, A/HRC/53/CRP.5 (2023), para. 8 (“The Commission also requested, in writing, information from the Syrian Arab Republic on steps taken to criminalize, investigate and prosecute torture and ill-treatment and from some other Member States on cooperation provided by the Syrian Arab Republic on steps towards accountability in their jurisdiction. To date, no reply was received from the Syrian Arab Republic.”).

<sup>484</sup> Working Group on Enforced or Involuntary Disappearances Report, A/HRC/19/58/Rev.1 (2012), para. 553; Working Group on Enforced or Involuntary Disappearances Report, A/HRC/WGEID/117/1 (2019), Annex I, para. 15; Working Group on Enforced or Involuntary Disappearances General Allegation (2021), para. 9.

<sup>485</sup> Letters have been sent to the Syrian Government by numerous mandate holders within the Special Procedures of the Human Rights Council, including the Working Group on Arbitrary Detention; the Working Group on Enforced or Involuntary Disappearances; the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on the independence of judges and lawyers; and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment. The letters communicated specific allegations of torture and ill treatment including enforced disappearance; incommunicado detention; lack of access to necessary medicines; physical violence during lengthy interrogations and being subjected to humiliation tactics in order to extract a confession; forms of abuse including beating, kicking, slapping, humiliation, intimidation and threats of rape; detainees being beaten, subjected to interrogations, forced to sign documents, under duress; and being targeted and killed because of peaceful activities in the defence of human rights. *See* Special Procedures of the Human Rights Council Letters, SYR 5/2011, SYR 6/2011, SYR 7/2011, SYR 9/2011, SYR 10/2011, SYR 13/2011, SYR 8/2012, SYR 9/2012, SYR 11/2012, SYR 1/2013, SYR 2/2013, SYR 3/2013, SYR 8/2014, SYR 5/2014, 8/2014, 2/2015, 4/2020.

<sup>486</sup> Working Group on Arbitrary Detention, Opinion No. 5/2015, A/HRC/WGAD/2015/5 (2015); Working Group on Arbitrary Detention, Opinion No. 36/2014, A/HRC/WGAD/2014/36 (2014); Working Group on Arbitrary Detention, Opinion No. 43/2013, A/HRC/WGAD/2013/43 (2013); Working Group on Arbitrary Detention, Opinion No. 9/2012, A/HRC/WGAD/2012/9 (2012); Working Group on Arbitrary Detention, Opinion No. 26/2011, A/HRC/WGAD/2011/26 (2011).

<sup>487</sup> Working Group on Arbitrary Detention, Opinion No. 42/2023, HRC/WGAD/2023/42 (2023).

<sup>488</sup> LAW Report: Grounds for State Party Referral (2023), para. 8 [IIIM Ref. No. ED02037726] (LAW represents these 37 men and women, who are between the ages of 20 and 72, including four who were children when they were victims of international crimes. They have been subjected to arbitrary detention and/or torture and are former residents of opposition areas in Daraa, Homs, Rif Damascus, and Damascus.).

<sup>489</sup> LAW Report: Grounds for State Party Referral (2023), paras. 80-89, Annex D.

<sup>490</sup> LAW Report: Grounds for State Party Referral (2023), para. 89, Annex D.

<sup>491</sup> LAW Report: Grounds for State Party Referral (2023), para. 8.

<sup>492</sup> *See also* LAW and SCLSR Report: The Role of Gender Discrimination in the Syrian Government Detention and Torture System (2024).

<sup>493</sup> Although this collection contains many other accounts of inhumane detention conditions and descriptions of physical and mental harm in other Government detention facilities, for purposes of corroborating the most recent detainee accounts analysed by the Mechanism within its Detainee Experiences Dataset (see Annex A), only detentions persisting after 2015 and detention facilities mapped by the Mechanism are indicated here (representing the accounts of 4 men and 14 women, including one woman who was 17 years old when detained). The described detention experiences cover the time period between 2014-2021 at the following facilities: Military Police Branch Homs, 2016; Military Intelligence Branch 219 Hama, 2016; Military Police Branch Al-Qaboun, 2016; Third Military Prison, 2016; Military Intelligence Branch 227 Damascus, 2016; Criminal Security Branch Hama, 2016; General Intelligence Branch 318 Homs, 2016; Criminal Security Branch Damascus, 2017; Political Security Branch Damascus, 2016, 2017; Political Security Department Investigation Branch, 2017-2018; Air Force Intelligence Directorate, 2018; General Intelligence Branch 251, 2015-2016, 2019; Military Intelligence Branch 290 Aleppo, 2018-2019; General Intelligence Branch Deir Ezzor, 2019; Air Force Intelligence Section Aleppo, 2019; Military Intelligence Branch 243 Deir Ezzor, 2019; Military Intelligence Branch 235 Palestine Branch, 2015-2016, 2019-2020; Adra Central Prison, 2014-2021; Political Security Branch Homs, 2016, 2020, 2021; General Intelligence Branch 285 Investigation Branch, 2016, 2021.





*See* LAW interview records, IIIM Ref. Nos. XXX38; XXX39; XXX40; XXX41; XXX42; XXX45; XXX50; XXX52; XXX55; XXX57; XXX58; XXX59; XXX62; XXX65; XXX66; XXX67; XXX70; XXX72.

<sup>494</sup> PHR Report (2019), p. 3. According to the report, PHR clinician researchers conducted semi-structured interviews and brief structured psychological assessments between June and August 2019 with 21 formerly detained Syrian health care workers (2 women and 19 men).

<sup>495</sup> PHR Report (2019), p. 14.

<sup>496</sup> PHR Report (2019), pp. 23-26.

<sup>497</sup> PHR Report (2019), p. 34.

<sup>498</sup> Interviewees described violations and inhumane detention conditions, including physical, psychological and sexual violence, leading to long term impacts including anxiety, PTSD, depression, guilt, fatigue, nightmares, sleeplessness, avoidance and flashbacks and fear of being re-arrested, as well as physical impairments due to torture in detention, in the following locations in 2011-2015: Military Intelligence Branch 227; General Intelligence Damascus Branch, unspecified; Military Intelligence Section Daraa; Military Intelligence Unit 215 Raids/Assaults; Military Intelligence Branch 290 Aleppo; Military Intelligence Branch 235 Palestine Branch; Police Branch Al-Qaboun; Political Security Branch Damascus; Mezzeh Branch, Political Security Branch Damascus; Political Security Department Investigations Branch; and Military Police Branch Al-Qaboun. PHR interview record, IIIM Ref. No. XXX51; PHR interview record, IIIM Ref. No. XXX50; PHR interview record, IIIM Ref. No. XXX53; PHR interview record, IIIM Ref. No. XXX54; PHR interview record, IIIM Ref. No. XXX52.

<sup>499</sup> PHR Report (2021), p. 9.

<sup>500</sup> PHR Report (2021), pp. 7, 30-31.

<sup>501</sup> The five families included interviews with five mothers who provided information about their, in total, 14 children. The children's ages ranged from a newborn (born in prison) to six years. Accounts relating to seven children did not include age information but were described as "young children" at time of arrest, at least two of which were confirmed as under 14 years old. Additionally, seven of the children were separated from their mothers during transfer between branches. The remaining children were detained throughout at the same facilities as their mothers. The families with children report being held in intelligence branches in Military Intelligence, Political Security, Air Force Intelligence, and civilian prisons. The governorates in which they were held include Aleppo, Homs, Damascus, and Hama.

<sup>502</sup> White Heart Organization interview record, IIIM Ref. No. XXX56; White Heart Organization interview record, IIIM Ref. No. XXX60; White Heart Organization interview record, IIIM Ref. No. XXX65. The interview records refer to the following locations in 2016-2020: Military Intelligence Branch 219 Hama; Military Intelligence Branch 235 Palestine Branch; Political Security Branch Aleppo; Political Security Branch Damascus; Third Military Prison; Adra Central Prison.

<sup>503</sup> White Heart Organization interview record, IIIM Ref. No. XXX55; White Heart Organization interview record, IIIM Ref. No. XXX62. The interview records refer to the following locations in 2012 and 2014: Air Force Intelligence Section Hama; Military Intelligence Branch 227 Damascus; Adra Central Prison.

<sup>504</sup> White Heart Organization interview records, IIIM Ref. Nos. XXX64; XXX71; XXX25, IIIM English unofficial translation TR00000700. The interview records refer to the following locations in 2015-2023: Military Intelligence Branch 219 Hama; Air Force Intelligence Branch Homs; Military Police Branch Homs; Third Military Prison; Military Intelligence Branch 261 Homs; General Intelligence Damascus, branch unspecified; Military Intelligence Branch 235 Palestine Branch; Political Security Branch Homs; General Intelligence Branch 318 Homs; Air Force Intelligence Damascus, branch unspecified; Military Intelligence Branch 248 Investigation Branch; General Intelligence Directorate Hama; General Intelligence Branch 285; Adra Central Prison.

<sup>505</sup> Urnammu Report (2018), pp. 14-15.

<sup>506</sup> Urnammu Report (2018), pp. 18-19.

<sup>507</sup> Urnammu Report (2018), p. 21.

<sup>508</sup> Urnammu Report (2018), pp. 24-26.

<sup>509</sup> Urnammu Report (2018), pp. 34-37.

<sup>510</sup> SJAC Report (2019), p. 8.

<sup>511</sup> SJAC Report (2019), p. 8.



<sup>512</sup> SJAC Report (2019), pp. 8-10.

<sup>513</sup> SJAC Report (2019), pp. 13-14. *See also* SREO and SJAC Report, “Societal Attitudes toward Sexual and Gender-Based Violence in Syria” (2015).

<sup>514</sup> *See below* Section V.F.

<sup>515</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX13; [REDACTED]. The interview notes refer to the following locations in 2013-2015: Military Intelligence Branch 235 Palestine Branch; [REDACTED]; Military Intelligence Branch 243 Deir-Ezzor.

<sup>516</sup> Witness interview record, IIIM Ref. No. XXX61; Witness interview record, IIIM Ref. No. XXX25; [REDACTED]; Witness interview record, IIIM Ref. No. XXX83; Witness interview record, IIIM Ref. No. XXX54; [REDACTED]; [REDACTED]. The interview records refer to the following locations in 2011-2016 and 2018-2021: Military Intelligence Branch 248 Investigation Branch; General Intelligence Branch Damascus; Military Intelligence Unit 215 Raids/Assaults; [REDACTED]; Criminal Security Branch Bab Masalla.

<sup>517</sup> Witness interview record, IIIM Ref. No. XXX54 [Military Intelligence Branch 248 Investigation Branch, 2016].

<sup>518</sup> Witness interview record, IIIM Ref. No. XXX05; [REDACTED]; Witness interview record, IIIM Ref. No. XXX72; [REDACTED]. The interview records refer to the following locations in 2013-2015: Military Intelligence Branch 243 Deir-Ezzor; First Military Prison.

<sup>519</sup> Witness interview record, IIIM Ref. No. XXX72 [First Military Prison, 2014-2015].

<sup>520</sup> Witness interview record, IIIM Ref. No. XXX24 [Military Intelligence Unit 215 Raids/Assaults, 2012-2013]; [REDACTED].

<sup>521</sup> [REDACTED]; [REDACTED]; [REDACTED].

<sup>522</sup> Witness interview record, IIIM Ref. No. XXX25; Witness interview record, IIIM Ref. No. XXX46; Witness interview record, IIIM Ref. No. XXX55. The interview records refer to the following locations in 2012, 2013, and 2017: Military Intelligence Branch 290 Aleppo; Air Force Intelligence Facilities Mezzeh Airbase; Military Intelligence Branch 235 Palestine Branch.

<sup>523</sup> Witness interview record, IIIM Ref. No. XXX65; Witness interview record, IIIM Ref. No. XXX85; Witness interview record, IIIM Ref. No. XXX58; [REDACTED]. The interview records refer to the following locations in 2012-2017 and 2020: Military Intelligence Branch 227 Damascus; Military Intelligence Branch 248 Investigation Branch; First Military Prison; [REDACTED].

<sup>524</sup> Witness interview record, IIIM Ref. No. XXX50; Witness interview record, IIIM Ref. No. XXX84; Witness interview record, IIIM Ref. No. XXX72; [REDACTED]. The interview records refer to the following locations in 2013-2015 and 2018-2021: Air Force Intelligence Branch Harasta; Military Intelligence Unit 215 Raids/Assaults; First Military Prison.

<sup>525</sup> [REDACTED]; [REDACTED]; [REDACTED].

<sup>526</sup> Witness interview record, IIIM Ref. No. XXX86; Witness interview record, IIIM Ref. No. XXX72; Witness interview record, IIIM Ref. No. XXX83. The interview records refer to the following locations in 2012-2014: Military Intelligence Unit 215 Raids/Assaults; Military Intelligence Branch 235 Palestine Branch; First Military Prison.

<sup>527</sup> Witness interview record, IIIM Ref. No. XXX73; Witness interview record, IIIM Ref. No. XXX86; Witness interview record, IIIM Ref. No. XXX84. The interview records refer, *e.g.*, to the following locations in 2011-2013: Air Force Intelligence Branch Damascus, unspecified; Air Force Intelligence Branch Harasta.

<sup>528</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX06 [First Military Prison, 2012-2014].

<sup>529</sup> Witness interview record, IIIM Ref. No. XXX05 [Military Intelligence Branch 243 Deir-Ezzor, 2013]; Witness interview record, IIIM Ref. No. XXX06 [First Military Prison, 2012-2014].

<sup>530</sup> Witness interview record, IIIM Ref. No. XXX05 [Military Intelligence Branch 243 Deir-Ezzor, 2013].

<sup>531</sup> Witness interview record, IIIM Ref. No. XXX06 [First Military Prison, 2012-2014].

<sup>532</sup> Witness interview record, IIIM Ref. No. XXX83 [Military Intelligence Branch 235 Palestine Branch, 2014].

<sup>533</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX05 [Military Intelligence Branch 243 Deir-Ezzor, 2013]; Witness interview record, IIIM Ref. No. XXX83 [Military Intelligence Branch 235 Palestine Branch, 2014].

<sup>534</sup> Witness interview record, IIIM Ref. No. XXX54 [Military Intelligence Branch 248 Investigation Branch, 2016].

<sup>535</sup> *See also* Witness interview record, IIIM Ref. No. XXX24 [Military Intelligence Section Daraa, 2011].



<sup>536</sup> Witness interview record, IIIM Ref. No. XXX41; Witness interview record, IIIM Ref. No. XXX71; [REDACTED]; Witness interview record, IIIM Ref. No. XXX01. Witness accounts reported these deaths in the following facilities between 2012-2019: Al-Mojtahed Hospital, Harasta Military Hospital, [REDACTED], Military Hospital 601.

<sup>537</sup> *Eyad A.* Judgment, pp. 96-97.

<sup>538</sup> Summary Expert Report regarding the “Caesar-files”, pp. 24, 39 [IIIM Ref. No. ED00868455, IIIM English unofficial translation TR00000234].

<sup>539</sup> Summary Expert Report regarding the “Caesar-files”, pp. 39-40 [IIIM Ref. No. ED00868455, IIIM English unofficial translation TR00000234]. *See also Eyad A.* Judgment, pp. 98-99 (Numerous bodies also showed severe signs of deficiencies with significant weight loss, muscle atrophy, and signs of death by starvation in cases of pronounced emaciation of the body with protrusion of skeletal structures and general muscle atrophy).

<sup>540</sup> Summary Expert Report regarding the “Caesar-files”, pp. 27, 48 [IIIM Ref. No. ED00868455, IIIM English unofficial translation TR00000234].

<sup>541</sup> *Eyad A.* Judgment, pp. 98-99 (summarising the evidence of forensic expert Prof. Rothschild, head of the Institute for Forensic Medicine of the University Hospital Cologne, whose findings the court found to be reliable).

<sup>542</sup> *Eyad A.* Judgment, p. 99; Summary Expert Report regarding the “Caesar-files”, p. 60 [IIIM Ref. No. ED00868455, IIIM English unofficial translation TR00000234] (“Under German post-mortem examination law, a non-natural cause is to be presumed when there are either indications that death occurrence was a result of, affected by or caused by an external event, or when other circumstances suggest as much. In just over one fifth of cases (n = 1,444; 21.2 %), the physical findings (especially injuries) provide grounds for presuming a non-natural death. [...] An undetermined manner of death is to be attested when it is unclear whether death occurred due to natural or non-natural causes. If the photographs of each individual case were considered outside the context of the image sets to which they belong, in the absence of visible signs of external impact and without any knowledge of internal, pathological processes, an undetermined manner of death must initially be assumed. The context in which the photographs were reportedly taken, and the internal coherence among the photographs in each of the sub-files are, from an expert’s point of view, to be interpreted as “other circumstances” that would substantiate the assumption of a non-natural manner of death. Consequently, a non-natural manner of death must initially be assumed in the remaining nearly four fifth of the cases (n = 5,377; 78.8 %).”).

<sup>543</sup> LDHR Expert Report, pp. 5, 17, Annex E (Data disaggregated by age) [IIIM Ref. No. ED02037651].

<sup>544</sup> *Eyad A.* Judgment, p. 9.

<sup>545</sup> *Eyad A.* Judgment, p. 12.

<sup>546</sup> *Eyad A.* Judgment, pp. 20-21. *See also* pp. 23, 32, 170.

<sup>547</sup> Committee Against Torture Concluding Observations, CAT/C/SYR/CO/1 (2010), para. 32.

<sup>548</sup> Committee Against Torture Concluding Observations, CAT/C/SYR/CO/1 (2010), para. 32.

<sup>549</sup> Committee Against Torture Concluding Observations, CAT/C/SYR/CO/1/Add.2 (2012), para. 20(q).

<sup>550</sup> *See above* paras. 100, 151; Commission of Inquiry on Syria, Deaths in Detention Report, A/HRC/31/CRP.1 (2016).

<sup>551</sup> *See above* paras. 17-18.

<sup>552</sup> HRDAG Technical Memo (2016), p. 1.

<sup>553</sup> SNHR Report (2023), p. 15.

<sup>554</sup> SNHR Report (2024), pp. 30-31.

<sup>555</sup> A total of 246 detainee accounts relate to courts, of which at least 230 detainees were physically transferred to court. These records include judicial interactions ranging from 2011 to 2022, relating to the accounts of over 80 female witnesses, including two children, and over 140 male witnesses, including 10 children.

<sup>556</sup> Witness interview record, IIIM Ref. No. XXX50 [2011]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX61 [2012]; Witness interview record, IIIM Ref. No. XXX74 [2012]; Witness interview record, IIIM Ref. No. XXX24 [2013]; [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX43 [2013-2014]; [REDACTED]; [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX83 [2016-2017]; [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX95 [2014-2019]; Witness interview record, IIIM Ref. No. XXX85 [2015-2019]; [REDACTED].



<sup>557</sup> Witness interview record, IIIM Ref. No. XXX60 ([REDACTED]) [2011]; Witness interview record, IIIM Ref. No. XXX94 [2012-2013]; Witness interview record, IIIM Ref. No. XXX06 [2013-2014]; Witness interview record, IIIM Ref. No. XXX14 [2013-2014]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX88 [2014]; Witness interview record, IIIM Ref. No. XXX28 [2014]; Witness interview record, IIIM Ref. No. XXX31 [REDACTED]; Witness interview record, IIIM Ref. No. XXX85 [2014]; Witness interview record, IIIM Ref. No. XXX31 [2014]; Witness interview record, IIIM Ref. No. XXX30 [2014]; Witness interview record, IIIM Ref. No. XXX13 [2014]; Witness interview record, IIIM Ref. No. XXX42 [2014]; Witness interview record, IIIM Ref. No. XXX04 [2014-2015]; Witness interview record, IIIM Ref. No. XXX91 [2014-2015]; [REDACTED]; [REDACTED]; [REDACTED].

<sup>558</sup> Witness interview record, IIIM Ref. No. XXX14 [2012]; [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX57 [2012]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX74 [2013]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX35 [2014]; Witness interview record, IIIM Ref. No. XXX47 [2018]; [REDACTED].

<sup>559</sup> Witness interview record, IIIM Ref. No. XXX25 [2011]; Witness interview record, IIIM Ref. No. XXX91 [2011]; Witness interview record, IIIM Ref. No. XXX97 [2011-2012]; Witness interview record, IIIM Ref. No. XXX38 [2012]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX50 [2015]; Witness interview record, IIIM Ref. No. XXX78 [2015-2016]; [REDACTED]; [REDACTED].

<sup>560</sup> Witness interview record, IIIM Ref. No. XXX82 [2011]; Witness interview record, IIIM Ref. No. XXX27 [2011-2012]; Witness interview record, IIIM Ref. No. XXX17 [2012]; [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX91 [2015]; Witness interview record, IIIM Ref. No. XXX26 [2016].

<sup>561</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX76, p. 57.

<sup>562</sup> Nearly 100 records (inclusive of only individuals who were physically transferred to court) spanning from 2012 to 2022, comprising approximately 56% male detainees and 44% female detainees, including seven children.

<sup>563</sup> Over 100 records (including only individuals who were physically transferred to court) spanning from 2011 to 2021, comprising records where the court was identified as the Military Field Court, the Military Judiciary or cases in which the court was identified as a military court but was not specified further. This set includes both male and female witnesses, as well as witnesses who were children while detained.

<sup>564</sup> Twenty-four records spanning from 2011 to 2021, comprising 23 male records, one female record and three records pertaining to children.

<sup>565</sup> In approximately 70 instances a record did not provide sufficient information to identify a referenced court, as only a court or judge was referenced.

<sup>566</sup> *See e.g.* Witness interview record, IIIM Ref. No. XXX82 [2011]; Witness interview record, IIIM Ref. No. XXX53 [2012]; Witness interview record, IIIM Ref. No. XXX85 [2014]; [REDACTED]; [REDACTED].

<sup>567</sup> Witness interview record, IIIM Ref. No. XXX74 [2013]; [REDACTED]; [REDACTED]; [REDACTED].

<sup>568</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX65 [2012-2014]; Witness interview record, IIIM Ref. No. XXX29 [2015].

<sup>569</sup> Approximately 60-70 witnesses were released immediately after their transfer to court. This, however, did not necessarily mean that the witness was acquitted, as numerous witnesses reported being released on bail or pending trial. Additionally, many witnesses were not aware of, or did not report, their legal disposition upon release. *See e.g.* Witness interview record, IIIM Ref. No. XXX18 [2011]; [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX93 [2013]; [REDACTED]; Witness interview record, XXX28 [2013]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX50 [2015]; Witness interview record, IIIM Ref. No. XXX01 [2016].

<sup>570</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX24 [2013]; [REDACTED]; [REDACTED]; [REDACTED].

<sup>571</sup> *See e.g.* Witness interview record, IIIM Ref. No. XXX65 [2012]; Witness interview record, IIIM Ref. No. XXX63 [2014]; Witness interview record, IIIM Ref. No. XXX58 [2015]; [REDACTED].

<sup>572</sup> Male and female detainees were held in military police facilities *en route* to courts, prisons or intelligence detention facilities. Only female detainees were transferred to two police stations in Kafr Susah and Rukn al-Din police stations, where some were able to make outside contact for the first time after being held by intelligence agencies. *See e.g.*



Witness interview record, IIIM Ref. No. XXX65 [2013]; Witness interview record, IIIM Ref. No. XXX73 [2014]; [REDACTED].

<sup>573</sup> Some witnesses were transferred to other detention facilities upon their release or planned release date. *See e.g.* Witness interview record, IIIM Ref. No. XXX58 [2014]; Witness interview record, IIIM Ref. No. XXX83 [2015]; Witness interview record, IIIM Ref. No. XXX06 [2015].

<sup>574</sup> Memo from Military Intelligence Branch 248 to the Head of the Military Intelligence Department, 26 August 2013, CIJA Ref. Nos. SYR.D0179.034.028-031 [IIIM Ref. Nos. ED00524505-ED00524508; IIIM English unofficial translation TR00000086-TR00000088] (instructing that interrogators had to improve the quality of detainee statements and not abuse detainees). However, as attested to by witnesses throughout this section, the abuse continued despite the issuance of instructions.

<sup>575</sup> Witness interview record, IIIM Ref. No. XXX73 [2012].

<sup>576</sup> Witness interview record, IIIM Ref. No. XXX95 [2014].

<sup>577</sup> *See e.g.* Witness interview record, IIIM Ref. No. XXX74 [2012]; Witness interview record, IIIM Ref. No. XXX06 [2013]; Witness interview record, IIIM Ref. No. XXX88 [2014].

<sup>578</sup> Witness interview record, XXX06 [2013]; Witness interview record, IIIM Ref. No. XXX63 [2014]; [REDACTED].

<sup>579</sup> *See e.g.* Witness interview record, IIIM Ref. No. XXX81 [2012]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX63 [2016]; [REDACTED].

<sup>580</sup> In approximately 20 instances a witness reported that they were transferred to a court or court building but did not appear before a judge. *See e.g.* Witness interview record, IIIM Ref. No. XXX25 [2013]; Witness interview record, IIIM Ref. No. XXX72 [2014]; Witness interview record, IIIM Ref. No. XXX76 [2015]; Witness interview record, IIIM Ref. No. XXX78 [2015].

<sup>581</sup> [REDACTED]; [REDACTED]; [REDACTED].

<sup>582</sup> Witness interview record, IIIM Ref. No. XXX08 [2017-2019]; [REDACTED]; [REDACTED].

<sup>583</sup> *See e.g.* [REDACTED]; Witness interview record, IIIM Ref. No. XXX88 [2013-2014]; Witness interview record, IIIM Ref. No. XXX55 [2017]; [REDACTED].

<sup>584</sup> *See e.g.* Witness interview record, IIIM Ref. No. XXX26 [2016]; Witness interview record, IIIM Ref. No. XXX38 [2018-2019].

<sup>585</sup> *See e.g.* [REDACTED]; Witness interview record, IIIM Ref. No. XXX88 [2013-2014]; [REDACTED].

<sup>586</sup> Witness interview record, IIIM Ref. No. XXX83 [2015].

<sup>587</sup> Witness interview record, IIIM Ref. No. XXX06 [2012-2015].

<sup>588</sup> [REDACTED].

<sup>589</sup> [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED].

<sup>590</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX65 [2011]; Witness interview record, IIIM Ref. No. XXX97 [2011-2012].

<sup>591</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX17 [2013]; Witness interview record, IIIM Ref. No. XXX06 [2013]; [REDACTED].

<sup>592</sup> Witness interview record, IIIM Ref. No. XXX67 [2012-2013]; Witness interview record, IIIM Ref. No. XXX71 [2014-2015].

<sup>593</sup> Witness interview record, IIIM Ref. No. XXX27 [2012]; Witness interview record, IIIM Ref. No. XXX68 [2014]; [REDACTED].

<sup>594</sup> Witness interview record, IIIM Ref. No. XXX97 [2011]; Witness interview record, IIIM Ref. No. XXX97 [2014].

<sup>595</sup> Witness interview record, IIIM Ref. No. XXX97 [2011]; Witness interview record, IIIM Ref. No. XXX65 [2011]; Witness interview record, IIIM Ref. No. XXX61 [2012]; Witness interview record, IIIM Ref. No. XXX67 [2013].

<sup>596</sup> [REDACTED]; [REDACTED].

<sup>597</sup> [REDACTED]; [REDACTED]; [REDACTED].

<sup>598</sup> Witness interview record, IIIM Ref. No. XXX73 [2012].

<sup>599</sup> Witness interview record, IIIM Ref. No. XXX60 [2011].

<sup>600</sup> According to witnesses, judges were also fearful for themselves, and there were limits they could not go beyond, especially after Judge Al-Rifai was arrested. *See* IIIM audio-recorded interview with B841722, IIIM Ref.



Nos. XXX65-XXX72, at XXX69; Witness interview record, IIIM Ref. No. XXX42 [2013]. *See* Special Procedures of the Human Rights Council Letter SYR 5/2014, pp. 1-2 (“In February 2014, Mr. Al Refai was reportedly sentenced to ten years of imprisonment for having ‘conspired to change the political system of the state’ and released peaceful protesters ‘without consulting the Intelligence Services’. ... In May 2014, Mr. Al Refai reportedly died in detention, allegedly after having been subjected to torture and ill-treatment.”); Syrian Arab Republic Reply to Letter to SYR 5/2014 (2015) (indicating that he was “arrested by the competent authorities”, charged with military betrayal and planning to carry out terrorist attacks, and referred to the competent court).

<sup>601</sup> Around 25 witnesses were informed of convictions during their court appearances between 2011-2020, before Military Field Courts, Counter-Terrorism Courts or the Military Judiciary. *See e.g.* Witness interview record, IIIM Ref. No. XXX65; Witness interview record, IIIM Ref. No. XXX25; [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX22; [REDACTED].

<sup>602</sup> Witness interview record, IIIM Ref. No. XXX69 [2011]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX27 [2012]; [REDACTED].

<sup>603</sup> Witness interview record, IIIM Ref. No. XXX38 [2012]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX36 [2015]; [REDACTED].

<sup>604</sup> Witness interview record, IIIM Ref. No. XXX22 [2012]; Witness interview record, IIIM Ref. No. XXX43 [2014]; [REDACTED].

<sup>605</sup> Witness interview record, IIIM Ref. No. XXX55 [2017]; [REDACTED].

<sup>606</sup> Witness interview record, IIIM Ref. No. XXX60 [2011]; Witness interview record, IIIM Ref. No. XXX69 [2011]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX17 [2012]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX38 [2012]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX83 [2013]; Witness interview record, IIIM Ref. No. XXX80 [2013]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX98 [2014]; Witness interview record, IIIM Ref. No. XXX84 [2014]; Witness interview record, IIIM Ref. No. XXX78 [2015]; Witness interview record, IIIM Ref. No. XXX26 [2016]; Witness interview record, IIIM Ref. No. XXX83 [2016]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX37 [2017]; [REDACTED]; [REDACTED].

<sup>607</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX42 [2013]; [REDACTED].

<sup>608</sup> Witness interview record, IIIM Ref. No. XXX27 [2012]; Witness interview record, IIIM Ref. No. XXX88 [2013]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX31 [2014]; Witness interview record, IIIM Ref. No. XXX95 [2014]; Witness interview record, IIIM Ref. No. XXX71 [2014-2015]; [REDACTED].

<sup>609</sup> Witness interview record, IIIM Ref. No. XXX69 [2011]; Witness interview record, IIIM Ref. No. XXX60 [2011]; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED].

<sup>610</sup> [REDACTED].

<sup>611</sup> Witness interview record, IIIM Ref. No. XXX37 [Military Intelligence Branch 216 Patrols Branch, 2016].

<sup>612</sup> Witness interview record, IIIM Ref. No. XXX37 [[REDACTED], 2016-2017].

<sup>613</sup> Witness interview record, IIIM Ref. No. XXX37 [2017].

<sup>614</sup> [REDACTED].

<sup>615</sup> Witness interview record, IIIM Ref. No. XXX74 [Military Intelligence Unit 215 Raids/Assaults, 2013].

<sup>616</sup> Witness interview record, IIIM Ref. No. XXX74 [2014].

<sup>617</sup> Witness interview record, IIIM Ref. No. XXX55 [2012]; Witness interview record, IIIM Ref. No. XXX58 [2015-2017]; [REDACTED].

<sup>618</sup> Witness interview record, IIIM Ref. No. XXX58 [2015].

<sup>619</sup> Witness interview record, IIIM Ref. No. XXX98 [2014].

<sup>620</sup> Witness interview record, IIIM Ref. No. XXX60 [2011]; Witness interview record, IIIM Ref. No. XXX55 [2012]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX17 [2012]; Witness interview record, IIIM Ref. No. XXX73 [2012]; Witness interview record, IIIM Ref. No. XXX75 [2012]; Witness interview record, IIIM Ref. No. XXX38 [2012]; [REDACTED]; [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX83 [2013]; Witness interview record, IIIM Ref. No. XXX71 [2014-2015]; [REDACTED]; [REDACTED]; [REDACTED].

<sup>621</sup> Witness interview record, IIIM Ref. No. XXX55 [2012].



<sup>622</sup> Witness interview record, IIIM Ref. No. XXX55 [2012]; [REDACTED].

<sup>623</sup> Witness interview record, IIIM Ref. No. XXX60 [2011]; [REDACTED]; [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX17 [2012]; Witness interview record, IIIM Ref. No. XXX73 [2012]; Witness interview record, IIIM Ref. No. XXX75 [2012]; Witness interview record, IIIM Ref. No. XXX38 [2012]; Witness interview record, IIIM Ref. No. XXX83 [2013]; Witness interview record, IIIM Ref. No. XXX71 [2014-2015]; [REDACTED]; [REDACTED]; [REDACTED].

<sup>624</sup> Witness interview record, IIIM Ref. No. XXX17 [2012]; Witness interview record, IIIM Ref. No. XXX50 [2015]; Witness interview record, IIIM Ref. No. XXX47 [2015].

<sup>625</sup> Witness interview record, IIIM Ref. No. XXX60 [2011]; Witness interview record, IIIM Ref. No. XXX02 [2012]; Witness interview record, IIIM Ref. No. XXX43 [2013].

<sup>626</sup> Witness interview record, IIIM Ref. No. XXX71 [2014-2015].

<sup>627</sup> While a bail system existed in Syria at this time, interview records contained statements from witnesses specifically referencing bribes. *E.g.* [REDACTED]; Witness interview record, IIIM Ref. No. XXX00 [2015]; Witness interview record, IIIM Ref. No. XXX21 [2015]; Witness interview record, IIIM Ref. XXX97 [2015-2016]; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED].

<sup>628</sup> Syrian Arab Republic follow-up responses to the Committee Against Torture, CAT/C/SYR/CO/1/Add.1 (2011), para. 81 (“A confession made to a law officer may be retracted and a conviction will not be considered valid if it is unsupported by evidence (ruling No. 400 in case No. 97 of 2005). A confession made to a security officer is not sufficient *in and of itself* for the issuance of a verdict.” (emphasis added)).

<sup>629</sup> *See above* paras. 187-190.

<sup>630</sup> *See* International Convention for the Protection of All Persons from Enforced Disappearance, Article 24(1).

<sup>631</sup> *See Hernández Colmenarez and Guerrero Sánchez v. Bolivarian Republic of Venezuela* Decision, CAT/C/54/D/456/2011 (2015), para 6.10 (Committee against Torture concluded that, “the enforced disappearance of Mr. Guerrero Larez caused anguish and distress for the complainants and that the authorities were indifferent to their efforts to ascertain his whereabouts and fate. The authors have never received an adequate account of the circumstances of his alleged death or escape, nor have his bodily remains been released to them. In the absence of a satisfactory explanation from the State party, the Committee considers that the facts reveal a violation of article 16 of the Convention [cruel and inhuman treatment] in relation to the complainants.”); *Hajib v. Morocco* Decision CAT/C/74/D/928/2019 (CAT) (2022), paras. 3.11, 9.9 (“[T]he Committee is of the view that the lack of information for almost two weeks about the complainant’s whereabouts caused anguish and distress for his family and that the authorities were indifferent to the family’s efforts to ascertain where he was and what had happened to him after the riot of 16 May 2011. In the absence of an explanation from the State party, the Committee considers that the facts reveal a violation of article 16 of the Convention [cruel and inhuman treatment] with regard to the complainant’s family.”); *B.N. and S.R. v. Burundi* Decision, CAT/C/71/D/858/2018 (2021), para. 6.5 (“The Committee notes that A.H.’s enforced disappearance was a source of anguish and suffering for [his father] B.N. and that the authorities were indifferent to his efforts to shed light on what had happened to his son and his son’s whereabouts. The successive complainants have never received a satisfactory explanation of the circumstances of his disappearance. In the absence of satisfactory explanations from the State party, the Committee considers that the facts before it discloses a violation of article 16 of the Convention in respect of B.N.”); *Quinteros v. Uruguay* Views (Human Rights Committee), CCPR/C/19/D/107/1981 (1983), paras. 10.2 and 14 (“The Committee understands the anguish and stress caused to the mother by the disappearance of her daughter and by the continuing uncertainty concerning her fate and whereabouts. The [mother] has the right to know what has happened to her daughter. In these respects, [the mother] too is a victim of the violations of the Covenant suffered by her daughter in particular, of article 7 [prohibiting torture and cruel, inhuman or degrading treatment or punishment].”).

<sup>632</sup> For such reasons, the Working Group on Enforced and Involuntary Disappearance (WGEID) has found that “[t]he very fact of being detained as a disappeared person, isolated from one’s family for a long period” is inhumane. *See* Working Group on Enforced or Involuntary Disappearances Report, E/CN.4/1983/14 (1983), para. 131. Prolonged incommunicado detention or detention in secret places may facilitate the perpetration of torture and other cruel, inhuman or degrading treatment or punishment, and can in itself constitute a form of such treatment. *See* UN General



Assembly Resolution, Torture and Other Cruel Inhuman or Degrading Treatment or Punishment, A/RES/60/148 (2005), p. 3; Human Rights Council, Resolution on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, A/HRC/RES/8/8 (2008), p. 6.

<sup>633</sup> Witness interview record, IIIM Ref. No. XXX66; Witness interview record, IIIM Ref. No. XXX53; [REDACTED]; [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX50. The interview records refer to the following locations in 2011-2012 and 2015: Adra Central Prison; [REDACTED]; Rukn al-Din Police Station; Military Intelligence Unit 215 Raids/Assaults.

<sup>634</sup> Witness interview record, IIIM Ref. No. XXX62; [REDACTED]; Witness interview record, IIIM Ref. No. XXX50; Witness interview record, IIIM Ref. No. XXX65; [REDACTED]; [REDACTED]. The interview records refer to releases from the following locations in 2011-2022: Air Force Intelligence Investigation Branch; Adra Central Prison; First Military Prison; [REDACTED].

<sup>635</sup> [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED].

<sup>636</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX80 [Adra Central Prison, 2013].

<sup>637</sup> [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX54 [After release, 2012-2013]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX17. The interview records refer to the following locations in 2012-2014: [REDACTED]; Section 40, General Intelligence Branch 251; Adra Central Prison.

<sup>638</sup> Witness interview record, IIIM Ref. No. XXX55 [Military Intelligence Branch 256 Tartus, 2012]; Witness interview record, IIIM Ref. No. XXX75 [Adra Central Prison, 2014].

<sup>639</sup> Witness interview record, IIIM Ref. No. XXX45 [Police Station Kafr Susah, 2014]; Witness interview record, IIIM Ref. No. XXX17 [Police Station Kafr Susah, 2016].

<sup>640</sup> Witness interview record, IIIM Ref. No. XXX94; Witness interview record, IIIM Ref. No. XXX74; [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX28; Witness interview record, IIIM Ref. No. XXX83; Witness interview record, IIIM Ref. No. XXX13; Witness interview record, IIIM Ref. No. XXX63; Witness interview record, IIIM Ref. No. XXX50; Witness interview record, IIIM Ref. No. XXX05; Witness interview record, IIIM Ref. No. XXX63; Witness interview record, IIIM Ref. No. XXX20; [REDACTED]; Witness interview record, IIIM Ref. No. XXX41; [REDACTED]; Witness interview record, IIIM Ref. No. XXX19; Witness interview record, IIIM Ref. No. XXX78. The interview records refer to Adra Central Prison in 2012-2018.

<sup>641</sup> Witness interview record, IIIM Ref. No. XXX58 [First Military Prison, 2015-2017]. *See also* Section III.C.2 (Detention conditions – Military prisons).

<sup>642</sup> *See above* Section III.F (Judicial process).

<sup>643</sup> Witness interview record, IIIM Ref. No. XXX72 [First Military Prison, 2014-2015].

<sup>644</sup> [REDACTED].

<sup>645</sup> Witness interview record, IIIM Ref. No. XXX38 [After release, 2012]; [REDACTED]; [REDACTED]; [REDACTED].

<sup>646</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX54; Witness interview record, IIIM Ref. No. XXX38; [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX48; Witness interview record, IIIM Ref. No. XXX17; Witness interview record, IIIM Ref. No. XXX13; Witness interview record, IIIM Ref. No. XXX85; [REDACTED]; Witness interview record, IIIM Ref. No. XXX55; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]. The interview records refer to the following locations in 2012-2021: Military Intelligence Unit 215 Raids/Assaults; Military Intelligence Branch 290; Air Force Intelligence Section Aleppo; Adra Central Prison; Political Security Branch Homs; Military Police Branch Damascus; [REDACTED]; [REDACTED]; [REDACTED].

<sup>647</sup> Witness interview record, IIIM Ref. No. XXX37 [Military Intelligence Branch 261 Homs, 2013].

<sup>648</sup> Witness interview record, IIIM Ref. No. XXX00; [REDACTED]; Witness interview record, IIIM Ref. No. XXX08. The interview records refer to the following locations in 2011-2013: Air Force Intelligence Facilities Mezzeh Airbase; Military Intelligence Branch, unspecified; Military Intelligence Branch Damascus, unspecified; Military Intelligence Facilities.

<sup>649</sup> Witness interview record, IIIM Ref. No. XXX61 [Adra Central Prison, 2012-2013].





<sup>650</sup> Witness interview record, IIIM Ref. No. XXX74; Witness interview record, IIIM Ref. No. XXX35; Witness interview record, IIIM Ref. No. XXX53. The interview records refer to the following locations in, e.g., 2012, 2013 and 2016: Military Intelligence Branch 227 Damascus; Air Force Intelligence Investigation Branch.

<sup>651</sup> [REDACTED].

<sup>652</sup> Witness interview record, IIIM Ref. No. XXX38 [Third Military Prison, 2012].

<sup>653</sup> [REDACTED]; [REDACTED]; [REDACTED].

<sup>654</sup> Witness interview record, IIIM Ref. No. XXX54 [After release, 2012]; [REDACTED].

<sup>655</sup> Witness interview record, IIIM Ref. No. XXX37 [Military Intelligence Branch 261 Homs, 2013]; [REDACTED]; [REDACTED].

<sup>656</sup> [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX86 [Adra Central Prison, 2014]; [REDACTED].

<sup>657</sup> Witness interview record, IIIM Ref. No. XXX37; Witness interview record, IIIM Ref. No. XXX35; [REDACTED]. The interview records refer to the following locations in 2013 and 2018-2021: Military Intelligence Branch 261 Homs; Military Intelligence Branch 220 Quneitra; [REDACTED].

<sup>658</sup> Witness interview record, IIIM Ref. No. XXX37 [Military Intelligence Branch 261 Homs, 2013].

<sup>659</sup> [REDACTED].

<sup>660</sup> [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX60. The interview records refer to the following locations in, e.g., 2014: Military Intelligence Unit 215; Military Intelligence Branch 291.

<sup>661</sup> [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX37; [REDACTED]; [REDACTED]. The interview records refer to the following locations in 2011-2016 and 2018-2021: Military Intelligence Branch 261 Homs; [REDACTED].

<sup>662</sup> Witness interview record, IIIM Ref. No. XXX55 [First Military Prison, 2012-2015]; Witness interview record, IIIM Ref. No. XXX85 [Adra Central Prison, 2014-2020].

<sup>663</sup> Witness interview record, IIIM Ref. No. XXX53 [Adra Central Prison, 2011-2012]; [REDACTED].

<sup>664</sup> See e.g. Caesar Families Association Missing Persons Form, IIIM Ref. No. ED02032364. ADMSP missing persons documentation includes summaries of accounts of missing persons as provided by family members and accompanying documents, including death certificates and statements; handwritten, stamped notes from the Military Police Branch in Damascus concerning the same missing persons; and supplementary information provided by ADMSP documenters. See e.g. ADMSP Missing Persons Form 20220329377, IIIM Ref. No. XXX89, and attached document (handwritten note stamped by Military Police Damascus Branch instructing recipient to go to Medical Services Directorate – Budgeting Department, IIIM Ref. No. ED02037687); ADMSP Missing Persons Form 202309123917, IIIM Ref. No. XXX13, and attached documents (communication from Head of Military Prosecution in Damascus to the Military Police Branch in Damascus, [REDACTED] 2014, IIIM Ref. No. ED02037712) and (handwritten note stamped by Military Police Branch in Damascus, instructing recipient to go to Tishreen Military Hospital – Forensic Medicine, IIIM Ref. No. ED02037711); ADMSP Missing Persons Form 20220527719, IIIM Ref. No. XXX17, and attached documents (Documenter Observations Form, IIIM Ref. No. ED02037719) and (handwritten note from Military Police instructing recipient to go to Medical Services Directorate – Budgeting Department, IIIM Ref. No. ED02037718). See also IIIM audio-recorded interview with B068019, IIIM Ref. Nos. XXX27-XXX40, at XXX28; IIIM audio-recorded interview with B841722, IIIM Ref. Nos. XXX65-XXX72, at XXX65.

<sup>665</sup> See e.g. Death certificate issued by Tishreen Military Hospital, [REDACTED]; Death certificate issued by Tishreen Military Hospital, provided by IIIM witness B841722, IIIM Ref. Nos. XXX65-XXX72, [REDACTED] 2013, [IIIM Ref. No. HC00000236, IIIM English unofficial translation TR00000616]. See also below Section V.F.2.

<sup>666</sup> For example, persons whose disappearance by Government actors has been publicised and noticed to Syrian Government officials have been confirmed deceased through Government-issued death statements. See e.g. Special Procedures of the Human Rights Council Letter SYR 9/2011 (reporting the case of a victim arrested by security forces and last reported in the custody of Military Intelligence); Death statement obtained from Zaman Al-Wasl, IIIM Ref. No. ED02032306, p. 6, name also identified on Military Intelligence wanted list in the Mechanism’s Central Repository, CIJA Ref. No. SYR.D0304.010.047, IIIM Ref. No. ED01145239; Special Procedures of the Human Rights Council Letter SYR 1/2013 (reporting the case of a victim who was arrested by security forces and the National



Students' Committee, a pro-Government student union, who was last reported in the custody of Military Intelligence, and whose photo was identified amongst the Caesar files, IIIM Ref. Nos. ED00972827-ED00972829); Zaman Al-Wasl Article (2018) [contains graphic images] (reporting the case of victims arrested by Air Force Intelligence and last reported in the custody of Air Force Intelligence Mezzeh Airport); Death statements, IIIM Ref. No. ED02036219, pp. 3-4; Death statement obtained from Zaman Al-Wasl, IIIM Ref. No. ED02032306, pp. 1-2. These documents are similar to other death statements and death certificates provided to the Mechanism by other sources, including family members of disappeared persons and organisations supporting them, Government document collections, and public sources and reports. These documents are analysed in Section V.F of the Report. *See also* Commission of Inquiry on Syria, Death Notifications in the Syrian Arab Republic (2018); SNHR Report (2018); SNHR Report (2022).

<sup>667</sup> *See e.g.* Truth and Justice Charter (2021).

<sup>668</sup> For the references in this section, the year of disappearance is noted in brackets following the witness's account.

<sup>669</sup> ADMSP Declaration, IIIM Ref. No. ED02037654, pp. 2-3, IIIM English unofficial translation TR00000706, pp. 3-4. The ADMSP Declaration identifies the following breakdown of Government actors identified by beneficiaries: 177 family members forcibly disappeared by Syrian intelligence agencies; 46 persons forcibly disappeared by the Syrian Army; 13 persons forcibly disappeared by militias affiliated with the Syrian Government; and 1 person forcibly disappeared by the Syrian police.

<sup>670</sup> ADMSP Declaration, IIIM Ref. No. ED02037654, pp. 1-2, IIIM English unofficial translation TR00000706, p. 1 (“Alongside psychological support services, the Family Center offers case management services through a Case Manager in order to respond to other needs (financial, medical, legal, education, and vocational). These needs are identified throughout the therapeutic process in cooperation and coordination with 12 partners in Türkiye, with the objective of providing complementary services to survivors, and promoting the psychological, physical, and social recovery.”), p. 3 (“We have provided support services to 251 family members having missing family members [...]. The beneficiaries of individual and group therapy sessions are distributed as follows: 196 female beneficiaries; 55 male beneficiaries.”).

<sup>671</sup> ADMSP Declaration, IIIM Ref. No. ED02037654, p. 5, IIIM English unofficial translation TR00000706, p. 5 (“The psychological impact of disappearance on the families of the disappeared starts from the first moment that families of the disappeared learn about the disappearance. In addition to the trauma and intensity of the news, the family of the disappeared loses the sense of security. All family members feel a threat to their lives and live in a state of acute anxiety of the possibility of their house being raided by government parties and the remaining family members being arrested.”).

<sup>672</sup> LAW interview record, IIIM Ref. No. XXX16 [2011]; LAW interview record, IIIM Ref. No. XXX34 [2011]; LAW interview record, IIIM Ref. No. XXX28 [2012]; LAW interview record, IIIM Ref. No. XXX14 [2012]; LAW interview record, IIIM Ref. No. XXX18 [2014].

<sup>673</sup> LAW interview record, IIIM Ref. No. XXX16 [2011]; LAW interview record, IIIM Ref. No. XXX34 [2011]; LAW interview record, IIIM Ref. No. XXX25 [2013]; LAW interview record, IIIM Ref. No. XXX18 [2014].

<sup>674</sup> LAW interview record, IIIM Ref. No. XXX14 [2012]; LAW interview record, IIIM Ref. No. XXX37 [2012]; LAW interview record, IIIM Ref. No. XXX12 [2013]; LAW interview record, IIIM Ref. No. XXX47 [2014]. *See also* LAW interview record, IIIM Ref. No. XXX28 [2012].

<sup>675</sup> ADMSP Declaration, IIIM Ref. No. ED02037654, p. 5, IIIM English unofficial translation TR00000706, p. 6 (“This reflects on the psychological state of the families of the missing through the interplay of the psychological, emotional, cognitive, and behavioral aspects. They begin to manifest many psychological symptoms, as follows: Various non-medically explicable chronic pains in their bodies, and a constant feeling of shortness of breath, heaviness on the chest, and headache. In addition to a constant feeling of worry, stress, fear, irritability, and internal tremors.”).

<sup>676</sup> ADMSP Declaration, IIIM Ref. No. ED02037654, p. 5, IIIM English unofficial translation TR00000706, p. 6 (“Self-blaming is accompanied by ease of crying, a depressive mood, feelings of low energy, [...] lack of interest in daily activities, thus reducing the level of social activities of the families of the missing. They begin to live in isolation, or abandon social activities, such as marriage and attending joyous social events (in this case we always hear expressions such as ‘how can I be happy while my son is missing? I will blame myself if I feel happy while I do not know yet my son’s fate, my life stopped after my daughter’s disappearance’). This increases the sense of isolation and



decreases the chances of obtaining social reinforcement and inclusion, thus negatively impacting their ability to cope and integrate in society and recover from the state of mysterious disappearance.”).

<sup>677</sup> LAW interview record, IIIM Ref. No. XXX11 [2012]; LAW interview record, IIIM Ref. No. XXX15 [2014].

<sup>678</sup> LAW interview record, IIIM Ref. No. XXX11 [2012]; LAW interview record, IIIM Ref. No. XXX23 [2013]; LAW interview record, IIIM Ref. No. XXX25 [2013].

<sup>679</sup> LAW interview record, IIIM Ref. No. XXX12 [2013]; LAW interview record, IIIM Ref. No. XXX21 [2018].

<sup>680</sup> LAW interview record, IIIM Ref. No. XXX28 [2012]; LAW interview record, IIIM Ref. No. XXX17 [2013]; LAW interview record, IIIM Ref. No. XXX23 [2013]; LAW interview record, IIIM Ref. No. XXX18 [2014].

<sup>681</sup> LAW interview record, IIIM Ref. No. XXX11 [2012]; LAW interview record XXX14 [2012]; LAW interview record, IIIM Ref. No. XXX37 [2012]; LAW interview record, IIIM Ref. No. XXX22 [2013]; LAW interview record, IIIM Ref. No. XXX17 [2013]; LAW interview record, IIIM Ref. No. XXX20 [2014]; LAW interview record, IIIM Ref. No. XXX21 [2018].

<sup>682</sup> LAW interview record, IIIM Ref. No. XXX16 [2011]; LAW interview record, IIIM Ref. No. XXX14 [2012]; LAW interview record, IIIM Ref. No. XXX10 [2018].

<sup>683</sup> LAW interview record, IIIM Ref. No. XXX12 [2013]; LAW interview record, IIIM Ref. No. XXX15 [2014].

<sup>684</sup> LAW interview record, IIIM Ref. No. XXX15 [2014].

<sup>685</sup> LAW interview record, IIIM Ref. No. XXX14 [2012].

<sup>686</sup> ADMSP Declaration, IIIM Ref. No. ED02037654, p. 7, IIIM English unofficial translation TR00000706, p. 8 (“An added factor is the widespread poverty resulting from depleting economic resources in the unsuccessful search process for the missing persons and shifting of priorities for the families and children of the missing. They shift away from providing a decent life and proper education for children, to living with the bare necessities following the financial impacts of war, poverty, low education levels, proper rearing, and the spread of ignorance. This will lead to a generation of children who have not received proper education opportunities, lived through war, displacement, poverty, and injustice (deprivation of the disappeared father, mother, or brother). Thus, they would lose trust in society [...]. This generation would have a conducive environment for the return of violence and conflict whenever the chance would arise, or for joining armed groups with the purpose of revenge or achieving justice, as they see it.”).

<sup>687</sup> LAW interview record, IIIM Ref. No. XXX46 [2012]; LAW interview record, IIIM Ref. No. XXX11 [2012]; LAW interview record, IIIM Ref. No. XXX24 [2013]; LAW interview record, IIIM Ref. No. XXX49 [2014]; LAW interview record, IIIM Ref. No. XXX50 [2014].

<sup>688</sup> ADMSP Declaration, IIIM Ref. No. ED02037654, p. 5, IIIM English unofficial translation TR00000706, p. 5 (“One of the main struggles of the families of the forcibly disappeared is living in a state of uncertainty regarding the fate of their loved ones. This state controls all aspects of life on a daily basis, as they oscillate between feelings of hope that the missing person will return or their fate will be known, and despair and loss of hope of their return, as well as sadness and sorrow for their loss. This limbo and confusion undermine the process of coping with the absence of the missing person. Since they do not receive news of their death, they consequently do not experience mourning and moving forward with their lives, and since the missing person’s return is not guaranteed and no date of return is fixed, the family cannot plan their lives.”).

<sup>689</sup> *See above* para. 196 (referring to punishment of detainees who tried to assist others make outside contact), *below* para. 377, referencing Circular signed by the Head of the Military Intelligence Department, circulated by Military Intelligence Branch 248 to the Bureau of the Head of the Military Intelligence Department, all central and external Department branches, and the Committees formed at Branches 291 and 293, 18 October 2012, CIJA Ref. No. SYR.D0197.054.026 [IIIM Ref. No. ED00572281, CIJA English translation ED00801072] (instructing recipients “[n]ot to arrange any visit for any detainee in your custody or allow them to communicate with anyone unless you have presented the matter, with mandating reasons, before the Head of the Department and obtained the appropriate decision in this concern.”).

<sup>690</sup> LAW interview record, IIIM Ref. No. XXX28 [2012]; LAW interview record, IIIM Ref. No. XXX39 [2012]; LAW interview record, IIIM Ref. No. XXX11 [2012]; LAW interview record, IIIM Ref. No. XXX22 [2013]; LAW interview record, IIIM Ref. No. XXX44 [2013]; LAW interview record, IIIM Ref. No. XXX40 [2015]; LAW interview record, IIIM Ref. No. XXX10 [2018]; LAW interview record, IIIM Ref. No. XXX41 [2019].



<sup>691</sup> LAW interview record, IIIM Ref. No. XXX46 [2012].

<sup>692</sup> LAW interview record, IIIM Ref. No. XXX38 [2014].

<sup>693</sup> LAW interview record, IIIM Ref. No. XXX16 [2011]; LAW interview record, IIIM Ref. No. XXX29 [2011]; LAW interview record, IIIM Ref. No. XXX30 [2012]; LAW interview record, IIIM Ref. No. XXX36 [2012]; LAW interview record, IIIM Ref. No. XXX37 [2012]; LAW interview record, IIIM Ref. No. XXX39 [2012]; LAW interview record, IIIM Ref. No. XXX14 [2012]; LAW interview record, IIIM Ref. No. XXX28 [2012]; LAW interview record, IIIM Ref. No. XXX31 [2012, 2013]; LAW interview record, IIIM Ref. No. XXX12 [2013]; LAW interview record, IIIM Ref. No. XXX17 [2013]; LAW interview record, IIIM Ref. No. XXX22 [2013]; LAW interview record, IIIM Ref. No. XXX23 [2013]; LAW interview record, IIIM Ref. No. XXX24 [2013]; LAW interview record, IIIM Ref. No. XXX25 [2013]; LAW interview record, IIIM Ref. No. XXX27 [2013]; LAW interview record, IIIM Ref. No. XXX44 [2013]; LAW interview record, IIIM Ref. No. XXX33 [2014]; LAW interview record, IIIM Ref. No. XXX15 [2014]; LAW interview record, IIIM Ref. No. XXX38 [2014]; LAW interview record, IIIM Ref. No. XXX42 [2014]; LAW interview record, IIIM Ref. No. XXX47 [2014]; LAW interview record, IIIM Ref. No. XXX49 [2014]; LAW interview record, IIIM Ref. No. XXX18 [2014]; LAW interview record, IIIM Ref. No. XXX20 [2014]; LAW interview record, IIIM Ref. No. XXX50 [2014]; LAW interview record, IIIM Ref. No. XXX45 [2015]; LAW interview record, IIIM Ref. No. XXX48 ( [2015]; LAW interview record, IIIM Ref. No. XXX40 [2015]; LAW interview record, IIIM Ref. No. XXX21 [2018]; LAW interview record, IIIM Ref. No. XXX10 [2018]; LAW interview record, IIIM Ref. No. XXX41 [2019].

<sup>694</sup> LAW interview record, IIIM Ref. No. XXX33 [2014].

<sup>695</sup> LAW interview record, IIIM Ref. No. XXX34 [2011]; LAW interview record, IIIM Ref. No. XXX11 [2012]; LAW interview record, IIIM Ref. No. XXX14 [2012]; LAW interview record, IIIM Ref. No. XXX23 [2013]; LAW interview record, IIIM Ref. No. XXX24 [2013]; LAW interview record, IIIM Ref. No. XXX27 [2013]; LAW interview record, IIIM Ref. No. [2014]; LAW interview record, IIIM Ref. No. XXX50 [2014]; LAW interview record, IIIM Ref. No. XXX10 [2018]; LAW interview record, IIIM Ref. No. XXX21 [2018].

<sup>696</sup> LAW interview record, IIIM Ref. No. XXX34 [2011]; LAW interview record, IIIM Ref. No. XXX29 [2011]; LAW interview record, IIIM Ref. No. XXX46 [2012]; LAW interview record, IIIM Ref. No. XXX25 [2013]; LAW interview record, IIIM Ref. No. XXX28 [2013]; LAW interview record, IIIM Ref. No. XXX50 [2014]; LAW interview record, IIIM Ref. No. XXX10 [2018].

<sup>697</sup> ADMSP Declaration, IIIM Ref. No. ED02037654, p. 5, IIIM English unofficial translation TR00000706, p. 6 (“These symptoms and psychological state reflect on the performance of the families of the missing and their ability to carry out and accomplish their daily tasks.”).

<sup>698</sup> LAW interview record, IIIM Ref. No. XXX29 [2011]; LAW interview record, IIIM Ref. No. XXX11 [2012]; LAW interview record, IIIM Ref. No. XXX28 [2012]; LAW interview record, IIIM Ref. No. XXX14 [2012]; LAW interview record, IIIM Ref. No. XXX22 [2013]; LAW interview record, IIIM Ref. No. XXX23 [2013]; LAW interview record, IIIM Ref. No. XXX24 [2013]; LAW interview record, IIIM Ref. No. XXX15 [2014]; LAW interview record, IIIM Ref. No. XXX20 [2014]; LAW interview record, IIIM Ref. No. XXX10 [2018]; LAW interview record, IIIM Ref. No. XXX21 [2018].

<sup>699</sup> LAW interview record, IIIM Ref. No. XXX22 [2013].

<sup>700</sup> LAW interview record, IIIM Ref. No. XXX29 [2011]; LAW interview record, IIIM Ref. No. XXX22 [2013]; LAW interview record, IIIM Ref. No. XXX24 [2013]; LAW interview record, IIIM Ref. No. XXX25 [2013].

<sup>701</sup> LAW interview record, IIIM Ref. No. XXX15 [2014].

<sup>702</sup> LAW interview record, IIIM Ref. No. XXX28 [2012]; LAW interview record, IIIM Ref. No. XXX37 [2012]; LAW interview record, IIIM Ref. No. XXX12 [2013]; LAW interview record, IIIM Ref. No. XXX25 [2013]; LAW interview record, IIIM Ref. No. XXX18 [2014]; LAW interview record, IIIM Ref. No. XXX33 [2014]; LAW interview record, IIIM Ref. No. XXX10 [2018].

<sup>703</sup> ADMSP Declaration, IIIM Ref. No. ED02037654, pp. 5-6, IIIM English unofficial translation TR00000706, p. 7 (“Families begin to search for their loved ones who were forcibly disappeared. It is also the start of the extortion and financial fraud process by extortion networks. Families might pay large amounts to obtain any information on the fate of their loved one. These amounts are exorbitant and destructive to Syrian families. They might represent all their



savings from before the war. Losing their savings creates a large economic burden and disrupts other aspects in the lives of the families of the missing.”), p. 6 (“Wives bear the brunt of their families, as well as seeking a livelihood for their children. In addition to the burden of searching for the missing person, uncovering their fate while they lack support and [disregard] emotional and psychological needs, the arduous journey to search for the missing person begins. It could cost them exorbitant amounts of money for extortionists, or they might be subjected to abuse and exploitation that could amount to sexual extortion.”).

<sup>704</sup> LAW interview record, IIIM Ref. No. XXX34 [2011]; LAW interview record, IIIM Ref. No. XXX31 [2013]; LAW interview record, IIIM Ref. No. XXX18 [2014]; LAW interview record, IIIM Ref. No. XXX49 [2014]; LAW interview record, IIIM Ref. No. XXX41 [2019].

<sup>705</sup> LAW interview record, IIIM Ref. No. XXX42 [2014].

<sup>706</sup> LAW interview record, IIIM Ref. No. XXX39 [2012]; LAW interview record, IIIM Ref. No. XXX23 [2013]; LAW interview record, IIIM Ref. No. XXX38 [2014].

<sup>707</sup> LAW interview record, IIIM Ref. No. XXX12 [2013]; LAW interview record, IIIM Ref. No. XXX25 [2013]; LAW interview record, IIIM Ref. No. XXX47 [2014]; LAW interview record, IIIM Ref. No. XXX33 [2014]; LAW interview record, IIIM Ref. No. XXX20 [2014].

<sup>708</sup> LAW interview record, IIIM Ref. No. XXX36 [2012]; LAW interview record, IIIM Ref. No. XXX11 [2012]; LAW interview record, IIIM Ref. No. XXX14 [2012]; LAW interview record, IIIM Ref. No. XXX37 [2012]; LAW interview record, IIIM Ref. No. XXX27 [2013]. The reference to “death certificates” likely refers to civil registry issued death statements, as explained below in para. 363.

<sup>709</sup> LAW interview record, IIIM Ref. No. XXX37 [2012]; LAW interview record, IIIM Ref. No. XXX44 [2013]; LAW interview record, IIIM Ref. No. XXX42 [2014]; LAW interview record, IIIM Ref. No. XXX49 [2014].

<sup>710</sup> LAW interview record, IIIM Ref. No. XXX41 [2019].

<sup>711</sup> ADMSP Declaration, IIIM Ref. No. ED02037654, p. 6, IIIM English unofficial translation TR00000706, p. 7 (“Considering the context of enforced disappearance in Syria and the other accompanying consequences, financial losses, and loss of income, in case the disappeared is the breadwinner, as well as displacement and leaving Syrian regime-controlled areas in search for safety elsewhere; all of these variables render society unable to develop. Society is transformed from one that seeks achievement and progress, to one that is anxious, a society that seeks safety and securing basic needs. This reflects on relationships within society, as family bonds disintegrate and families of the disappeared lose social support and social networks, such as relatives and friends due to migration, asylum seeking and displacement, at a time when they truly need it.”).

<sup>712</sup> Committee Against Torture Concluding Observations, CAT/C/SYR/CO/1/Add.2 (2012), para. 20(p).

<sup>713</sup> See Commission of Inquiry on Syria, “No End in Sight”, A/HRC/53/CRP.5 (2023), para. 4 (“Nearly all former detainees held in Government facilities and interviewed for this report were held incommunicado for prolonged periods of time, without access to their family, friends and lawyers.”), para. 63 (“Virtually all those interviewed for this report were either held incommunicado for periods of time, in conditions amounting to enforced disappearance, or had family members who had been so detained.”); Commission of Inquiry on Syria Report, A/HRC/S-17/2/Add.1 (2011), para. 90 (“The commission is seriously concerned about the absence of judicial independence and the extensive use of arbitrary and incommunicado detention without criminal charges or judicial supervision.”); Commission of Inquiry on Syria, 7th Report, A/HRC/25/65 (2014), Annex IV, paras. 2, 12, 18, 39; Commission of Inquiry on Syria Report, A/HRC/52/69 (2023), para. 61; Commission of Inquiry on Syria, 2nd Report, A/HRC/19/69 (2012), paras. 59, 61; Commission of Inquiry on Syria, 6th Report, A/HRC/24/46 (2013), paras. 69-70, 73; Commission of Inquiry on Syria, 9th Report, A/HRC/28/69 (2015), Annex II, para. 113; Commission of Inquiry on Syria, 10th Report, A/HRC/30/48 (2015), paras. 40-42, 148; Commission of Inquiry on Syria, Deaths in Detention Report, A/HRC/31/CRP.1 (2016), paras. 17-18; Commission of Inquiry on Syria, 12th Report, A/HRC/33/55 (2016), para. 77. See also Commission of Inquiry on Syria, Thematic Paper: Enforced Disappearances (2013), paras. 12, 18.

<sup>714</sup> Prior to the start of the conflict and between the years 1980 and 2000, the WGEID transmitted a total of 35 cases of enforced disappearances to the Syrian Government, 27 of which were clarified and resolved and eight of which remained outstanding. Working Group on Enforced or Involuntary Disappearances Report, E/CN.4/2001/68 (2000), p. 29. By 13 May 2022, the total number of cases transmitted to the Syrian Government since 1980 rose sharply to



668 cases, 605 of which remained outstanding (564 male and 41 female disappeared persons). Working Group on Enforced or Involuntary Disappearances Report, A/HRC/51/31 (2022), p. 28.

<sup>715</sup> Working Group on Enforced or Involuntary Disappearances General Allegation (2021), paras. 6-8, 11-12.

<sup>716</sup> Working Group on Enforced or Involuntary Disappearances General Allegation (2021), paras. 2-4.

<sup>717</sup> Working Group on Enforced or Involuntary Disappearances Report, A/HRC/WGEID/117/1 (2019), Annex I, paras. 14, 16-17; Working Group on Enforced or Involuntary Disappearances Report, A/HRC/19/58/Rev.1 (2012), Annex I, para. 553.

<sup>718</sup> Working Group on Enforced or Involuntary Disappearances General Allegation (2021), paras. 1, 5.

<sup>719</sup> Working Group on Enforced or Involuntary Disappearances General Allegation (2021), paras. 6-8, 11-12; Working Group on Enforced or Involuntary Disappearances Report, A/HRC/WGEID/117/1 (2019), Annex I, paras. 16-17; Commission of Inquiry on Syria, 6th Report, A/HRC/24/46 (2013), para. 71; Commission of Inquiry on Syria, 7th Report, A/HRC/25/65 (2014), Annex IV, para. 48; Commission of Inquiry on Syria Report, A/HRC/51/45 (August 2022), para. 26; Commission of Inquiry on Syria, “No End in Sight”, A/HRC/53/CRP.5 (2023), paras. 67-68.

<sup>720</sup> Working Group on Enforced or Involuntary Disappearances General Allegation (2021), paras. 6-8; Commission of Inquiry on Syria, 6th Report, A/HRC/24/46 (2013), para. 71.

<sup>721</sup> Commission of Inquiry on Syria, 4th Report, A/HRC/22/59 (2013), Annex VII, paras. 8-9 (In one case reported to the Commission, three women were arrested and taken away by the military after having complained about the arrests and subsequent killing of their husbands.); Commission of Inquiry on Syria, 7th Report, A/HRC/25/65 (2014), Annex IV, para. 34 (In another case, a mother reported to the Commission that her eldest son was arrested after making inquiries at the Idlib Military Security Branch about two of his brothers who had been arrested and subsequently disappeared; the mother reported that her eldest son never returned. One witness reported that while detained in Homs prison in 2012, she met a 60-year-old woman who had been arrested after she went to the Homs Security Branch to inquire about the fate of her disappeared son.)

<sup>722</sup> Commission of Inquiry on Syria, 7th Report, A/HRC/25/65 (2014), Annex IV, para. 35; Commission of Inquiry on Syria, 9th Report, A/HRC/28/69 (2015), Annex II, para. 114.

<sup>723</sup> Working Group on Enforced or Involuntary Disappearances Report, A/HRC/WGEID/122/1 (2020), para. 144.

<sup>724</sup> Working Group on Enforced or Involuntary Disappearances Report, A/HRC/51/31 (2022), para. 74.

<sup>725</sup> Working Group on Enforced or Involuntary Disappearances, 129th Session, A/HRC/WGEID/129/1 (2023), para. 97, Annex I, para. 4. *See also below* Section V.H.

<sup>726</sup> Working Group on Enforced or Involuntary Disappearances, 129th Session, A/HRC/WGEID/129/1 (2023), para. 97, Annex I, para. 4.

<sup>727</sup> Working Group on Enforced or Involuntary Disappearances, 129th Session, A/HRC/WGEID/129/1 (2023), Annex I, para. 9.

<sup>728</sup> Working Group on Enforced or Involuntary Disappearances, 129th Session, A/HRC/WGEID/129/1 (2023), Annex I, para. 9.

<sup>729</sup> *See* OHCHR Sessions of the Working Group on Enforced or Involuntary Disappearances (website).

<sup>730</sup> Working Group on Enforced or Involuntary Disappearances, 129th Session, A/HRC/WGEID/129/1 (2023), p. 27. The Government has not yet replied to this Allegation. *See* OHCHR Sessions of the Working Group on Enforced or Involuntary Disappearances (website).

<sup>731</sup> Commission of Inquiry on Syria, 9th Report, A/HRC/28/69 (2015), Annex II, para. 46; Commission of Inquiry on Syria Report, A/HRC/49/77 (February 2022), para. 39; Commission of Inquiry on Syria, Death Notifications in the Syrian Arab Republic (2018), paras. 1-5; Commission of Inquiry on Syria, “No End in Sight”, A/HRC/53/CRP.5 (2023), para. 66.

<sup>732</sup> Working Group on Enforced or Involuntary Disappearances Report, A/HRC/WGEID/117/1 (2019), Annex I, paras. 16-20.

<sup>733</sup> Working Group on Enforced or Involuntary Disappearances Report, A/HRC/WGEID/117/1 (2019), Annex I, paras. 16-20; Commission of Inquiry on Syria, Death Notifications in the Syrian Arab Republic (2018), paras. 1-3.

<sup>734</sup> Commission of Inquiry on Syria, “No End in Sight”, A/HRC/53/CRP.5 (2023), para. 70.



<sup>735</sup> See Special Procedures of the Human Rights Council Letter SYR 1/2013 (it was suspected he had died on 9 November 2012).

<sup>736</sup> HRW Report (2015), pp. 5-6, 46-47, 85.

<sup>737</sup> Working Group on Enforced or Involuntary Disappearances General Allegation (2021), paras. 13-18; Commission of Inquiry on Syria, 7th Report, A/HRC/25/65 (2014), Annex IV, para. 32.

<sup>738</sup> Working Group on Enforced or Involuntary Disappearances General Allegation (2021), paras. 13-18; Commission of Inquiry on Syria, 7th Report, A/HRC/25/65 (2014), Annex IV, para. 49.

<sup>739</sup> Commission of Inquiry on Syria, 7th Report, A/HRC/25/65 (2014), Annex IV, para. 49; Commission of Inquiry on Syria, 12th Report, A/HRC/33/55 (2016), para. 85; Commission of Inquiry on Syria, Gendered Impact (2023), p. 2.

<sup>740</sup> Working Group on Enforced or Involuntary Disappearances General Allegation (2021), paras. 13-18.

<sup>741</sup> Working Group on Enforced or Involuntary Disappearances General Allegation (2021), paras. 13-18.

<sup>742</sup> Working Group on Enforced or Involuntary Disappearances General Allegation (2021), paras. 13-18.

<sup>743</sup> The WGEID has reported that children of the disappeared have begun working as a consequence of the disappearances as early as age 10, carrying out tasks, like hard labour, which are hazardous to their wellbeing and development. See Working Group on Enforced or Involuntary Disappearances General Allegation (2021), paras. 13-18.

<sup>744</sup> Records in the Detainee Experiences Dataset that were produced in accordance with the Istanbul Protocol on Effective Investigation and Documentation of Torture (2022) provided the most detailed information because medical professionals inquire about and record acute and chronic symptoms and disabilities associated with specific forms of abuse and the subsequent healing processes. See Istanbul Protocol on Effective Investigation and Documentation of Torture (2022), Section V.A., pp. 94-95.

<sup>745</sup> Witness interview record, IIIM Ref. No. XXX08; Witness interview record, IIIM Ref. No. XXX19; Witness interview record, IIIM Ref. No. XXX24; Witness interview record, IIIM Ref. No. XXX71.

<sup>746</sup> Witness interview record, IIIM Ref. No. XXX63; Witness interview record, IIIM Ref. No. XXX06; [REDACTED]; Witness interview record, IIIM Ref. No. XXX00.

<sup>747</sup> Witness interview record, IIIM Ref. No. XXX63; [REDACTED]; Witness interview record, IIIM Ref. No. XXX75; Witness interview record, IIIM Ref. No. XXX17; Witness interview record, IIIM Ref. No. XXX06; Witness interview record, IIIM Ref. No. XXX38; Witness interview record, IIIM Ref. No. XXX89; Witness interview record, IIIM Ref. No. XXX76; Witness interview record, IIIM Ref. No. XXX87.

<sup>748</sup> Witness interview record, IIIM Ref. No. XXX65; Witness interview record, IIIM Ref. No. XXX89; Witness interview record, IIIM Ref. No. XXX35; [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX55; Witness interview record, IIIM Ref. No. XXX71; Witness interview record, IIIM Ref. No. XXX87.

<sup>749</sup> Witness interview record, IIIM Ref. No. XXX15; Witness interview record, IIIM Ref. No. XXX21; Witness interview record, IIIM Ref. No. XXX72; Witness interview record, IIIM Ref. No. XXX18.

<sup>750</sup> Witness interview record, IIIM Ref. No. XXX53.

<sup>751</sup> Witness interview record, IIIM Ref. No. XXX81.

<sup>752</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX31; Witness interview record, IIIM Ref. No. XXX21; Witness interview record, IIIM Ref. No. XXX16; [REDACTED]; Witness interview record, IIIM Ref. No. XXX70; Witness interview record, IIIM Ref. No. XXX97.

<sup>753</sup> Witness interview record, IIIM Ref. No. XXX16; Witness interview record, IIIM Ref. No. XXX19; Witness interview record, IIIM Ref. No. XXX65.

<sup>754</sup> Witness interview record, IIIM Ref. No. XXX64; Witness interview record, IIIM Ref. No. XXX74; Witness interview record, IIIM Ref. No. XXX19; Witness interview record, IIIM Ref. No. XXX72.

<sup>755</sup> Witness interview record, IIIM Ref. No. XXX25.

<sup>756</sup> [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX99; Witness interview record, IIIM Ref. No. XXX94.

<sup>757</sup> Witness interview record, IIIM Ref. No. XXX67; Witness interview record, IIIM Ref. No. XXX18.

<sup>758</sup> Witness interview record, IIIM Ref. No. XXX74; Witness interview record, IIIM Ref. No. XXX91; Witness interview record, IIIM Ref. No. XXX19.



- <sup>759</sup> Witness interview record, IIIM Ref. No. XXX80; Witness interview record, IIIM Ref. No. XXX97; Witness interview record, IIIM Ref. No. XXX06; Witness interview record, IIIM Ref. No. XXX33.
- <sup>760</sup> Witness interview record, IIIM Ref. No. XXX78; Witness interview record, IIIM Ref. No. XXX60; Witness interview record, IIIM Ref. No. XXX88; Witness interview record, IIIM Ref. No. XXX67.
- <sup>761</sup> Witness interview record, IIIM Ref. No. XXX19; Witness interview record, IIIM Ref. No. XXX00; Witness interview record, IIIM Ref. No. XXX18; Witness interview record, IIIM Ref. No. XXX20.
- <sup>762</sup> Witness interview record, IIIM Ref. No. XXX70; Witness interview record, IIIM Ref. No. XXX91.
- <sup>763</sup> Witness interview record, IIIM Ref. No. XXX74; Witness interview record, IIIM Ref. No. XXX69; Witness interview record, IIIM Ref. No. XXX06.
- <sup>764</sup> Witness interview record, IIIM Ref. No. XXX89.
- <sup>765</sup> Witness interview record, IIIM Ref. No. XXX19; Witness interview record, IIIM Ref. No. XXX17; [REDACTED]; Witness interview record, IIIM Ref. No. XXX76; [REDACTED].
- <sup>766</sup> Witness interview record, IIIM Ref. No. XXX74.
- <sup>767</sup> Witness interview record, IIIM Ref. No. XXX67; Witness interview record, IIIM Ref. No. XXX95.
- <sup>768</sup> Witness interview record, IIIM Ref. No. XXX74; Witness interview record, IIIM Ref. No. XXX21.
- <sup>769</sup> Witness interview record, IIIM Ref. No. XXX25; Witness interview record, IIIM Ref. No. XXX72; [REDACTED]; Witness interview record, IIIM Ref. No. XXX47.
- <sup>770</sup> Witness interview record, IIIM Ref. No. XXX20; Witness interview record, IIIM Ref. No. XXX17.
- <sup>771</sup> Witness interview record, IIIM Ref. No. XXX53.
- <sup>772</sup> Witness interview record, IIIM Ref. No. XXX69; Witness interview record, IIIM Ref. No. XXX70; [REDACTED].
- <sup>773</sup> Witness interview record, IIIM Ref. No. XXX84; [REDACTED]; Witness interview record, IIIM Ref. No. XXX94.
- <sup>774</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX83.
- <sup>775</sup> Witness interview record, IIIM Ref. No. XXX42; Witness interview record, IIIM Ref. No. XXX78.
- <sup>776</sup> Witness interview record, IIIM Ref. No. XXX91; Witness interview record, IIIM Ref. No. XXX85.
- <sup>777</sup> [REDACTED]; [REDACTED].
- <sup>778</sup> Witness interview record, IIIM Ref. No. XXX06; [REDACTED]; Witness interview record, IIIM Ref. No. XXX95; Witness interview record, IIIM Ref. No. XXX42; Witness interview record, IIIM Ref. No. XXX36; Witness interview record, IIIM Ref. No. XXX71; Witness interview record, IIIM Ref. No. XXX95; Witness interview record, IIIM Ref. No. XXX85; Witness interview record, IIIM Ref. No. XXX85.
- <sup>779</sup> Witness interview record, IIIM Ref. No. XXX25; [REDACTED]; [REDACTED]; [REDACTED]; Witness interview record, IIIM Ref. No. XXX73.
- <sup>780</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX28; [REDACTED]; [REDACTED].
- <sup>781</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX97; Witness interview record, IIIM Ref. No. XXX66; Witness interview record, IIIM Ref. No. XXX74.
- <sup>782</sup> Witness interview record, IIIM Ref. No. XXX74; Witness interview record, IIIM Ref. No. XXX75.
- <sup>783</sup> Witness interview record, IIIM Ref. No. XXX94.
- <sup>784</sup> Witness interview record, IIIM Ref. No. XXX19; Witness interview record, IIIM Ref. No. XXX97; Witness interview record, IIIM Ref. No. XXX66; Witness interview record, IIIM Ref. No. XXX06.
- <sup>785</sup> [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED].
- <sup>786</sup> [REDACTED].
- <sup>787</sup> [REDACTED].
- <sup>788</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX21.
- <sup>789</sup> [REDACTED].
- <sup>790</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX50; [REDACTED]; [REDACTED].
- <sup>791</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX42; [REDACTED].
- <sup>792</sup> Witness interview record, IIIM Ref. No. XXX38; Witness interview record, IIIM Ref. No. XXX81; Witness interview record, IIIM Ref. No. XXX87.
- <sup>793</sup> [REDACTED]; Witness interview record, IIIM Ref. No. XXX55; Witness interview record, IIIM Ref. No. XXX39.
- <sup>794</sup> Witness interview record, IIIM Ref. No. XXX86.





<sup>795</sup> Witness interview record, IIIM Ref. No. XXX71; Witness interview record, IIIM Ref. No. XXX77; Witness interview record, IIIM Ref. No. XXX91; Witness interview record, IIIM Ref. No. XXX70; Witness interview record, IIIM Ref. No. XXX14.

<sup>796</sup> See Communication from Head of the NSB dated 6 August 2011, disseminated by Military Intelligence Branch 294, 17 August 2011, appended to Brown Expert Report, Ex. C-40 (emphasising the need for the security agencies to coordinate and cooperate in sharing information and the results of the ongoing investigations and directing the Security Committees overseeing their coordination to take concrete steps to address the crisis). See further below Sections IV.B, C.

<sup>797</sup> The Baath Party former website, Mr. President Bashar al-Assad – President of the Republic and Regional Secretary of the Arab Baath Party [IIIM Ref. No. OS00005159 (archived 17 March 2015, collected 6 December 2023)]. See below Section IV.B.2.

<sup>798</sup> The Baath Party former website, Leader Hafez al-Assad – Secretary General of the Arab Socialist Baath Party [IIIM Ref. No. OS00005161 (archived 17 March 2015, collected 4 December 2023)]; Ministry of Defence website, Biography of General Hafez al-Assad [IIIM Ref. No. OS00005181].

<sup>799</sup> Syrian Constitution (2012), Articles 105, 106 [IIIM Ref. No. OS00004617, unofficial English translation of Syrian Constitution (2012) OS00004883]; Syrian Constitution (1973), Article 103 [IIIM Ref. No. OS00004884, unofficial English translation of Syrian Constitution (1973) OS00004886].

<sup>800</sup> Syrian Constitution (2012), Articles 105, 106 [IIIM Ref. No. OS00004617, unofficial English translation of Syrian Constitution (2012) OS00004883]; Syrian Constitution (1973), Article 103 [IIIM Ref. No. OS00004884, unofficial English translation of Syrian Constitution (1973) OS00004886].

<sup>801</sup> Although the Military Service Law does not reflect the command structures for these forces, it describes the State entities where military conscripts and volunteers could perform their service—including both men and women—which is relevant to ascertaining the various forces involved in the arrest and mistreatment described by witnesses in Section III. See Legislative Decree 18 of 2003, Article 10 [IIIM Ref. No. OS00004863, IIIM English unofficial translation TR00000674]. See also UNHCR, International Protection Considerations with Regard to People Fleeing the Syrian Arab Republic, HCR/PC/SYR/2021/06 (2021), fn. 554 (referencing Article 10 of the Military Service Law). See also Legislative Decree 30 of 2007, Article 4 [IIIM Ref. No. OS00005155, IIIM English unofficial translation TR00000679] (Men between the ages of 18 and 42 are required to perform military service); Legislative Decree 18 of 2003, Article 124 [IIIM Ref. No. OS00004863, IIIM English unofficial translation TR00000674] (The Military Service Law does not differentiate between male and female service members and uses the term “female military person” in gender-specific provisions, such as maternity leave.). The official website of the Syrian Ministry of Defence provides eligibility criteria for women wishing to volunteer in the army, and information regarding the required documents for “young Syrian women who wish to volunteer to serve with entities, departments, force commands, regions, and educational facilities.” [IIIM Ref. No. OS00005432 and IIIM Ref. No. OS00005561].

<sup>802</sup> See below Sections IV.C-E.

<sup>803</sup> Syrian Constitution (2012), Articles 100, 101, 113 [IIIM Ref. No. OS00004617, unofficial English translation of Syrian Constitution (2012) OS00004883]; Syrian Constitution (1973), Articles 98, 99 [IIIM Ref. No. OS00004884, unofficial English translation of Syrian Constitution (1973) OS00004886].

<sup>804</sup> Syrian Constitution (2012), Article 113 [IIIM Ref. No. OS00004617, unofficial English translation of Syrian Constitution (2012) OS00004883]; Syrian Constitution (1973), Article 111 [IIIM Ref. No. OS00004884, unofficial English translation of Syrian Constitution (1973) OS00004886].

<sup>805</sup> Law 22 of 2012, Article 2 [IIIM Ref. No. OS00003403, IIIM English unofficial translation TR00000673] (Judges are appointed by decree on the proposal of the Supreme Judicial Council). On 3 October 2017, President Bashar al-Assad issued Decree 287, based on proposal from the Supreme Judicial Council, replacing some of the judges of the court with new ones. The decree also included appointing new investigative judges and prosecutors [IIIM Ref. No. ID00004340]. On 4 February 2021, President Bashar al-Assad issued Decree 54, replacing six judges with new appointees [IIIM Ref. No. ID00000709]. See also Syrian Constitution (2012), Article 113(1) [IIIM Ref. No. OS00004617, unofficial English translation of Syrian Constitution (2012) OS00004883] (The Supreme Judicial



Council is headed by the President of the Republic; and the law states how it shall be formed, its mandate and its rules of procedure.)

<sup>806</sup> Syrian Constitution (2012), Articles 97-99, 121-122, 128 [IIIM Ref. No. OS00004617, unofficial English translation of Syrian Constitution (2012) OS00004883]; Syrian Constitution (1973), Articles 94-96, 117, 119, 127 [IIIM Ref. No. OS00004884, unofficial English translation of Syrian Constitution (1973) OS00004886].

<sup>807</sup> See below Section IV.F (Ministry of the Interior).

<sup>808</sup> See below Section IV.B.3 (CCMC).

<sup>809</sup> Syrian Constitution (1973), Article 8 [IIIM Ref. No. OS00004884, unofficial English translation of Syrian Constitution (1973) OS00004886].

<sup>810</sup> Legislative Decree 18 of 2003, Article 134 [IIIM Ref. No. OS00004863, IIIM English unofficial translation TR00000674] (Military personnel are prohibited from joining parties, bodies, associations, organisations, political, religious or social forums other than the Arab Socialist Baath Party and from expressing political opinions directed against the Party's principles and objectives.).

<sup>811</sup> The Baath Party former website, Mr. President Bashar al-Assad – President of the Republic and Regional Secretary of the Arab Baath Party [IIIM Ref. No. OS00005159 (archived 17 March 2015, collected 6 December 2023)]. See e.g. CCMC Minutes of Meeting issued by the Baath Party “Syrian Arab Region - Regional Command”, 20 April 2011, appended to Brown Expert Report, Ex. C-128 (referencing CCMC meeting headed by the “Comrade Regional Secretary”); Circular from Military Intelligence Branch 294, 20 April 2011, appended to Brown Expert Report, Ex. C-127 (referencing a letter of the “Regional Command” no./378/ of 18 April 2011, which summarises CCMC meeting headed by the “Comrade Regional Secretary”). In an official announcement in 2018, the Baath Party replaced the name “Regional Command” with “Central Command”, and the term “Regional Secretary” with “Secretary-General”. See Facebook post, Syrian Baath Party Official Facebook Page, 7 October 2018 [IIIM Ref. No. OS00005158].

<sup>812</sup> Decision 140 of the Regional Command during its 48th session, 10 May 2006, Article 1(1), CIJA Ref. Nos. SYR.D0035.021.040-042 [IIIM Ref. Nos. ED00109633-ED00109635, CIJA English translation ED00798436-ED00798438] (referred to as the “Arab Syrian Country - Country Command”, setting out authority and responsibilities at the “country command”, “branch command”, and “divisions command” levels). The word “regional” is a direct translation of the Arabic word “قطري”. In the Baath Party context, this word refers to national-level bodies and positions, reflecting historical developments within the Baath Party. Therefore, the Regional Secretary [الأمين القطري], and Regional Command [القيادة القطرية], refer to the highest levels of the Baath Party in Syria. Some translations referenced in endnotes refer to “country command”. This is an alternative English translation of the same original Arabic term [القيادة القطرية].

<sup>813</sup> The CCMC ceased functioning in mid-2012, around the same time the NSB was renamed and placed under the direct control of the President. See below endnotes 827, 839.

<sup>814</sup> Document from the Head of the NSB to the Head of the Air Force Intelligence Directorate, 15 December 2011, SJAC Ref. No. DOC.2013.B031.F021.0001 [IIIM Ref. No. ED00674224, IIIM English unofficial translation TR00000610] (containing a header showing the NSB as part of the Baath Party).

<sup>815</sup> Minutes of Meeting of Deir-Ezzor Security Committee, 14 April 2011, appended to Brown Expert Report, Ex. C-78 (containing a header referencing the Baath Party.). In 2012, Security Committees in “hot” governorates engaged in conflict became Military and Security Committees under the command of the armed forces. See e.g. Communication from the Head of the Idlib Military and Security Committee to Idlib Governor, 8 November 2013, CIJA Ref. No. SYR.D0302.056.028 [IIIM Ref. No. ED01152729] (containing a header referencing the General Command for the Army and Armed Forces rather than the Baath Party).

<sup>816</sup> The Baath Party former website, What are the Party's Regional bodies? [IIIM Ref. No. OS00005173 (archived 9 March 2012, collected 4 December 2023)]; The Baath Party former website, How Baath Party bureaus operate [IIIM Ref. No. OS00005175 (archived 9 March 2019, collected 4 December 2023)]. See The Baath Party former website, Electing a new Regional Command on 8 July 2013 (indicating the Regional Command members elected in 2013 and indicating that the Regional Command members were assigned to head various party bureaus.) [IIIM Ref. No. OS00005177 (archived 18 March 2015, collected 4 December 2023)].



<sup>817</sup> The Baath Party former website, Duties and responsibilities of the Regional Secretary according to Article 26 of the Baath Party Rules of Procedure [IIIM Ref. No. OS00005179 (archived 9 March 2012, collected 4 December 2023)]. In an official announcement in 2018, the Baath Party replaced the name “Regional Command” with “Central Command”, and the term “Regional Secretary” with “Secretary-General”. See Facebook post, Syrian Baath Party Official Facebook Page, 7 October 2018 [IIIM Ref. No. OS00005158].

<sup>818</sup> Decision 140 of the Regional Command during its 48th session, 10 May 2006, Article 15, CIJA Ref. Nos. SYR.D0035.021.040-042 [IIIM Ref. Nos. ED00109633-ED00109635, CIJA English translation ED00798436-ED00798438].

<sup>819</sup> Decision 140 of the Regional Command during its 48th session, 10 May 2006, Article 1(A)(1)-(2), CIJA Ref. Nos. SYR.D0035.021.040-042 [IIIM Ref. Nos. ED00109633-ED00109635, CIJA English translation ED00798436-ED00798438].

<sup>820</sup> The Baath Party former website, What tasks and duties does the Assistant Regional Secretary perform? (indicating the definitions of “branch”, “section”, “division”, and “cell” according to Baath Party Rules of Procedure) [IIIM Ref. No. OS00005169 (archived 9 June 2012, collected 4 December 2023)]. See also Organisational Structure of the Baath Party Diagram, 7 September 2011 [IIIM Ref. No. OS00005172 (archived 17 March 2015, collected 4 December 2023)].

<sup>821</sup> Decision 140 of the Regional Command during its 48th session, 10 May 2006, Articles 1 (A)(12), B(5), C(3), CIJA Ref. Nos. SYR.D0035.021.040-042 [IIIM Ref. Nos. ED00109633-ED00109635, CIJA English translation ED00798436-ED00798438].

<sup>822</sup> Decision 140 of the Regional Command during its 48th session, 10 May 2006, Article 1(A)(14), CIJA Ref. Nos. SYR.D0035.021.040-042 [IIIM Ref. Nos. ED00109633-ED00109635, CIJA English translation ED00798436-ED00798438].

<sup>823</sup> Syrian Constitution (1973), Articles 48, 49 [IIIM Ref. No. OS00004884, unofficial English translation of Syrian Constitution (1973) OS00004886].

<sup>824</sup> Instruction from Head of Military Intelligence Branch 243 to subordinate sections and detachments, 30 March 2011, appended to Brown Expert Report, Ex. C-44 (increasing the “readiness of the party apparatus in full, both in cities and rural areas, people’s divisions, in addition to the popular and trade union organisations and divide them in two. The first one is to be distributed among all mosques, no exception for the small ones. The rest are to remain at the offices as a reserve force.” The purpose was to confront opposition demonstrators who were planning activity on Friday, 1 April 2011.). See also Brown Expert Report, para. 130; below Section IV.H.

<sup>825</sup> Communication from the Head of the Interim Committee of Deir-Ezzor Branch to Comrade Head of Political Security Branch in Deir-Ezzor, 15 April 2011, appended to Brown Expert Report, Ex. C-78 (attaching the Minutes of Meeting of Deir-Ezzor Security Committee of 14 April 2011, referencing announcement of the decision of the Regional Command [of the Baath party] number 569/1 [illegible in Arabic] of 27/3/2011 which established a central and branch crisis management cell). See also Brown Expert Report, para. 45.

<sup>826</sup> Barakat Declaration, para. 5. See also *Eyad A.* Judgment, p. 15.

<sup>827</sup> The Mechanism has not located references to the CCMC in Government documents in its Central Repository after 18 July 2012, when an explosion at the National Security Headquarters in Damascus reportedly killed several Government officials. See e.g. UN Secretary-General Press Release, SG/SM/14418 (2012) (condemning a “bomb attack at the National Security Headquarters in Damascus, which resulted in significant casualties, including the death and serious injury of Government officials”); BBC Syria Conflict Article (2012), quoting Syrian State TV (“The terrorist explosion which targeted the national security building in Damascus occurred during a meeting of ministers and a number of heads of [security] agencies”); BBC Syria Crisis Article (2012) (providing profiles of the individuals killed in the blast “at the headquarters of the National Security Bureau (NSB) in Damascus on 18 July”, including the then-Head of the CCMC).

<sup>828</sup> Barakat Declaration, para. 11; *Eyad A.* Judgment, para. 15.

<sup>829</sup> See e.g. CCMC Minutes of Meeting issued by the Baath Party “Syrian Arab Region - Regional Command”, 23 April 2011, appended to Brown Expert Report, Ex. C-129 (noting the attendees who spoke at the meeting, including Assistant Regional Secretary, the Minister of Defence, the Minister of the Interior, the Head of the NSB, the Director



of the General Intelligence Directorate, the Head of the Military Intelligence Department, the Head of the Political Security Department, and the Director of the Air Force Intelligence Directorate.). *See also* Barakat Declaration, para. 12; *Eyad A. Judgment*, p. 15; Brown Expert Report, para. 46.

<sup>830</sup> *See e.g.* CCMC Decision #3370/30, 23 June 2011, SJAC Ref. No. DOC.2013.B031.F052.0001 [IIIM Ref. No. ED00674275, IIIM English unofficial translation TR00000624] (referencing CCMC Decision to arrest all instigators and financiers and distribute their names to security agencies, signed by the Head of the CCMC.); Communication from the Head of Military Intelligence Branch 294 to heads of all branches, 2 September 2011, appended to Brown Expert Report, Ex. C-38 (This communication was also addressed to Bureau of the Head of the Military Intelligence Department and Deputy Head of the Military Intelligence Department, referencing a meeting of the CCMC in which the results of the security branches' work was discussed.); Circular from Head of the NSB to the Head of the CCMC, Minister of the Interior, Head of the Military Intelligence Department, Head of General Intelligence Directorate, Head of Political Security Department, and Head of Air Force Intelligence Directorate, 24 December 2011, SJAC Ref. No. DOC.2013.B031.F028.0001 [IIIM Ref. No. ED00674234, IIIM English unofficial translation TR00000612] (deciding to study in depth the security situation in the governorate to categorise future missions by degree of importance and danger and recalling the necessity of avoiding setbacks and individual actions in the execution of joint operations which lead to needless losses); Circular from NSB, 3 February 2012, appended to Brown Expert Report, Ex. C-70 (A copy of the NSB Circular was sent to the Head of the CCMC (for information), Minister of the Interior, Head of the Military Intelligence Department, Head of General Intelligence Directorate, Head of the Political Security Department, and Head of the Air Force Intelligence Directorate. This NSB Circular was also to be disseminated to the various branches within the Political Security Department. It refers to the CCMC minutes of a meeting held on 1 February 2012, to discuss the outcomes of security and military actions at the country level and to guide the military and security commanders towards undertaking certain measures.); Circular from NSB, 13 February 2012, appended to Brown Expert Report, Ex. C-81 (A copy of the NSB Circular was sent to the Head of the CCMC (for information), to the Minister of the Interior, Head of the Military Intelligence Department, Head of the General Intelligence Directorate, Head of the Political Security Department, and Head of the Air Force Intelligence Directorate. This NSB circular was also forwarded on 14 February by the Political Security Department to the Heads of Political Security branches in the "centre" and in the governorates.). *See also* Barakat Declaration, para. 22; Brown Expert Report, para. 55.

<sup>831</sup> *See e.g.* Communication from Military Intelligence Branch 227 to Branch 294, 29 April 2012, CIJA Ref. Nos. SYR.D0058.188.002-003 [IIIM Ref. Nos. ED00177004-ED00177005, CIJA English translation ED00798836-ED00798837] (providing information about a new Kurdish party established in Syria, as well as its members, and proposing to inform the NSB through Branch 294). *See also* Barakat Declaration, para. 15.

<sup>832</sup> Up until July 2012, the NSB, or *Maktab Al-Amn Al-Qoumi* in Arabic, was an official organ of the Baath Party, which was referenced in its headers. *See e.g.* Communication from NSB to the Minister of the Interior, 9 July 2011, CIJA Ref. No. SYR.D0178.002.001 [IIIM Ref. No. ED00521089, CIJA English translation ED00800569]. *See below* endnote 839 (referring to change in name).

<sup>833</sup> Legislative Decree 36 of 2009 [unpublished], CIJA Ref. Nos. SYR.D0269.001.002-004 [IIIM Ref. Nos. ED00718965-ED00718967, IIIM English unofficial translation TR00000585-TR00000587] (Article 16 of Legislative Decree 36 of 2009 states that the decree shall not be published and is in effect as of its date of issuance, on 11 June 2009. The copy of the unpublished decree was obtained from CIJA.); IIIM audio-recorded interview with B068019, IIIM Ref. Nos. XXX27-XXX40, at XXX29; Witness interview record, IIIM Ref. No. XXX39, paras. 30-33 (mentioning the establishment, leadership and composition of the NSB). *See also* *Eyad A. Judgment*, p. 10.

<sup>834</sup> *See e.g.* Communication from the NSB to the Secretary of the Raqqa Branch of the Baath Party (Head of Raqqa Security Committee), 15 December 2011, SJAC Ref. No. DOC.2013.B031.F087.0001 [IIIM Ref. No. ED00674324, IIIM English unofficial translation TR00000614] (referencing the 12 December 2011 CCMC meeting); Communication from NSB to the Secretary of the Idlib Branch (Head of Idlib Security Committee), 15 December 2011, CIJA Ref. No. SYR.D0178.002.031 [IIIM Ref. No. ED00521119, CIJA English translation ED00800579] (referencing the 12 December 2011 CCMC meeting). *See also* Barakat Declaration, para. 11.



<sup>835</sup> Communication from the NSB to the Head of Raqqa Security Committee, 15 December 2011, SJAC Ref. No. DOC.2013.B031.F087.0001 [IIIM Ref. No. ED00674324, IIIM English unofficial translation TR00000614] (referencing CCMC Meeting of 12 December 2011 and acknowledging that members of the security forces are arresting people who had nothing to do with protests, and raiding houses to make arrests for protesting. It also notes the failure to communicate properly with families and concealing information from them.).

<sup>836</sup> Communication from NSB to the Minister of Justice, 2 September 2012, SJAC Ref. No. DOC.2015.B0001.F094.0004 [IIIM Ref. No. ED00675369, IIIM English unofficial translation TR00000576] (instructing the Minister of Justice to inform all public prosecutors not to release detainees, who were previously referred to the State Security Court or field courts and held in civilian courts “for long periods”, before consulting the authority that arrested them. This is to allow the NSB to assess their situation so that the appropriate decision can be made in each case.).

<sup>837</sup> Circular from NSB copied to Head of the CCMC, Minister of the Interior, Head of the Military Intelligence Department, Head of General Intelligence Directorate, Head of Political Security Department, and Head of Air Force Intelligence Directorate, 24 December 2011, SJAC Ref. No. DOC.2013.B031.F028.0001 [IIIM Ref. No. ED00674234, IIIM English unofficial translation TR00000612] (referencing CCMC Meeting of 21 December 2011, which discussed search campaigns for wanted individuals); Circular from NSB copied to Head of the CCMC, Minister of the Interior, Head of the Military Intelligence Department, Head of the General Intelligence Directorate, Head of the Political Security Department, and Head of the Air Force Intelligence Directorate, 13 February 2012, SJAC Ref. No. DOC.2013.B031.F020.0001 [IIIM Ref. No. ED00674223, IIIM English unofficial translation TR00000611] (referencing CCMC Meeting of 11 February 2012, which includes instructions to intensify search/raid/arrest operations in Zabadani).

<sup>838</sup> Circular from Military Intelligence Branch 243, 18 January 2011, appended to Brown Expert Report, Ex. C-32 (referencing Circular Number /344/, dated 17/1/2011, issued by the Head of the Military Intelligence Department, and based on the instructions of the NSB to Security Committees in the governorates regarding the distribution of security sectors, how they are covered by security agencies, and the responsibility of each agency for what happens in its security sector); Communication from the Deir-Ezzor Head of Political Security Branch to all Political Security sections and detachments, 13 June 2012, CIJA Ref. No. SYR.D0087.060.014 [IIIM Ref. No. ED00265342, CIJA English translation ED00799504] (referencing Circular 34980/ ح.و, dated 27 September 2011, regarding the information received by NSB about the activities of the Muslim Brotherhood); Circular from Branch 294 to Branches of Military Intelligence, 15 May 2011, CIJA Ref. Nos. SYR.D0043.004.045-048 [IIIM Ref. Nos. ED00136908-ED00136911, CIJA English translation ED00798495-ED00798498] (referencing NSB letter 154/8/AQ dated 13 May 2011 requesting to abandon the previous instructions and replace them with the new ones).

<sup>839</sup> The creation of the new NSB in mid-2012 appears to have been a delayed implementation of Legislative Decree 36 of 2009, as the 2009 decree mandated the creation of the new NSB, but it was not implemented until mid-2012. *See* Legislative Decree 36 of 2009, Article 1, CIJA Ref. Nos. SYR.D0269.001.002-004 [IIIM Ref. Nos. ED00718965-ED00718967, IIIM English unofficial translation TR00000585-TR00000587]. Sometime between 18 July and 18 August, the old NSB appeared to be replaced by a new body called the *Maktab Al-Amn Al-Watani* (Arabic), *see* Circular from Military Intelligence Department, 18 August 2012, CIJA Ref. No. SYR.D0197.046.003 [IIIM Ref. No. ED00572038] (showing a document with the earliest known reference to the renamed NSB). The title of this new body also translates to “National Security Bureau” in English, but uses a different synonym of the word “national” in Arabic. It uses the conventional Arabic word for “national”, which is *Watani* / وطني. This version of the word is not linked to Baath Party ideology or Arab nationalism. In addition to the title of the NSB, the header of NSB documents changed. In new NSB document headers, the NSB was no longer listed as an organ of the Baath Party, only the “Syrian Arab Republic”, indicating that it was directly subordinate to the President. *See e.g.* NSB instruction to heads of the four intelligence agencies, 9 August 2014, SNHR collection [IIIM Ref. No. ED00830207, IIIM English unofficial translation TR00000623]; NSB instruction to the Minister of Justice, 2 September 2012, SJAC Ref. No. DOC.2015.B0001.F094.0004 [IIIM Ref. No. ED00675369, IIIM English unofficial translation TR00000576]; NSB communication to the Head of Air Force Intelligence, 20 October 2012, SNHR collection [IIIM Ref. No. ED00829575].



<sup>840</sup> Legislative Decree 36 of 2009, Article 1, CIJA Ref. No. SYR.D0269.001.002 [IIIM Ref. Nos. ED00718965-ED00718967, IIIM English unofficial translation TR00000585-TR00000587].

<sup>841</sup> Communication from Head of General Intelligence Branch 285 to the heads of governorate branches, Branches 251, 255, 279, and 300, 11 August 2014, SNHR collection [IIIM Ref. Nos. ED00830206-ED00830207, IIIM English unofficial translation TR00000622-TR00000623] (forwarding instructions from Head of the NSB to the Heads of the General Intelligence Directorate, Political Security Department, Air Force Intelligence Directorate, and Military Intelligence Department, in which NSB Head instructs recipients to send as quickly as possible the lists of the names of the persons, organisations, bodies, and associations that have been proven through interrogations or confirmed information to have funded the terrorist groups in the country.); Circular from the Head of the Military Intelligence Department (via Branch 294) to branches of the Military Intelligence Department, 2 August 2012, CIJA Ref. No. SYR.D0197.052.010 [IIIM Ref. No. ED00572215, CIJA English translation ED00801064] (referencing the NSB letter of 29 July 2012 containing a disk with unified lists of names of wanted persons from all security agencies, and requesting updates to the list and work of each section on arrests); Communication from the NSB to the Head of Daraa Security Committee, 16 August 2012, CIJA Ref. No. SYR.D0208.020.019 [IIIM Ref. No. ED00600087, CIJA English translation ED00801182] (providing instructions regarding the formation of popular army battalions in the governorates and their tasks, including supporting the tasks of security branches in the governorate; and requiring the NSB to be provided with the Security Committee meeting minutes and to be informed of weapons requirements); Memorandum from Military Intelligence Branch 248 to the Head of the Military Intelligence Department, 21 November 2012, CIJA Ref. Nos. SYR.D0197.053.020-021 [IIIM Ref. Nos. ED00572250-ED00572251, CIJA English translation ED00801066-ED00801067] (referencing previous decisions of the NSB [before and after the name change] to monitor telephone numbers and internet lines and supply information to the NSB regarding money laundering and smuggling currency “in order to take legal action against them in coordination and collaboration with the other security agencies”).

<sup>842</sup> See e.g. Instruction from the Head of the NSB to the Minister of Justice, 2 September 2012, SJAC Ref. No. DOC.2015.B0001.F094.0004 [IIIM Ref. No. ED00675369, IIIM English unofficial translation TR00000576] (requesting instruction to prosecutor-generals [public prosecutors] in all governorates not to release detainees “who were previously transferred to the State Security Court or the Field Court for offences relating to State security and then remanded to civilian prisons” without consulting with “the authority that arrested them” to allow the NSB to “assess their situations so that the appropriate decision can be made in each case.” The instruction was forwarded on from the Head of the Political Security Department to the heads of the Political Security Department at the headquarters and in the governorates for review and necessary action.); Letter from Head of Military Intelligence Branch 248 to Branch 235, 12 March 2013, CIJA Ref. No. SYR.D0181.042.030 [IIIM Ref. No. ED00532720, CIJA English translation ED00800822] (instructing the recipient to attend to the conditions of foreign detainees from non-Syrian nationalities “to avert any fatal deteriorations” and notify Branch 248 immediately of any death in order to ask to Medical Services Administration to keep the body until the matter is presented to the Head of the Military Intelligence Department and the NSB “to make the proper decision in its regard.” A copy of the letter is sent to all Military Intelligence branches and Committees in Branches [illegible] and 293.). Medical Services Directorate and Medical Services Administration refer to the same entity [إدارة الخدمات الطبية].

<sup>843</sup> The latest document found in the Mechanism’s Central Repository referencing the NSB is dated sometime in early 2015. See Communication from the Head of the Political Security Department to heads of various Political Security branches, dated 2015 (month and day not filled in), SJAC Ref. No. DOC.2015.B0002.F175.0001, IIIM Ref. No. ED00677661 (Although the precise date is not filled in, a handwritten note by one of the document’s recipients is dated 7 January 2015 and the fax header indicates a date of 07 January 2015.).

<sup>844</sup> SANA Article (2024) [IIIM Ref. No. OS00005422] (The meeting was also attended by the Head of the NSB as well as the Security Affairs Advisor in the General Secretariat for the Presidency of the Republic.).

<sup>845</sup> Minutes of Meeting of Deir-Ezzor Security Committee, 25 May 2010, CIJA Ref. Nos. SYR.D0080.051.006-013 [IIIM Ref. Nos. ED00250498-ED00250505, CIJA English translation ED00799318-ED00799325] (referencing the Minutes of Meeting of Deir-Ezzor Security Committee on 25 May 2010, showing an identical structure and process



to that operating a year later, when the security situation in the area had significantly changed). *See also* Brown Expert Report, paras. 97-102.

<sup>846</sup> Minutes of Meeting of Rif Dimashq (Damascus Countryside) Security Committee, 7 August 2011, CIJA Ref. Nos. SYR.P0001.001.049-050 [IIIM Ref. Nos. ED00794929-ED00794930] (showing that the meeting was chaired by the Governorate Baath Party Secretary, who was also the Head of Rif Dimashq Security Committee); Minutes of Meeting of Raqqa Security Committee, 22 April 2011, CIJA Ref. Nos. SYR.E0006.001.031-032 [IIIM Ref. Nos. ED01413303-ED01413304, CIJA English translation ED00802555-ED00802556] (showing that the meeting was chaired by the Governorate Baath Party Secretary, who was also the Head of Raqqa Security Committee); Communication from the Head of the Idlib Security Committee to the NSB, 23 April 2011, appended to Brown Expert Report, Ex. C-124 (showing the measures decided upon in the Security Committee meeting on 23 April 2011, signed by the Governorate Baath Party Secretary, who was also the Head of Idlib Security Committee). *See also* Brown Expert Report, paras. 98-99.

<sup>847</sup> *See e.g.* Minutes of Meeting of Raqqa Security Committee, 15 May 2011, CIJA Ref. No. SYR.E0006.001.010 [IIIM Ref. No. ED01413280, CIJA English translation ED00802534] (Reporting on the situation in the city of al-Thawrah, the Committee asserted “the continued arrest of wanted persons and instigators who participated in the demonstrations and offended the country and its leader, and underlined the firm and speedy execution of this mission through patrols and security roadblocks.”).

<sup>848</sup> Minutes of Meeting of Deir-Ezzor Security Committee, 30 March 2011, CIJA Ref. Nos. SYR.D0080.051.095-099 [IIIM Ref. Nos. ED00250587-ED00250591, CIJA English translation ED00799352-ED00799356] (stating that “checkpoints are being set at the city entry points and patrols are circulating in the city”); Minutes of Meeting of Raqqa Security Committee, 5 May 2011, CIJA Ref. No. SYR.E0006.001.006 [IIIM Ref. No. ED00805459, CIJA English translation ED00802530] (stating that “the Security Committee discussed the security situation in the governorate and the need was emphasized for securing the entrances of the city on all sides out of fear of the entry of saboteurs or terrorists to the governorate.” It was decided to distribute security and police patrols in Raqqa Governorate.).

<sup>849</sup> Minutes of Meeting of Deir-Ezzor Security Committee, 14 April 2011, appended to Brown Expert Report, Ex. C-78 (noting the attendees including Governor of Deir-Ezzor, Commander of the Eastern Region, Governorate Police Commander, Head of Military Intelligence Branch 243, Head of the Air Force Intelligence Branch, Head of the Military Police Branch, Head of the General Intelligence Branch, and Head of the Political Security Branch); Minutes of Meeting of Raqqa Security Committee, 10 May 2011, appended to Brown Expert Report, Ex. C-184 (noting the attendees including Governor of Raqqa, Police Commander for the Raqqa Governorate, Head of the Political Security Branch in Raqqa, Head of the State Security Branch in Raqqa, Head of the Air Force Intelligence Section in Raqqa, Head of the Military Security Section in Raqqa, and Commander of the Raqqa/Military/Police Post); Communication from Military Intelligence Branch 271 to Branch 294, 18 June 2011, CIJA Ref. No. SYR.D0185.089.024 [IIIM Ref. No. ED00835917, CIJA English translation ED00800946] (referencing the Idlib Security Committee Meetings, held on 2 June 2011 and 4 June 2011, attended by the Secretary of the Party Branch in Idlib, Governor of Idlib, Head of Branch 271, Head of Political Security Branch Idlib, Police Commander of Idlib Governorate, Head of General Intelligence Branch Idlib, Head of Air Force Intelligence Section Idlib, a Military Police Commander in Idlib, and Head of Communications Group in Northern Region); Minutes of Meeting of Deir-Ezzor Security Committee, 10 June 2011, CIJA Ref. Nos. SYR.D0080.051.189-191 [IIIM Ref. Nos. ED00250681-ED00250683, CIJA English translation ED00799389-ED00799391] (noting the attendees including Governor of Deir-Ezzor, Commander of the Eastern Region, Commander of Deir-Ezzor Police, Head of Military Intelligence Branch 243, Head of Air Force Intelligence Branch, Head of Military Police Branch, Head of General Intelligence Branch, and Head of Political Security Branch); Minutes of Meeting of Rif Dimashq (Damascus Countryside) Security Committee, 7 August 2011, CIJA Ref. Nos. SYR.P0001.001.049-050 [IIIM Ref. Nos. ED00794929-ED00794930] (noting the attendees including Governor of Rif Dimashq, Police Commander of Rif Dimashq, Head of Political Security Branch, a Brigadier General from the Military Intelligence, a Colonel from Air Force Intelligence, and a Lieutenant Colonel from Branch 251).

<sup>850</sup> *See* Sections IV.B.6 (Joint Investigation Committees), IV.H. (Pro-Government militias).

<sup>851</sup> *See e.g.* Minutes of Meeting of Deir-Ezzor Security Committee, 25 March 2011, appended to Brown Expert Report, Ex. C-77 (The Head of the Interim Committee referred to Letter 4886, dated 12 March 2011, issued from the Head of



Military Intelligence Branch 243, regarding the need to follow the instructions of the NSB about summons and arrests.); Communication from the Head of the Idlib Security Committee to the NSB, 23 April 2011, appended to Brown Expert Report, Ex. C-124 (referencing the decisions taken during the meeting of the Security Committee dated 23 April 2011 and requesting the NSB to reinforce Idlib Governorate with military units and necessary equipment); Minutes of Meeting of Rif Dimashq (Damascus Countryside) Security Committee, 7 August 2011, CIJA Ref. Nos. SYR.P0001.001.049-050 [IIIM Ref. Nos. ED00794929-ED00794930] (The attendees discussed the letter from the NSB, number N.A./8/A.Q., dated 6 August 2011, concerning the repercussions of the crisis facing the country and the request to organise joint daily security campaigns to raid the locations of wanted persons, particularly those inciting demonstrations. After discussing the contents of the letter, what is required from everyone, and the mechanism for implementing the content of the letter, the Security Committee decided to hold another meeting to discuss the action mechanism in detail after contacting the CCMC and understanding what the Security Committee needs to do.)

<sup>852</sup> Communication from Military Intelligence Branch 294, 17 August 2011, appended to Brown Expert Report, Ex. C-40 (attaching a Communication from NSB dated 6 August 2011, in which the NSB directs the Security Committees to “launch daily joint security-military campaigns in key security sectors of your choice as per security priorities”.); Minutes of Meeting of Rif Dimashq (Damascus Countryside) Security Committee, 7 August 2011, CIJA Ref. Nos. SYR.P0001.001.049-050 [IIIM Ref. Nos. ED00794929-ED00794930] (The attendees discussed the NSB’s letter, dated 6 August 2011, concerning the repercussions of the crisis facing the country and the request to organise joint daily security campaigns to raid the locations of wanted persons, particularly those inciting demonstrations.)

<sup>853</sup> Communication from Military Intelligence Branch 294, 17 August 2011, appended to Brown Expert Report, Ex. C-40 (attaching a communication from NSB dated 6 August 2011, in which NSB directs the Security Committees to “Supply the Head of the National Security Bureau with a daily report on the results of the search, including the names of wanted persons who are arrested, seized weapons, the losses resulting from the security campaign and an overall evaluation of the campaign results”).

<sup>854</sup> Communication from Idlib Security Committee to the Head of the NSB, 23 April 2011, appended to Brown Expert Report, Ex. C-124 (informing the Head of the NSB of the decision to arrest instigators who stir up unrest and present them to the judiciary via coordination between all security agencies, and requesting reinforcements of military units and equipment in the Idlib governorate due to the increasing number of demonstrations and demonstrators in all districts of the governorate).

<sup>855</sup> This development is detailed in CCMC meetings in October and November 2011, which initially appointed such commanders in “hot” governorates such as Idlib, Homs, and Hama. CCMC Minutes of Meeting issued by the Baath Party “Syrian Arab Region - Regional Command”, 27 October 2011, appended to Brown Expert Report, Ex. C-178 (referencing CCMC Meeting held on 26 October 2011, in which it was decided to appoint “Comrade Major General Head of the Political Security Department to command security agencies and armed forces units present in the governorate of Homs, and vesting him with full powers to take the necessary legal measures against any offender or anyone who acts with laxity”); CCMC Minutes of Meeting issued by the Baath Party “Syrian Arab Region - Regional Command”, 22 November 2011, appended to Brown Expert Report, Ex. C-180 (referencing CCMC Meeting held on 21 November 2011, in which the CCMC noted “the positive impact of appointing military commanders with recognized competence and experience to command operations, especially in hot governorates; vesting them with the power to command all superiors and heads of civil, military and security agencies in the district” and also deciding to assign the Minister of Defence to propose “the appropriate commanders for operations in hot governorates (Idlib - Hama - Homs ...etc).”). See also Brown Expert Report, paras. 113-119.

<sup>856</sup> See Letter from Head of the Hama Joint Investigation Committee to the Security and Military Chief in the Hama Governorate, 2012 (date not filled in), CIJA Ref. No. SYR.E0002.001.004 [IIIM Ref. No. ED00780869, CIJA English translation ED00802379] (Letter from the Head of the Hama Joint Investigation Committee addressed to the Security and Military Chief in Hama Governorate, complaining that many detainees being brought before the Committee were severely beaten by security agencies before being handed over, including some who received permanent disabilities from the beating, and that it was impossible to interrogate them due to their poor medical conditions.); Letter from Head of the Hama Joint Investigation Committee to the Security and Military Chief in the Hama Governorate, 2012 (date not filled in), CIJA Ref. No. SYR.E0002.001.001 [IIIM Ref. No. ED00780866, CIJA English translation





ED00802377] (Letter from the Hama Joint Investigation Committee Head to the Security and Military Chief recommending that he instruct the heads of the security branches to stop investigating certain named individuals as the charge against them was a mere defamation.).

<sup>857</sup> Administrative Order from the General Command of the Army and Armed Forces to the Special Forces Commander, 26 November 2011, appended to Brown Expert Report, Ex. C-120 (referencing a Presidential order appointing the commander in Idlib in late-November 2011). *See also* Brown Expert Report, para. 120.

<sup>858</sup> Communication from Military Intelligence Branch 294, 17 August 2011, appended to Brown Expert Report, Ex. C-40 (attaching a communication from NSB sent on 6 August 2011 to Comrade Secretary of the Party in the Governorate of Hama - Rif Dimashq - Deir-Ezzor - Homs - Idlib - Daraa, instructing them to “[e]stablish a joint investigation committee at the governorate level that includes representatives from all security branches and the Criminal Security Branch. All persons arrested in security campaigns shall be referred to this committee for interrogation. The results of these interrogations shall be sent to all security branches so that they can be used in identifying and seriously pursuing new targets, with an interest in investigations to find and arrest members of local coordinating committees.”).

<sup>859</sup> Communication from Military Intelligence Branch 294, 17 August 2011, appended to Brown Expert Report, Ex. C-40 (attaching a communication from NSB sent on 6 August 2011, stating that “the Central Crisis Management Cell discussed the gravity and consequences of the laxness in handling the crisis in the region, and the poor coordination and cooperation among security agencies in sharing information and the results of the ongoing investigations, which prolongs the events and increases the human and material losses, and allows armed gangs to keep perpetrating hijackings, lootings, killings and intimidating the public.”).

<sup>860</sup> *See e.g.* Letter from Head of the Hama Joint Investigation Committee to the Security and Military Chief in the Hama Governorate, 2012 (date not filled in), CIJA Ref. No. SYR.E0002.001.004 [IIIM Ref. No. ED00780869, CIJA English translation ED00802379]; Letter from Head of the Hama Joint Investigation Committee to the Security and Military Chief in the Hama Governorate, 2012 (day and month not filled in), CIJA Ref. No. SYR.E0002.001.001 [IIIM Ref. No. ED00780866, CIJA English translation ED00802377] (Both letters refer to a Joint Investigation Committee in Hama.).

<sup>861</sup> Communication from the Head of the Joint Investigation Committee to the Head of the Political Security Branch in Deir-Ezzor, 18 April 2012, CIJA Ref. No. SYR.D0100.028.108 [IIIM Ref. No. ED00287998] (Document refers to a Joint Investigation Committee in Deir-Ezzor.).

<sup>862</sup> CCMC Minutes of Meeting issued by the Baath Party “Syrian Arab Region - Regional Command”, 25 August 2011, appended to Brown Expert Report, Ex. C-173 (referencing the CCMC Meeting held on 24 August 2011, in which it was decided that a Joint Investigation Committee was to be established in Homs).

<sup>863</sup> *See e.g.* Communication from the Security Operations Commander in the Idlib Governorate to the heads of local security branches in Idlib, 29 April 2012, CIJA Ref. No. SYR.D0179.044.018 [IIIM Ref. No. ED00524912, CIJA English translation ED00800702] (referring to a Joint Investigation Committee and listing its members, stating that it would interrogate detainees at the Criminal Security Branch).

<sup>864</sup> *See* Communication from the Head of the Political Security Branch of Raqqa to the Head of the Political Security Department, 22 August 2011, CIJA Ref. No. SYR.D0077.190.006 [IIIM Ref. No. ED00243038, CIJA English translation ED00799180] (The Head of the Political Security Branch in Raqqa stated that an Investigation Committee was created in Raqqa on 24 June 2011. This Investigation Committee was based at the Criminal Security Branch, and its membership included the heads of the Investigation Sections from the security agencies [referring to local security branches and detachments].).

<sup>865</sup> *See* Collection of 24 reports of interrogations conducted by the Investigation Committee in Aleppo in December 2011, CIJA Ref. No. SYR.D0128.106 (Document folder predominantly consisting of these documents) [IIIM Ref. Nos. ED00359903-ED00359904; ED00359905-ED00359906; ED00359907-ED00359908; ED00359909-ED00359912; ED00359913-ED00359915; ED00359918-ED00359919; ED00359920-ED00359923; ED00359924-ED00359927; ED00359928-ED00359929; ED00359930-ED00359931; ED00359932-ED00359933; ED00359934-ED00359935; ED00359936-ED00359938; ED00359939-ED00359940; ED00359954-ED00359955; ED00359956-ED00359957; ED00359958-ED00359959; ED00359960-ED00359962; ED00359963-ED00359964; ED00359965-



ED00359966; ED00359967-ED00359969; ED00359970-ED00359971; ED00359972-ED00359974; ED00359975-ED00359976] (Each report states that the Aleppo Investigation Committee was formed on 6 May 2011, bringing together representatives from each of the different intelligence and security branches in Aleppo into one committee to investigate “instances of riots and those detained for the crime of demonstrating, inciting riots, destruction of public property, and scaring people.”). The Investigation Committee is referred to as the “Security Committee” by defectors. It is assessed to be the same entity, as it has the same functions and same composition. *See* Witness interview record, IIIM Ref. No. XXX70, p. 5; Witness interview record, IIIM Ref. No. XXX63, pp. 4-5.

<sup>866</sup> *See e.g.* Communication from the Head of the Political Security Branch in Raqqa to Head of Political Security Department, 29 September 2011, CIJA Ref. Nos. SYR.D0077.223.001-020 [IIIM Ref. Nos. ED00243343-ED00243362, CIJA English translation ED00799225-ED00799244] (List of 324 names of people who had been detained by the Joint Investigation Committee); Communication from the Head of the Deir-Ezzor Joint Investigation Committee to the Head of Political Security Branch in Deir-Ezzor, 25 November 2011, CIJA Ref. No. SYR.D0100.028.012 [IIIM Ref. No. ED00287902] (showing the number of detainees arrested for the Joint Investigation Committee from 7 August 2011 to 25 November 2011. The total number of people arrested is 1725. The total number of individuals brought to justice is 1379 individuals. The total number of people released is 73 individuals. The total number of individuals under investigations is 273.). *See also* [REDACTED]; Witness interview record, IIIM Ref. No. XXX35.

<sup>867</sup> The Military Intelligence Department has been an established part of the Syrian Army and Armed Forces since at least 1949. It was formerly known as the Deuxième Bureau (Second Department). As a military structure, the Military Intelligence Department is under the command of the Commander-in-Chief, President al-Assad. Legislative Decree 151 of 1949, Article 9(b) [IIIM Ref. No. OS00004870, IIIM English unofficial translation TR00000680] (Article 9(b): “Second Department: The duties of the Department shall be gathering information and intelligence about the organization and mobilization of foreign armies; investing such information and intelligence; military intelligence; counter-espionage; censorship of printed matter and publications; ensuring the safety and security of the army in general; organizing information networks abroad; affairs of prisoners of war; protocols and ceremonies; and observation of the provisions of international laws from a military perspective. The Department of Codes shall report to this Department.”).

<sup>868</sup> The header of documents issued by the Air Force Intelligence Directorate shows that it is under the Air Force and Air Defence Command, which falls under the Army and the Armed Forces. *See* Communication from the Air Force Intelligence Directorate to the different regions and branches, 27 July 2011, CIJA Ref. No. SYR.D0088.009.015 [IIIM Ref. No. ED00267991, CIJA English translation ED00799546].

<sup>869</sup> Legislative Decree 10 of 1970 [IIIM Ref. No. OS00004873] (Initially known as the State Security, it was renamed the General Intelligence Directorate. The Syrian Parliament website published the title of the decree, “Amending the name of State Security Directorate to General Intelligence Directorate” but did not publish the articles. An image of this full decree is pictured in Jaber Baker & Uğur Ümit Üngör, *Syrian Gulag: Inside Assad’s Prison System* (2023), p. 99. The letterhead of General Intelligence documents shows that it is directly subordinate to the “Syrian Arab Republic”, indicating that it is directly subordinate to the President with no intervening ministry or government department. *See e.g.* Communication from Head of General Intelligence Directorate Branch 315 to the Commander of the Security Group in the Governorate of Daraa, 23 August 2011, appended to Brown Expert Report, Ex. C-62. *See also* *Eyad A. Judgment*, pp. 31, 59, 63.

<sup>870</sup> The Political Security Department is a component of the Internal Security Forces, under the Minister of the Interior. *See* Legislative Decree 1 of 2012, Article 6(1)(a) [IIIM Ref. No. OS00004869, IIIM English unofficial translation TR00000681].

<sup>871</sup> *See e.g.* CCMC Minutes of Meeting issued by the Baath Party “Syrian Arab Region - Regional Command”, 23 April 2011, appended to Brown Expert Report, Ex. C-129 (The heads of the NSB and the four intelligence agencies participated in the CCMC meeting and provided remarks on the security situation); Circular from Head of the NSB copied to the Head of the CCMC, Minister of the Interior, Heads of the Military Intelligence Department, General Intelligence Directorate, Political Security Department and Air Force Intelligence Directorate, 24 December 2011, SJAC Ref. No. DOC.2013.B031.F028.0001 [IIIM Ref. No. ED00674234, IIIM English unofficial translation



TR00000612] (referencing CCMC meeting held on 21 December 2012, discussing the results of the search operations for wanted persons in the flashpoint governorates such as Homs, Daraa, Deir-Ezzor, and Rif Dimashq, and communicating decisions in relation to future missions and joint operations).

<sup>872</sup> See e.g. Communication from the Head of Military Intelligence Branch 243 to all sections and detachments of Military Intelligence Branch 243, 21 September 2011, CIJA Ref. Nos. SYR.D0043.004.053-060 [IIIM Ref. Nos. ED00136916-ED00136923, CIJA English translation ED00798499-ED00798505] (attaching security-related recommendations from the Head of the NSB to the Head of the CCMC, indicating that they are for “information, necessary action, follow-up and reporting back”); Circular from Head of the NSB, 22 January 2012, SJAC Ref. No. DOC.2013.B031.F098.0001 [IIIM Ref. No. ED00674343] (NSB Circular distributing a CCMC instruction, with this copy addressed to the Director of Air Force Intelligence. A handwritten note below it reads: “Comrades heads of branches and sections in the Directorate to abide by the content of this circular [illegible] and implement its content and present afterwards.” The signature below this handwritten note strongly resembles a signature on another document from Major General Jamil Al-Hassan, Head of the Air Force Intelligence Directorate, indicating that this handwritten instruction is likely from Al-Hassan and addressed to his subordinates.). See Air Force Intelligence Memorandum, 10 February 2012, CIJA Ref. No. SYR.D0181.053.008 [IIIM Ref. No. ED00533339]; Circular from Head of the NSB, distributed by Head of Political Security Department to heads of all Political Security branches, 24 January 2012, CIJA Ref. No. SYR.D0077.043.005 [IIIM Ref. No. ED00241654, CIJA English translation ED00799116] (NSB circular distributing a CCMC instruction, followed by an attached order from the Head of the Political Security Department instructing subordinate branches to review and “provide a plan of action based on the paragraphs of the circular and present it to the Head of the [Political Security] Department within a week”).

<sup>873</sup> Government documents supporting each of these functions are discussed in Section V of the Report.

<sup>874</sup> Circular from Head of Political Security Department to heads of the Political Security branches in the centre and the governorates, 28 April 2011, FSLA collection [IIIM Ref. No. ED00862913\_00011] (indicating that, following the end of the State of Emergency, recipients should cease requesting military detention and present anyone detained militarily to the relevant courts); Circular from Head of Air Force Intelligence Investigation Branch to 10 other Air Force Intelligence branches and sections, 27 July 2011, CIJA Ref. No. SYR.D0088.009.015 [IIIM Ref. No. ED00267991, CIJA English translation ED00799546] (showing a number of Air Force Intelligence regional command and central branches; transferring a list of names of wanted persons in Idlib governorate to be circulated to all the branches and checkpoints); Circular from the Head of the Military Intelligence Department sent by Military Intelligence Branch 248, 18 October 2012, CIJA Ref. No. SYR.D0197.054.026 [IIIM Ref. No. ED00572281, CIJA English translation ED00801072] (Military Intelligence Department circular prohibiting detainees from communicating with anyone without a decision by the Head of the Department, to be sent to “all central and external branches”, and the Committees formed at Branches 291 and 293). See also Circular from the Director of the General Intelligence Directorate, 21 September 2011, SNHR collection [IIIM Ref. No. ED00829299] (General Intelligence Directorate circular sent from Branch 255 (Information Branch) and signed by the Head of the General Intelligence Directorate. Recipients include all the central and governorate branches of the General Intelligence Directorate.).

<sup>875</sup> There are exceptions to this. For example, the Military Intelligence Department did not have a branch in Daraa, but a section was subordinate to its branch in Suweida (Military Intelligence Branch 265). Similarly, the Military Intelligence Department did not have a branch in Raqqa, but a section was subordinate to its branch in Deir-Ezzor (Military Intelligence Branch 243).

<sup>876</sup> One notable difference between the agencies is the designation of branches by number in the Military Intelligence Department and the General Intelligence Directorate, but not in the Political Security Department or the Air Force Intelligence Directorate, which used place names. Another is that unlike the other three agencies, the Air Force Intelligence Directorate operated five “regional” command layers between the centre and the governorates, known as the central, southern, northern, eastern, and coastal regions. This structure reflects the strategic division of Syria into these five military regions.

<sup>877</sup> See below Section V.B.

<sup>878</sup> See Annex B, listing subset of detaining entities verified in Government documents within the Central Repository.

<sup>879</sup> See Annex B, listing subset of detaining entities verified in Government documents within the Central Repository.



<sup>880</sup> See Annex B, listing subset of detaining entities verified in Government documents within the Central Repository.

<sup>881</sup> See Annex B, listing subset of detaining entities verified in Government documents within the Central Repository.

<sup>882</sup> See Annex B.

<sup>883</sup> See Sections III.D.3, F and Sections V.E., G (describing the process of interrogation under torture and producing interrogation/investigation reports for distribution and use).

<sup>884</sup> Military Police Circular relaying instructions issued by the Chief of the General Staff, 4 January 2014, CIJA Ref. No. SYR.D0193.006.040 [IIIM Ref. No. ED00559262] (Document shows Military Police under the General Command of the Army and Armed Forces in the header.).

<sup>885</sup> IIIM audio-recorded interview with B068019, IIIM Ref. Nos. XXX27-XXX40, at XXX29, at XXX32. See also Witness interview record, IIIM Ref. No. XXX04, p. 5; Witness interview record, IIIM Ref. No. XXX49, p. 4; Telegram from Idlib Police Branch signed by the Commander of Military Police post in Idlib, 29 December 2013, CIJA Ref. No. SYR.D0180.047.009 [IIIM Ref. No. ED00528879] (informing different Government entities that a deserter was arrested based on a warrant against them and that they will be transferred to the Single Judge in Idlib); Telegram from Military Criminal Investigations Branch of the Military Police to the Police Commander in Idlib, 27 November 2014, CIJA Ref. No. SYR.D0194.006.006 [IIIM Ref. No. ED00562867] (informing of an arrest and approving the request to cancel the search warrant).

<sup>886</sup> See e.g. Request from Military Intelligence Branch 271 Idlib to Military Police Idlib Post to transfer a detainee to Military Intelligence Branch 248 in Damascus, 20 July 2011, CIJA Ref. No. SYR.D0183.056.023 [IIIM Ref. No. ED00539279, English unofficial translation TR00000619]; Communication from First Military Prison to the Civilian Prison in Daraa, via the Military Police in Damascus, 11 January 2012, CIJA Ref. Nos. SYR.D0104.143.001-010 [IIIM Ref. Nos. ED00300213-ED00300222, CIJA English translation ED00799841-ED00799845] (showing detainee transfer from Sednaya to civilian prisons via the Military Police); Communication accompanying transfer of a detainee from Military Intelligence Branch 223 to the Single Military Judge via the Military Police, 9 January 2013, CIJA Ref. No. SYR.D0175.028.014 [IIIM Ref. ED00518410] (indicating that the transfer is via the Military Police); IIIM audio-recorded interview with B068019, IIIM Ref. Nos. XXX27-XXX40, at XXX29, at XXX28.

<sup>887</sup> Military Police record of detainee deaths with photographs from the Caesar collection [IIIM Ref. No. ED00998929, IIIM English unofficial translation TR00000583] (Document states that photos were taken at Military Hospital 601). See also below Section V.F (Deaths in Detention, Transfers to Hospitals and Cover Up).

<sup>888</sup> IIIM audio-recorded interview with B068019, IIIM Ref. Nos. XXX27-XXX40, at XXX28.

<sup>889</sup> The Military Police operated five “branches” in the governorates, in Damascus, Homs, Aleppo, Latakia, and Deir-Ezzor. As with the Air Force Intelligence, this structure reflects the strategic division of Syria into five military regions. In other governorates, the Military Police are referred to as a “post” or “section” rather than “branch”. Military Police were also embedded in Army units. IIIM audio-recorded interview with B068019, IIIM Ref. Nos. XXX27-XXX40, at XXX29.

<sup>890</sup> The English name used in this Report for the section in which Caesar worked, “Forensic Photography Section”, is a translation of the Arabic “قسم التصوير الجنائي”. This name appears in Government documents, images of which form part of the Caesar files. The header on these documents implies that the “Forensic Photography Section” falls within “Judicial Evidence” (الأدلة القضائية). For example, see: Photographic Record of a Death, Caesar filename DSCF3298.JPG [IIIM Ref. No. ED00998929, IIIM English unofficial translation TR00000583] (this document shows the hierarchy on the header: Military Police Branch - Judicial Evidence (الأدلة القضائية) – Forensic Photography Section (قسم التصوير الجنائي)). Other sources have referred to Caesar’s section in the following ways: “Department of Criminal Photography” (La Caisne, Operation Caesar (2018), pp. 22-23 and 165); “photographic service of the military police” and “photo documentation unit” (Eyad A. Judgement, pp. 26 and 92, translations of “der fotografische Dienst der Militärpolizei” and “Die Fotodokumentationsabteilung” respectively); “Department of Forensic Evidence” (SNHR Report (2015)). In the Arabic version of this SNHR report, the section is “قسم الأدلة القضائية”, suggesting that the term “Department of Forensic Evidence” used by SNHR is in fact a reference to the parent unit of the Forensic Photography Section, translated above as “Judicial Evidence”.

<sup>891</sup> Eyad A. Judgement, pp. 92-94; La Caisne, Operation Caesar (2018), pp. 95-96 (quoting Caesar: “For fifty years, the military police has been archiving evidence of accidents and deaths of soldiers for military justice. In other words,



documenting deaths. The photos are used by judges and investigators. They make the file more definitive. If the judges have to reopen it one day, they will need them. At the start of the Revolution and during the war, we were quite simply continuing the same routine. The regime never imagined its system could be used against it.”).

<sup>892</sup> IIIM audio-recorded interview with B068019, IIIM Ref. Nos. XXX27-XXX40, at XXX29. *See* Circular from Prisons Section of the Investigation and Prisons Branch of the Military Police to various military prisons and branches and sections of the Military Police, 5 May 2012, CIJA Ref. No. SYR.D0193.006.102 [IIIM Ref. No. ED00559324] (listing military prisons, the names of branches and sections of the Military Police). *See* Annex B.

<sup>893</sup> In Annex B, facilities at al-Qaboun have been grouped under the name “Military Police Facilities al-Qaboun, Damascus”. However, in Section III of the Report, the names of facilities contained within the al-Qaboun complex are retained, where possible, based on the witness’s descriptions and relevant context. *See also* IIIM audio-recorded interview with B068019, IIIM Ref. Nos. XXX27-XXX40, at XXX32.

<sup>894</sup> Public Notice of Arrest from Syrian Arab Republic, General Command of the Army and Armed Forces, Military Police – First Military Prison, 30 April 2012, CIJA Ref. No. SYR.D0220.042.003 [IIIM Ref. No. ED00617721, CIJA English translation ED00801423] (header shows that the First Military Prison under the authority of Military Police); Cover letter accompanying handover of sentenced individuals, CIJA Ref. Nos. SYR.D0104.143.001-002 [IIIM Ref. Nos. ED00300213-ED00300214, CIJA English translation ED00799841-ED00799842] (header shows First Military Prison under the command of the Military Police). *See also* IIIM audio-recorded interview with B068019, IIIM Ref. Nos. XXX27-XXX40, at XXX29.

<sup>895</sup> Witness interview records, IIIM Ref. Nos. [REDACTED], XXX65, XXX69, XXX73, XXX25, XXX22, [REDACTED], [REDACTED], XXX57, XXX58.

<sup>896</sup> *See below* Section V.F (covering up deaths in detention).

<sup>897</sup> *See above* Sections III.C-E.

<sup>898</sup> *See* Section V.F; IIIM audio-recorded interview with B841722, IIIM Ref. Nos. XXX65-XXX72, at XXX65.

<sup>899</sup> IIIM audio-recorded interview with B506356, IIIM Ref. Nos. XXX97-XXX09, at XXX98. *See also e.g.* Communication from Acting Director of Medical Services Directorate Major General Faisal Mohammad Hassan to the 38th Brigade, 19 February 2013, CIJA Ref. No. SYR.D0171.060.025 [IIIM Ref. No. ED00504416] (indicating the hierarchy of the Medical Services Directorate relative to the General Command for the Army and Armed Forces.).

<sup>900</sup> The fact that the Medical Services Directorate’s Director is a physician is indicated in his full military rank, which is “Major General Doctor/اللواء الطبيب”. Often in the Syrian military, an officer’s rank will also include their specialty, which is attached to their rank. For example, a colonel who is a pilot will have the rank of “Colonel Pilot”. A lawyer who is a brigadier general will hold the rank of “Brigadier General Jurist”. Similarly, an officer who is a doctor will add “doctor” to the end of their rank. *See e.g.* Communication from the Head of the Medical Services Directorate to the Head of comprehensive clinics in Lattakia, Mahmoud Shahada Khalil Hospital in Tartus, Khaled Sakka Amini Hospital, Mohamed Abeissi Hospital, Youssef al-Azma Hospital, Abdel Wahab Agha Hospital, Ahmed Taha Al-Howeidi, and Abdel Kader Shakafa Hospital, 30 October 2011, CIJA Ref. No. SYR.D0206.001.050 [IIIM Ref. No. ED00596854] (displaying the name, rank, and title of the Medical Services Directorate’s Director, including the rank as “Major General Doctor”). *See also* IIIM audio-recorded interview with B506356, IIIM Ref. Nos. XXX97-XXX09, at XXX98.

<sup>901</sup> *See* Memorandum from Mezzeh Military Hospital, 28 January 2013, CIJA Ref. No. SYR.D0194.005.005 [IIIM Ref. No. ED00562834] (demonstrating that the Chief Physician was a Brigadier General); Circular from Harasta Military Hospital, 16 June 2008, CIJA Ref. No. SYR.D0293.021.023 [IIIM Ref. No. ED00775374] (demonstrating that the Chief Physician was a Brigadier General).

<sup>902</sup> IIIM audio-recorded interview with B506356, IIIM Ref. Nos. XXX97-XXX09, at XXX97 and XXX06; IIIM video-recorded interview with B073285, IIIM Ref. No. XXX29.

<sup>903</sup> IIIM audio-recorded interview with B506356, IIIM Ref. Nos. XXX97-XXX09, at XXX05; IIIM video-recorded interview with B073285, IIIM Ref. No. XXX29.

<sup>904</sup> IIIM video-recorded interview with B073285, IIIM Ref. No. XXX29; IIIM audio-recorded interview with B506356, IIIM Ref. Nos. XXX97-XXX09, at XXX99.



<sup>905</sup> ADMSP interview record, IIIM Ref. No. XXX38, pp. 2-3. *See also* IIIM video-recorded interview with B073285, IIIM Ref. No. XXX29; Communication from the Head of Section 85/t to Head of General Intelligence Branch 251, [REDACTED] 2013, CIJA Ref. No. SYR.E0017.001.018 [IIIM Ref. No. ED01424420, IIIM English unofficial translation TR00000452] [REDACTED]; ADMSP interview record, IIIM Ref. No. XXX35, p. 2. *See also* IIIM audio-recorded interview with B841722, IIIM Ref. Nos. XXX65-XXX72, at XXX65.

<sup>906</sup> *See below* Section V.F (Covering up deaths in detention).

<sup>907</sup> IIIM video-recorded interview with B073285, IIIM Ref. No. XXX29; IIIM audio-recorded interview with B506356, IIIM Ref. Nos. XXX97-XXX09, at XXX00. In addition, from 2011 onwards, some military hospitals established makeshift detention facilities inside the hospitals for detainees from intelligence agencies receiving treatment. *See e.g.* Witness interview record, IIIM Ref. No. XXX19, p. 16; [REDACTED].

<sup>908</sup> Syrian Constitution (2012), Article 118 [IIIM Ref. No. OS00004617, unofficial English translation of Syrian Constitution (2012) OS00004883]; Syrian Constitution (1973), Article 115 [IIIM Ref. No. OS00004884, unofficial English translation of Syrian Constitution (1973) OS00004886].

<sup>909</sup> Syrian Constitution (2012), Article 97 [IIIM Ref. No. OS00004617, unofficial English translation of Syrian Constitution (2012) OS00004883]; Syrian Constitution (1973), Article 95 [IIIM Ref. No. OS00004884, unofficial English translation of Syrian Constitution (1973) OS00004886].

<sup>910</sup> Legislative Decree 1 of 2012, Article 6 [IIIM Ref. No. OS00004869, IIIM English unofficial translation TR00000681].

<sup>911</sup> *See e.g.* Standing order issued by the Minister of the Interior, 25 March 2012, FSLA collection [IIIM Ref. No. ED00862913\_00001] (providing orders on the movement of prisoners held in civil prisons for attending court sessions).

<sup>912</sup> *See e.g.* Administrative order issued by the Commander of Idlib Police, 28 July 2011, CIJA Ref. No. SYR.D0091.019.007 [IIIM Ref. No. ED00272981] (ordering specific officers to man two checkpoints in Idlib).

<sup>913</sup> *See e.g.* Communication from Idlib Police Commander to the Minister of the Interior, 9 December 2011, CIJA Ref. No. SYR.D0178.001.040 [IIIM Ref. No. ED00521087, CIJA English translation ED00800567] (provides the number of arrestees since the beginning of the Syrian conflict); Report from a police sector to the Idlib Police Command, 13 December 2011, CIJA Ref. No. SYR.D0178.002.038 [IIIM Ref. No. ED00521126] (regarding the arrest of an individual for demonstrating and attack against the station in Kafr Takharim).

<sup>914</sup> *See e.g.* Report from Idlib Police Command to the Office of the Minister of the Interior, 7 August 2011, CIJA Ref. No. SYR.D0091.013.009 [IIIM Ref. No. ED00272859, CIJA English translation ED00799610] (reporting on breaking up a demonstration that took place on 6 August 2011 near Saad Mosque. The operation was led by a Brigadier General).

<sup>915</sup> *See e.g.* Letter from Military Intelligence Branch 271 to Military Intelligence Branch 291, 22 June 2012, CIJA Ref. No. SYR.D0186.065.010 [IIIM Ref. No. ED00541758] (indicating that Idlib police station arrested an individual and transferred him to Political Security Idlib Branch, which then transferred him to Branch 271); Letter from Branch 271 to Political Security Idlib Branch, 5 June 2012, CIJA Ref. No. SYR.D0199.112.005 [IIIM Ref. No. ED00582430] (indicating that al-Shigour Police Station in Damascus arrested an individual and transferred him to Branch 271. Due to the fact that the arrested individual is not the person wanted by Branch 271, the latter decided to transfer him to Political Security Idlib Branch as the arrested person is wanted by them).

<sup>916</sup> Communication from Criminal Security Branch to Idlib Police Command, 8 September 2011, CIJA Ref. No. SYR.D0184.077.013 [IIIM Ref. No. ED01103156] (providing the names and details of two persons arrested by joint patrols); Communication from Idlib Criminal Security Branch to Idlib Police Command, 10 September 2011, CIJA Ref. No. SYR.D0184.081.025 [IIIM Ref. No. ED01103255] (providing details of three individuals who were arrested by joint patrols for demonstrating or transferring demonstrators in an ambulance).

<sup>917</sup> *See e.g.* Circular from NSB to members of the Security Committees, 17 February 2012, SJAC Ref. Nos. DOC.2013.B031.F049.0001-DOC.2013.B031.F049.0004 [IIIM Ref. Nos. ED00674264-ED00674267, IIIM English unofficial translation TR00000590-TR00000593] (providing security instructions based on CCMC meeting of 15 February 2012, noting the importance of coordination and collaboration between the civilian police and the intelligence agencies to prevent any terrorist attack); Communication from 3rd Corps Operations Branch to the heads



of security branches and the Police Command in Idlib, 26 July 2012, CIJA Ref. No. SYR.D0197.043.003 [IIIM Ref. No. ED00571964, CIJA English translation ED00801035] (Head of Security Committee instructs the heads of the intelligence agencies in Idlib and the Police Command in Idlib to heighten security on Fridays and for the Riot Police to collaborate with members of the intelligence agencies to suppress riots.).

<sup>918</sup> Legislative Decree 1 of 2012, Article 6(2)(f) [IIIM Ref. No. OS00004869, IIIM English unofficial translation TR00000681]. *See e.g.* Communication to the Commander of the Military Police, 12 May 2011, CIJA Ref. No. SYR.D0104.137.011 [IIIM Ref. No. ED00300076, CIJA English translation ED00799840] (document header shows Prisons Administration under the Ministry of the Interior); Communication to Idlib Governorate Police Command, 15 January 2012, CIJA Ref. No. SYR.D0091.012.012 [IIIM Ref. No. ED00272847, CIJA English translation ED00799609] (document header shows Idlib Central Prison Branch under the Ministry of the Interior).

<sup>919</sup> *See above* Sections III.C.2, F.

<sup>920</sup> Legislative Decree 51 of 1962, Article 4 [IIIM Ref. No. OS00004729]. *See also* Orders for military detention at Military Intelligence Branch 248 for indeterminate periods of time (“until further notice”) and related communications, 2007 and 2008, CIJA Ref. No. SYR.D0017.050.068 [IIIM Ref. No. ED00050172]; CIJA Ref. No. SYR.D0017.050.069 [IIIM Ref. No. ED00050173]; CIJA Ref. No. SYR.D0017.050.070 [IIIM Ref. No. ED00050174]; CIJA Ref. No. SYR.D0017.050.071 [IIIM Ref. No. ED00050175].

<sup>921</sup> Legislative Decree 47 of 1968, Articles 7(a) and 8 [IIIM Ref. No. OS00004733].

<sup>922</sup> Decree 161 of 2011, Article 1 [IIIM Ref. No. OS00004739]; Legislative Decree 53 of 2011, Article 1 [IIIM Ref. No. OS00004888].

<sup>923</sup> Legislative Decree 55 of 2011 [IIIM Ref. No. OS00003388] (“Article 1: The following paragraph shall be added to Article 17 of the Criminal Procedure Law: 3- The judicial police or those commissioned with their duties are responsible for investigating crimes stipulated in Articles 260 to 339, and Articles 221, 388, 392, and 393 of the Penal Code, collecting evidence, and interviewing suspects, provided that the duration of their detention does not exceed seven days, which can be renewed by the Prosecutor-General based on the particulars of each case, and provided that this period does not exceed sixty days.”). This was amended by Legislative Decree 109 of 2011, FSLA collection [IIIM Ref. No. ED00862916] (expanding the powers of the judicial police or those commissioned with their duties to also “inspect the places where [suspects] are found”).

<sup>924</sup> Law 19 of 2012, Article 1 [IIIM Ref. No. OS00003399, IIIM English unofficial translation TR00000675].

<sup>925</sup> Law 22 of 2012 [IIIM Ref. No. OS00003403, IIIM English unofficial translation TR00000673]. This court is commonly translated into English as “Counter-Terrorism Court” and that terminology is retained in this Report for consistency.

<sup>926</sup> The public prosecution is comprised of the Prosecutor-General, and his or her representatives, which include deputy and assistant public prosecutors. *See* Law 112 of 1950, Article 13(1) [IIIM Ref. No. OS00003384]. The public prosecution is headed by the Minister of Justice. Syrian Constitution (2012), Article 137 [IIIM Ref. No. OS00004617, unofficial English translation of Syrian Constitution (2012) OS00004883]; Syrian Constitution (1973), Article 137 [IIIM Ref. No. OS00004884, unofficial English translation of Syrian Constitution (1973) OS00004886].

<sup>927</sup> Law 112 of 1950, Article 1(1) [IIIM Ref. No. OS00003384]. In limited circumstances, a private claimant may initiate a case.

<sup>928</sup> Law 112 of 1950, Articles 6-7 [IIIM Ref. No. OS00003384]. Article 7 considers the Prosecutor-General, their deputies and assistants, and the investigative judges as “judicial police”, with the Prosecutor-General as its Head. The judicial police are authorised to investigate crimes. *See also* Counter-Terrorism Court referral to the Public Prosecutor in Hama, [REDACTED] 2023, p. 3 [IIIM Ref. No. ED02036529, IIIM English unofficial translation TR00000707].

<sup>929</sup> Syrian law considers prosecutors as judges of the public prosecution. *See* Legislative Decree 98 of 1961, Article 56(1) [IIIM Ref. No. OS00004727] and Law 112 of 1950, Article 10(1) [IIIM Ref. No. OS00003384].

<sup>930</sup> The Prosecutor-General [النائب العام], sometimes translated as Attorney-General, is the highest prosecuting authority overseeing the public prosecution [النّيابة العامة]. The Prosecutor-General is assisted by deputies and assistants. On a governorate level, the Prosecutor-General is represented by a First Public Prosecutor [المحامي العام الأول], sometimes translated as First Attorney-General, and other public prosecutors.

<sup>931</sup> Legislative Decree 98 of 1961, Article 71 [IIIM Ref. No. OS00004727].



- <sup>932</sup> Syrian Constitution (2012), Article 113(1) [IIIM Ref. No. OS00004617, unofficial English translation of Syrian Constitution (2012) OS00004883] (The Supreme Judicial Council is headed by the President of the Republic.).
- <sup>933</sup> Legislative Decree 61 of 1950, Article 34(4), (6)-(7) [IIIM Ref. No. OS00004866]. Articles 36-37 allow for civilian judges and prosecutors to be transferred/seconded to the military courts; however, the majority of the military judges, including all single judges, shall be comprised of officers.
- <sup>934</sup> Law 22 of 2012, Article 2 [IIIM Ref. No. OS00003403, IIIM English unofficial translation TR00000673].
- <sup>935</sup> Legislative Decree 55 of 2011 [IIIM Ref. No. OS00003388]. This was amended by Legislative Decree 109 of 2011, FSLA collection [IIIM Ref. No. ED00862916] (expanding the powers of the judicial police or those commissioned with their duties to also “inspect the places where [suspects] are found”). *See also* Circular on mechanisms and terms of detention in custody, 3 July 2011, CIJA Ref. Nos. SYR.D0077.151.012-013 [IIIM Ref. Nos. ED00242469-ED00242470, CIJA English translation ED00799118-ED00799119].
- <sup>936</sup> In the ordinary courts, the justice of the peace (magistrate) shall assume the role of the public prosecution. *See* Law 112 of 1950, Articles 7, 44 and 237 [IIIM Ref. No. OS00003384]. Within the Military Justice System, the single military judge’s role is analogous to the justice of the peace in the ordinary courts. *See* Legislative Decree 61 of 1950, Article 13 [IIIM Ref. No. OS00003390].
- <sup>937</sup> Letter from Political Security Branch Deir-Ezzor to the Single Military Judge in Deir-Ezzor, 6 December 2012, CIJA Ref. No. SYR.D0100.040.007 [IIIM Ref. No. ED00288527]; Letter from Political Security Branch Deir-Ezzor to the Single Military Judge in Deir-Ezzor, 12 December 2012, CIJA Ref. No. SYR.D0100.040.015 [IIIM Ref. No. ED00288535] (requests for extensions to detention periods sent from the Political Security Branch in Deir-Ezzor to the Single Military Judge in Deir-Ezzor, with signed approval of the Single Military Judge written on the requests).
- <sup>938</sup> Code of Criminal Procedure, Article 422. *See* Human Rights Committee, Fourth Periodic Report by the Syrian Arab Republic, CCPR/C/SYR/4 (2021), para. 38.
- <sup>939</sup> Law 112 of 1950, Articles 132, 134, and 137 [IIIM Ref. No. OS00003384]; Legislative Decree 61 of 1950, Article 24 [IIIM Ref. No. OS00004866].
- <sup>940</sup> Law 112 of 1950, Article 131 [IIIM Ref. No. OS00003384].
- <sup>941</sup> Statement of case showing release by Counter-Terrorism Court investigative judge and pending trial, [REDACTED] 2015 [IIIM Ref. No. ED00863501, IIIM English unofficial translation TR00000578] [REDACTED].
- <sup>942</sup> Legislative Decree 61 of 1950, Article 24(2) [IIIM Ref. No. OS00004866]. *See* Release Order issued by 4th Military Investigative Judge Damascus, 3 May 2012, CIJA Ref. No. SYR.D0115.081.021 [IIIM Ref. No. ED00323936] (release on bail ordered by 4th Military Investigative Judge Damascus); Release order by Counter-Terrorism Court and referral to the Public Prosecutor in Hama, [REDACTED] 2023, p. 3 [IIIM Ref. No. ED02036529, IIIM English unofficial translation TR00000707].
- <sup>943</sup> Code of Criminal Procedure, Article 422. *See* Human Rights Committee, Fourth Periodic Report by the Syrian Arab Republic, CCPR/C/SYR/4 (2021), para. 38.
- <sup>944</sup> Legislative Decree 61 of 1950, Articles 53-54 [IIIM Ref. No. OS00004866, IIIM English unofficial translation TR00000648].
- <sup>945</sup> Witness interview record, IIIM Ref. No. XXX29 [REDACTED].
- <sup>946</sup> On 2 September 2023, President al-Assad issued a legislative decree that repealed the 1968 law that established Military Field Courts. Legislative Decree 32 of 2023 [IIIM Ref. No. OS00004880, IIIM English unofficial translation TR00000678].
- <sup>947</sup> Legislative Decree 109 of 1968, Article 5 [IIIM Ref. No. OS00004780, IIIM English unofficial translation TR00000672].
- <sup>948</sup> Legislative Decree 109 of 1968, Article 4(b) [IIIM Ref. No. OS00004780, IIIM English unofficial translation TR00000672].
- <sup>949</sup> Military Field Court detention order, 15 March 2012, CIJA Ref. No. SYR.D0220.033.021 [IIIM Ref. No. ED00617495]; Military Field Court detention order, 12 February 2013, CIJA Ref. No. SYR.D0169.113.005 [IIIM Ref. No. ED00497746]; Confirmation letter from First Military Prison of an arrested officer based on a detention order from Military Field Court, 20 March 2013, CIJA Ref. No. SYR.D0220.042.003 [IIIM Ref. No. ED00617721].





<sup>950</sup> Summary of Military Field Court judgements *in absentia*, 27 August 2011, CIJA Ref. Nos. SYR.D0178.002.008-009 [IIIM Ref. Nos. ED00521096-ED00521097] and 21 November 2011, CIJA Ref. Nos. SYR.D0063.033.153-154 [IIIM Ref. Nos. ED00188740-ED00188741].

<sup>951</sup> Legislative Decree 109 of 1968, Article 6 [IIIM Ref. No. OS00004780, IIIM English unofficial translation TR00000672].

<sup>952</sup> Law 19 of 2012, Article 1 [IIIM Ref. No. OS00003399, IIIM English unofficial translation TR00000675].

<sup>953</sup> Law 22 of 2012 [IIIM Ref. No. OS00003403, IIIM English unofficial translation TR00000673].

<sup>954</sup> Law 22 of 2012, Articles 1 and 3 [IIIM Ref. No. OS00003403, IIIM English unofficial translation TR00000673].

<sup>955</sup> Law 19 of 2012, Article 7 [IIIM Ref. No. OS00003399, IIIM English unofficial translation TR00000675].

<sup>956</sup> Law 19 of 2012, Article 3 [IIIM Ref. No. OS00003399, IIIM English unofficial translation TR00000675].

<sup>957</sup> Law 19 of 2012, Articles 4(1) and 5 [IIIM Ref. No. OS00003399, IIIM English unofficial translation TR00000675].

<sup>958</sup> Law 19 of 2012, Article 2 [IIIM Ref. No. OS00003399, IIIM English unofficial translation TR00000675].

<sup>959</sup> Law 19 of 2012, Article 4(2) [IIIM Ref. No. OS00003399, IIIM English unofficial translation TR00000675].

<sup>960</sup> Law 19 of 2012, Articles 6 and 8 [IIIM Ref. No. OS00003399, IIIM English unofficial translation TR00000675].

<sup>961</sup> Law 22 of 2012, Article 7 [IIIM Ref. No. OS00003403, IIIM English unofficial translation TR00000673] (“While retaining the right of defence, the Court shall not abide by the procedures provided for in the legislation in force in all roles and procedures of prosecution and trial.”).

<sup>962</sup> Law 22 of 2012, Article 6 [IIIM Ref. No. OS00003403, IIIM English unofficial translation TR00000673].

<sup>963</sup> Law 22 of 2012, Article 5 [IIIM Ref. No. OS00003403, IIIM English unofficial translation TR00000673].

<sup>964</sup> See Sections III.F., V.G.

<sup>965</sup> Letter from Military Intelligence Branch 271 to the Public Prosecutor in Idlib, 2 July 2011, CIJA Ref. No. SYR.D0178.008.015 [IIIM Ref. No. ED00521326] (accompanying the physical transfer of a detainee with a summary of accusations against him); Letter from the Air Force Intelligence Northern Region Branch (Aleppo) to the First Public Prosecutor in Aleppo, [REDACTED] 2013 [IIIM Ref. No. ED00017611, IIIM English unofficial translation TR00000595] [REDACTED]; Letter from the Political Security Branch in Idlib to the Public Prosecutor in Idlib, 25 November 2014, SJAC Ref. No. 2015.B0001.F135.0065 [IIIM Ref. No. ED02035092, English translation ED02035091] (accompanying the physical transfer of a detainee with a summary of accusations against him and attaching the “detainee’s confessions”); Letter from Political Security Branch Idlib to the Single Military Judge in Idlib, 27 December 2014, SJAC Ref. No. DOC.2015.B0001.F135.0026 [IIIM Ref. Nos. ED00676049, IIIM English unofficial translations TR00000602] (accompanying the physical transfer of a detainee with a summary of accusations against him); Communication from General Intelligence Branch [REDACTED] to the Public Prosecution of the Counter-Terrorism Court, [REDACTED] 2023, p. 1 [IIIM Ref. No. ED02036529, IIIM English unofficial translation TR00000707] (accompanying the physical transfer of a detainee with a record of his statement and summary of accusations against him).

<sup>966</sup> Law 112 of 1950, Article 51(4) [IIIM Ref. No. OS00003384].

<sup>967</sup> As described in Section III.F.1., in practice, obtaining release orders frequently required the payment of bribes.

<sup>968</sup> See *above* Section IV.B.4; Telegram from Military Intelligence Branch 248 to branches in the districts and central department branches, sent pursuant to the instruction of the Head of the Military Intelligence Department, 19 December 2013, CIJA Ref. No. SYR.D0180.036.021 [IIIM Ref. No. ED00528308, CIJA English translation ED00800780] (requesting recipients “to not release any female detainee in your custody at the present time and to not refer them to the judicial authorities until further notice, pending instructions in their regard, including female detainees about whom a decision was issued by the Head of the Department to refer them to the competent judiciary, excluding female detainees whom it was decided or it is necessary, for interrogating them, to refer them to the Intelligence Department branches only.”).

<sup>969</sup> See *e.g.* Instruction from Military Intelligence Branch 243 to all sections and detachments, 11 April 2011, appended to Brown Expert Report, Ex. C-51 (requesting recipients to “coordinate with head of the Electoral Committee and mobilize members of the Ba’ath Party in every district and form the so-called popular committees in every district so as to protect towns and defend public departments as well as confront anti-Government elements and criminal gangs, supervised by partisan subdivisions and divisions in the said districts, and their work shall be streamlined by the



security committee in the districts and under your personal supervision in coordination with Ba'ath party officials.”); Circular from NSB copied to Head of the CCMC, Minister of the Interior, Heads of Military Intelligence Department, General Intelligence Directorate, Political Security Department, Air Force Intelligence, and Secretary of Party Branch, 3 April 2012, CIJA Ref. Nos. SYR.D0081.134.010-011 [IIIM Ref. Nos. ED00253511-ED00253512, IIIM English unofficial translation TR00000540-TR00000541] (indicating that members of the Popular Committees “who operated under the command and direct and organized supervision of security branches have performed well, while others who worked under personal initiatives without a direct security command performed poorly.” The NSB circular sought to progressively achieve its previously stated objective of abolishing Popular Committees and “turning them into neighborhood committees” and “instructed the use of volunteer members under the military and security command.”); Communication from Security and Military Committee in Idlib to all security, party, and military bodies that organise the work of the National Defence Committee in Idlib Governorate, 9 April 2014, CIJA Ref. No. SYR.D0385.006.008 [IIIM Ref. No. ED01382592] (providing rules for “all security, military, and party authorities that organize the work of the NDF in the security branches” in respect of recruiting NDF members, “[b]ased on what was agreed upon in previous meetings of the Security and Military Committee in Idlib Governorate”). *See also* Brown Expert Report, paras. 128-136.

<sup>970</sup> *See above* Section III.B.

<sup>971</sup> *See above* Section IV.B.2 (Baath Party); *and e.g.* Instruction from Head of Military Intelligence Branch 243 to subordinate sections and detachments, 30 March 2011, appended to Brown Expert Report, Ex. C-44 (increasing the “readiness of the party apparatus in full, both in cities and rural areas, people’s divisions, in addition to the popular and trade union organisations and divide them in two. The first one is to be distributed among all mosques, no exception for the small ones. The rest are to remain at the offices as a reserve force”. The purpose was to confront opposition demonstrators who were planning activity on Friday 1 April 2011.). *See also* Brown Expert Report, para. 130.

<sup>972</sup> Communication from Head of Military Intelligence Branch 271 to Head of the Military Intelligence Department, 12 October 2012, CIJA Ref. Nos. SYR.D0180.036.040-039 [IIIM Ref. Nos. ED00528327-ED00528326, CIJA English translation ED00800783-ED00800782].

<sup>973</sup> Speech by President al-Assad at Damascus University, 20 June 2011, appended to Brown Expert Report, Ex. C-90.

<sup>974</sup> CCMC Minutes of Meeting issued by the Baath Party “Syrian Arab Region - Regional Command”, 20 April 2011, appended to Brown Expert Report, Ex. C-128 (One of the conclusions of the CCMC meeting held on 20 April 2011 was to cancel the Popular Committees.); CCMC Minutes of Meeting issued by the Baath Party “Syrian Arab Region - Regional Command”, 21 April 2011, appended to Brown Expert Report, Ex. C-130 (confirming that “the popular committees will stop working. The Party and security committees of governorates are responsible for keeping order in governorates.”).

<sup>975</sup> Instruction from the Military Intelligence Branch 243 to all sections and detachments, 11 April 2011, appended to Brown Expert Report, Ex. C-51; Circular from Military Intelligence Branch 294, 20 April 2011, appended to Brown Expert Report, Ex. C-127 (stating that CCMC held a meeting during which it reached several conclusions, including determining the role of party apparatus, which consists of party organisations, popular organisations, and trade unions).

<sup>976</sup> Communication from Head of the NSB dated 6 August 2011, disseminated by Military Intelligence Branch 294, 17 August 2011, appended to Brown Expert Report, Ex. C-40 (conveying CCMC instructions from the meeting held on 5 August 2011, including “to maintain control of the sector by organizing security and party presence in the sector in cooperation with the city district committee, popular organizations, dignitaries, and influential supporters, so that no wanted person can seek shelter there again.”). “City district committee” is an alternative translation of “لجنة الحي”, “neighbourhood committee”.

<sup>977</sup> Letter from Head of the NSB to the Head of Air Force Intelligence, 15 December 2011, SJAC Ref. No. DOC.2013.B031.F021.0001 [IIIM Ref. No. ED00674224, IIIM English unofficial translation TR00000610] (stating that the CCMC discussed a study to put an end to the actions of the Popular Committees in some governorates and to make use of volunteer Party supporters. It was decided to “refrain from dealing with the Popular Committees, to isolate them and prevent them from interfering with citizens and meddling in the affairs of the universities, in



particular Aleppo University.”); Circular from NSB sent to Head of the CCMC, Minister of the Interior, Heads of Intelligence Directorate, General Intelligence Directorate, Political Security Department, Air Force Intelligence, Secretary of the Party branch, 3 April 2012, CIJA Ref. Nos. SYR.D0081.134.010-011 [IIIM Ref. Nos. ED00253511-ED00253512, IIIM English unofficial translation TR00000540-TR00000541] (stating that, “upon examining the work of the Popular Committees in the Governorate of Aleppo and monitoring their results, seemingly, the widespread impression of those results is negative, with the exception of the case where members of those Popular Committees worked along with security branches and under their command in specific and monitored cases”).

<sup>978</sup> Communication from the NSB to Head of the Political Security Department, 27 February 2012, CIJA Ref. No. SYR.D0087.056.012 [IIIM Ref. No. ED00265267, CIJA English translation ED00799496]. *See also* Witness interview record, IIIM Ref. No. XXX78, p. 5 (Members of the Military Police were stationed at joint checkpoints along with civilian members of the Popular Committees and members of the four intelligence departments.).

<sup>979</sup> Circular from NSB to Head of the CCMC, Minister of the Interior, Heads of Intelligence Directorate, General Intelligence Directorate, Political Security Department, Air Force Intelligence, and Secretary of the Party branch, 3 April 2012, CIJA Ref. Nos. SYR.D0081.134.010-011 [IIIM Ref. Nos. ED00253511-ED00253512, IIIM English unofficial translation TR00000540-TR00000541] (indicating that Popular Committee “members who operated under the command and direct and organized supervision of security branches have performed well,” and recommending to further specify “their tasks by the concerned security branches” in their neighbourhoods to facilitate their monitoring, and increase the “organization, monitoring, and supervision of the actions of committee members falling under the command of security branches”); Communication from Head of Military Intelligence Branch 271 to Head of Political Security Branch Idlib, 7 April 2012, CIJA Ref. No. SYR.D0183.079.007 [IIIM Ref. No. ED00539964] (stating that a named person was given a gun via the Popular Committee in order to collaborate with the branch); Communication from Head of Military Intelligence Branch 271 to Head of the Military Intelligence Department, 12 October 2012, CIJA Ref. Nos. SYR.D0180.036.040-039 [IIIM Ref. Nos. ED00528327-ED00528326, CIJA English translation ED00800783-ED00800782] (providing a breakdown of the numbers of personnel acting within Popular Committees reporting to different intelligence agencies in Idlib, and stating that they conducted tasks for their parent branches such as surveillance, combat operations, and serving as local guides for the branches).

<sup>980</sup> Communication from the Baath Party Idlib Branch Office to the Head of Political Security Branch in Idlib, 13 December 2012, CIJA Ref. Nos. SYR.D0264.004.038-039 [IIIM Ref. Nos. ED00710584-ED00710585] (The second page provides instructions for recruiting new members of Popular Committees. The same instructions state that the Popular Committees’ main task was guarding Government and Party facilities, headquarters, and targets. Furthermore, the term “Military Commander” is a reference to the military officer in charge of the local Security Committee.).

<sup>981</sup> Frankfurt Allgemeine Zeitung, “Europe’s backyard would become a terrorist haven”, 17 June 2013 [Interview with Bashar al-Assad] [IIIM Ref. No. ID00004342] (“Local militias have been formed, and they are defending their own territory working together with the army. This is the key to our success. [...] The Syrian Army is a large force and can carry out its mission with the help of local citizens in all areas.”).

<sup>982</sup> Arabic translation of Bashar al-Assad’s interview with Frankfurt Allgemeine Zeitung by the Syrian Ministry of Foreign Affairs, 18 June 2013 [IIIM Ref. No. OS00005430] (“Also, there are Popular Forces fighting with the army now in defence of their areas. They are local citizens. This is one of the reasons for our success in Syria. [...] The Syrian army is a large army and carry out its tasks with the local population in all regions.”).

<sup>983</sup> RT Online website, Syria...Intensive Training for National Defence Forces, 28 January 2013 [IIIM Ref. No. OS00004934 (video version), IIIM Ref. No. OS00004933 (transcription of the video)] (provides insights on the establishment and training of the Syrian NDF. The video includes interviews with NDF personnel.).

<sup>984</sup> Announcements of joint or autonomous operations of Popular Committees have been publicised on the websites of the Syrian Ministry of Defence and Syrian Ministry of the Interior. The official website of the Syrian Ministry of Defence published that “Units from our armed forces, in cooperation with the Popular Committees, take control of the villages of Rayyan - Beit Ayush - al-Mazraa and the surrounding hills in Qastal Maaf in the northern countryside of Lattakia, eliminating numbers of terrorists and destroying their weapons”, 18 May 2015 [IIIM Ref. No. OS00005428]. The official website of the Syrian Ministry of the Interior published that the Popular Committees thwarted infiltration



attempts by “Al-Nusra Front” terrorists into the besieged towns of Foua and Kafriya in the Idlib countryside, 13 June 2018 [IIIM Ref. No. OS00005436]. The official website of the Syrian Ministry of the Interior published that “the popular committees thwart the most violent attack on Kafriya and Foua”, 19 September 2015 [IIIM Ref. No. OS00005434].

<sup>985</sup> Communication from Security and Military Committee in Idlib to all security, party, and military bodies that organise the work of the National Defence Committee in Idlib Governorate, 9 April 2014, CIJA Ref. No. SYR.D0385.006.008 [IIIM Ref. No. ED01382592] (“Based on what was agreed upon in previous meetings of the Security and Military Committee in Idlib Governorate, all security, military, and party authorities that organize the work of the NDF in the security branches [...] must adhere to the following – 1. Not accepting any member without obtaining a background check and security approval from the security branches working in Idlib Governorate. [...]”); Communication from General Intelligence Branch 331 to Head of Security and Military Committee in Idlib, 19 December 2013, CIJA Ref. No. SYR.D0180.045.011 [IIIM Ref. No. ED00528753] (referring to members of the NDF in Idlib claiming to be working with Branch 331, as members of the Popular Committee. Branch 331 states that it ended its association with this group of NDF members in April 2013, that it was aware of their involvement in misconduct, and the branch was not responsible for their actions.).

<sup>986</sup> The Arab Weekly Article (2016). *See also* Ayn al-Madina Article (2019).

<sup>987</sup> *See above* Section III; Annex B (confirming that inhumane conditions, torture and/or ill treatment were reported in 92 of the 111 detention facilities for which detaining entity names could be verified on Government documents).

<sup>988</sup> *See above* Section III. *See also* Political Security document from the Head of the Political Security Department addressed to all Political Security branches, 15 January 2012, FSLA collection [IIIM Ref. No. ED00862911\_00011] (indicating that “terrorists” who were detained would bribe certain weak-willed members of the security services to transfer them to courts only with the accusation that they protested).

<sup>989</sup> Circular from Military Intelligence Branch 294, 20 April 2011, appended to Brown Expert Report, Ex. C-127 (referencing a letter of the “Regional Command” no./378/ of 18 April 2011, which summarises CCMC meeting headed by the “Comrade Regional Secretary” and the conclusions reached).

<sup>990</sup> CCMC Minutes of Meeting issued by the Baath Party “Syrian Arab Region - Regional Command”, 20 April 2011, appended to Brown Expert Report, Ex. C-128 (referencing to the conclusions of the CCMC at its meeting on 20 April 2011). *See also* Brown Expert Report, para. 155.

<sup>991</sup> Communication from Military Intelligence Branch 294, 17 August 2011, appended to Brown Expert Report, Ex. C-40 (disseminating a communication from NSB dated 6 August 2011, in which NSB issued key instructions as a result of CCMC discussions held on 5 August 2011).

<sup>992</sup> Communication from Military Intelligence Branch 294, 17 August 2011, appended to Brown Expert Report, Ex. C-40 (disseminating a communication from NSB dated 6 August 2011, in which NSB issued key instructions as a result of CCMC discussions held on 5 August 2011).

<sup>993</sup> Communication from Political Security Department Branch in Raqqa to Head of Political Security Department Registration Office Branch, 22 August 2011, CIJA Ref. No. SYR.D0077.190.006 [IIIM Ref. No. ED00243038, CIJA English translation ED00799180] (informing the Head of Political Security Department Registration Office Branch that they have decided to send patrols in response to a request to “launch joint security campaigns against the area which are used as shelters for those wanted on charges of committing crimes of sabotage, killing, and attacking citizens as well as against those who incite others to take part in demonstrations”).

<sup>994</sup> *See below* Section V.C. (arrest campaign).

<sup>995</sup> Communication from Military Intelligence Branch 294, 17 August 2011, appended to Brown Expert Report, Ex. C-40 (disseminating a communication from NSB dated 6 August 2011, in which NSB issued key instructions as a result of CCMC discussions held on 5 August 2011. Among these instructions, the Security Committees throughout Syria are instructed to “[e]stablish a joint investigation committee at the governorate level that includes representatives from all security branches and the Criminal Security Branch. [...] The results of these interrogations shall be sent to all security branches so that they can be used in identifying and seriously pursuing new targets,” and to report the results to the Head of the NSB daily.).

<sup>996</sup> *See below* Sections V.D, E.



<sup>997</sup> See above Sections III.B, D.

<sup>998</sup> See above Section III.B-D.

<sup>999</sup> Circular from Military Intelligence Branch 248, 18 December 2012, CIJA Ref. No. SYR.D0197.057.014 [IIIM Ref. No. ED00572345, IIIM English unofficial translation TR00000427] (stating that “in order to take the necessary legal and judicial measures which constitute a judicial immunity for the work of the Intelligence Department and avert the liability of Department personnel before any judicial authority in the future, and given that the Military Police takes all necessary medical (forensic examination of the body) and judicial measures to release or bury the body”, the following steps are to be taken: “1-When any detainee dies in the prisons of the branches of the Department, the hospital they were taken to or in which the body was kept is asked to prepare an immediate preliminary medical report about their medical condition and the reason for their death. Their status is then presented to the Head of the Department on the same day by telegram regarding the reasons for their arrest, the findings of their interrogation and the causes of death while recommending releasing the body to the family through the Military Police [...]. 2-It is prohibited to keep the body of any detainee or ask for it not to be released unless in cases of necessity or cases that can ensure security benefits. This should be presented with sound reasons to the Head of the Department in due manner. 3-Branch 248 shall be notified of the death of any detainee in the prisons of the branches and of the measures taken regarding the body at the time.”).

<sup>1000</sup> Circular from Military Intelligence Branch 248, 18 December 2012, CIJA Ref. No. SYR.D0197.057.014 [IIIM Ref. No. ED00572345, IIIM English unofficial translation TR00000427] (informing the branches of the procedure to follow in the event of a prisoner’s death, referencing previous NSB letter no./32197/7 of 3 December 2012. A copy of the circular was sent to the Head of the Military Intelligence Department, all branches of the Department, and the Committees at Branches 291 and 293.).

<sup>1001</sup> Circular from Military Intelligence Branch 248, 18 December 2012, CIJA Ref. No. SYR.D0197.057.014 [IIIM Ref. No. ED00572345, IIIM English unofficial translation TR00000427].

<sup>1002</sup> Circular from Military Intelligence Branch 248, 18 December 2012, CIJA Ref. No. SYR.D0197.057.014 [IIIM Ref. No. ED00572345, IIIM English unofficial translation TR00000427].

<sup>1003</sup> See below Section V.F.

<sup>1004</sup> See below Section V.F.

<sup>1005</sup> See below Section V.H.

<sup>1006</sup> CCMC Minutes of Meeting issued by the Baath Party “Syrian Arab Region - Regional Command”, appended to Brown Expert Report, 23 October 2011, Ex. C-176 (referencing the Minutes of Meeting of the CCMC on 22 October 2011, in which it was decided to “set up new work mechanisms; impose control on all security agencies, military units, partisan comrades, and organizations.” It also stated that “[c]irculars, personal and written orders are not to be considered sufficient. Tasks should be clearly specified and implementing elements should be asked to set forth a work mechanism, periodically file follow-up reports, monitor the implementation, and set up further mechanisms to reach the desired goals.”).

<sup>1007</sup> See below Section V.H.

<sup>1008</sup> See above Section IV.B, paras. 257-258.

<sup>1009</sup> Communication from Head of the NSB dated 6 August 2011, disseminated by Military Intelligence Branch 294, 17 August 2011, appended to Brown Expert Report, Ex. C-40 (“Establish a joint investigation committee at the governorate level that includes representatives from all security branches and the Criminal Security Branch. All persons arrested in security campaigns shall be referred to this committee for interrogation. The results of these interrogations shall be sent to all security branches so that they can be used in identifying and seriously pursuing new targets, with an interest in investigations to find and arrest members of local coordination committees.”).

<sup>1010</sup> See e.g. Communication from Branch 294 with a list of wanted persons, 20 May 2011, CIJA Ref. Nos. SYR.D0281.056.029-038 [IIIM Ref. Nos. ED00750294-ED00750303]; Communication from Military Intelligence Branch 271 to Military Intelligence Branch 294 regarding a request and accompanied by a list of wanted persons, 19 June 2011, CIJA Ref. No. SYR.D0183.006.039, CIJA Ref. Nos. SYR.D0183.007.001-070 [IIIM Ref. No. ED00537303, IIIM Ref. Nos. ED00537304-ED00537373] (Branch 271 provided Branch 294 with a list of 1129 inciters/leaders/funders); Communication to Heads of Political Security branches with a list of wanted persons,



26 December 2011, CIJA Ref. Nos. SYR.D0081.147.009-015 [IIIM Ref. Nos. ED00253776-ED00253782]; Arrest order from Branch 294, 16 October 2011, CIJA Ref. No. SYR.D0115.047.007 [IIIM Ref. No. ED00322364]; List of wanted persons, issued by Military Police, 9 March 2012, CIJA Ref. No. SYR.D0182.002.154 [IIIM Ref. No. ED00533880]; Communication from Branch 291 to several Military Intelligence branches with an arrest warrant for deserted soldiers, 28 April 2012, CIJA Ref. No. SYR.D0179.048.033 [IIIM Ref. No. ED00525415]; List of wanted persons, issued by Military Police, 27 March 2012, CIJA Ref. No. SYR.D0182.002.141 [IIIM Ref. No. ED00533867]; Communication to Heads of Political Security branches with a list of wanted persons, 21 May 2012, CIJA Ref. Nos. SYR.D0281.056.020-027 [IIIM Ref. Nos. ED00750285-ED00750292]; List of wanted persons, issued by Military Police, 3 October 2012, CIJA Ref. No. SYR.D0182.003.071 [IIIM Ref. No. ED00533965]; Communication from Branch 291 with a list of wanted persons, 6 March 2013, CIJA Ref. Nos. SYR.D0292.006.004-005 [IIIM Ref. Nos. ED00772326-ED00772327]; Communication from Branch 291 with a list of wanted persons, 6 March 2013, CIJA Ref. Nos. SYR.D0292.006.010-011 [IIIM Ref. Nos. ED00772332-ED00772333]; Communication from Branch 291 with a list of wanted persons, 20 April 2013, CIJA Ref. No. SYR.D0276.001.063 [IIIM Ref. No. ED00736231]; Communication from Branch 294 with a list of wanted persons, 16 January 2015, CIJA Ref. No. SYR.D0276.021.021 [IIIM Ref. No. ED00738126].

<sup>1011</sup> Cable from Military Intelligence Branch 248, 18 October 2012, CIJA Ref. No. SYR.D0181.003.003 [IIIM Ref. No. ED00530328, IIIM English unofficial translation TR00000556] (“[A]ll bulletins are required to contain: 1. Details of identity and place of residence; 2. Occupation; 3. Academic diploma held; 4. Reason the individual is being pursued and available information on the said individual. This information is to be submitted on an ongoing basis to Branch 248 on CD or DVD.”).

<sup>1012</sup> Investigation report from General Intelligence Branch 331, 19 November 2014, CIJA Ref. Nos. SYR.D0246.027.001-003 [IIIM Ref. Nos. ED00654926-ED00654928, IIIM English unofficial translation TR00000573-TR00000575], p. 1.

<sup>1013</sup> Investigation report from General Intelligence Branch 331, 19 November 2014, CIJA Ref. Nos. SYR.D0246.027.001-003 [IIIM Ref. Nos. ED00654926-ED00654928, IIIM English unofficial translation TR00000573-TR00000575], p. 2.

<sup>1014</sup> Investigation report from General Intelligence Branch 331, 19 November 2014, CIJA Ref. Nos. SYR.D0246.027.001-003 [IIIM Ref. Nos. ED00654926-ED00654928, IIIM English unofficial translation TR00000573-TR00000575], p. 3. Other examples of adding names to wanted lists from interrogations include: Communication from Military Intelligence Branch 271 to Military Intelligence Branch 291, 3 June 2012, CIJA Ref. No. SYR.D0186.045.001 [IIIM Ref. No. ED00541372, IIIM English unofficial translation TR00000530] (providing an overview of the interrogation of a detainee, including that “during his statement, he mentioned to us names of armed men, the criminal activities they perpetrated and the execution of which he assisted”); Communication from Military Intelligence Unit 215 to the Head of the Military Intelligence Department, 10 June 2014, CIJA Ref. Nos. SYR.D0329.021.033-034 [IIIM Ref. Nos. ED01226195-ED01226196] (stating that previous (deceased) detainee’s statement was used to implicate the current detainee); Communication from General Intelligence Branch 331 to the Head of General Intelligence Branch 331, 4 August 2012, CIJA Ref. Nos. SYR.D0260.012.004-005 [IIIM Ref. Nos. ED00703393-ED00703394, IIIM English unofficial translation TR00000546-TR00000547] (indicating that “[t]he detainee mentioned the names of a number of armed persons in the city of Idlib” and proposing that “Branch 331 continue with the arrest of the persons whose names were mentioned in the detainee’s confessions, interrogate them and report the details”); Telegram from Military Intelligence Branch 223 to Head of the Military Intelligence Department, 22 September 2011, CIJA Ref. Nos. SYR.D0175.008.033-036 [IIIM Ref. Nos. ED00517708-ED00517711, CIJA English translation ED00800294-ED00800297] (providing an overview of the interrogation of two detainees and seeking approval to refer the detainees to Branch 291 and pursue the individuals mentioned by the detainees during their interrogations); Communication from Military Intelligence Branch 271 to Head of the Military Intelligence Department, 8 April 2012, CIJA Ref. Nos. SYR.D0179.016.056-057 [IIIM Ref. Nos. ED00522427-ED00522428, CIJA English translation ED00800634-ED00800635] (informing of the death of a detainee, providing an overview of his interrogation during which he mentioned the names of people he was involved with and recommending said names are “followed up on until they are arrested and necessary measures taken in their regard”);



Minutes of meeting of the Joint Investigation Committee in Hama, 2 October 2011, CIJA Ref. Nos. SYR.E0002.007.0136-0150 [IIIM Ref. Nos. ED00782039-ED00782053, at ED00782044] (“The security authorities assigned to the sector to search for the hidden persons mentioned in the confessions of the arrested person, [REDACTED], and present them to the investigation committee because there are confessions against them.”).

<sup>1015</sup> Examples of documents, in which it is requested to intensify the work of informant networks, to “plant informers and sources” and improve their performance in collecting information on “targets and wanted persons” include: Communication from Military Intelligence Branch 243, 12 March 2011, appended to Brown Expert Report, Ex. C-47; Circular from Military Intelligence Branch 243, 18 January 2011, appended to Brown Expert Report, Ex. C-32; Circular from Military Intelligence Branch 243, 21 October 2011, appended to Brown Expert Report, Ex. C-35 (para. 6); Communication from Military Intelligence Branch 294, 2 September 2011, appended to Brown Expert Report, Ex. C-38. Examples of documents where sources have provided information about “targets” include: Communication from Military Intelligence Branch 261, 24 March 2012, appended to Brown Expert report, Ex. C-91; Communication from Military Intelligence Branch 261, 2 May 2012, appended to Brown Expert report, Ex. C-96; Communication from Air Force Intelligence, 28 May 2012, appended to Brown Expert report, Ex. C-111. *See also* Memo from the Head of Section 79 of General Intelligence Branch 331 in Idlib addressed to the Head of Branch 331, 14 May 2014, SNHR collection [IIIM Ref. No. ED00678448, p. 22, IIIM English unofficial translation TR00000633, p. 2] (disseminating information from a source about an alleged armed terrorist, including a recommendation that his name be circulated for arrest), and associated Communication from General Intelligence Branch 331 in Idlib to General Intelligence Branch 255, 16 May 2014, SNHR collection [IIIM Ref. No. ED00678448, p. 20, IIIM English unofficial translation TR00000633, p. 1] (disseminating the information on the same individual described in the previous document to Branch 255, requesting to circulate his name to all border check points and broadcast that he was wanted by Branch 331). *See also* Brown Expert Report, para. 68.

<sup>1016</sup> Communication from Military Intelligence Branch 261 to Military Intelligence Branch 271, 28 September 2011, appended to Brown Expert Report, Ex. C-114 (attaching a transcript of an intercepted call); Report from Military Intelligence Branch 261 to Branch 271, 26 September 2011, appended to Brown Expert Report, Ex. C-118.

<sup>1017</sup> Instruction from the Head of the Political Security Department to all heads of security branches in the governorates, 18 March 2011, appended to Brown Expert Report, Ex. C-80; Information Bulletin to Head of the Military Intelligence Department, 20 September 2011, appended to Brown Expert Report, Ex. C-117.

<sup>1018</sup> NSB instruction to the Air Force Intelligence to add two individuals to the list of important wanted targets, 29 November 2011, SJAC Ref. No. DOC.2013.B031.F046.0001 [IIIM Ref. No. ED00674257]; Instruction to remove names from wanted lists from the NSB to the Head of Military Intelligence Department, March 2012, CIJA Ref. No. SYR.D0179.016.038 [IIIM Ref. No. ED00522409, IIIM English unofficial translation TR00000588] (“we refer to you herewith lists of names including /335/ wanted persons, /208/ of whom surrendered to Idlib Military Security Branch and /127/ surrendered to Idlib General Intelligence Branch. They submitted written pledges in which they undertook not to carry arms, get involved in subversive acts, the demonstrations or anything which could undermine Syria’s security and stability. Please be informed and strikethrough the names of the persons mentioned in the wanted lists circulated at the checkpoints of Idlib Governorate.”).

<sup>1019</sup> *See e.g.* NSB instruction to all intelligence agencies, 9 August 2014, SNHR collection [IIIM Ref. No. ED00830207, IIIM English unofficial translation TR00000623] (requesting the heads of all Intelligence Agencies to provide the NSB with names of persons, organisations, bodies, and charities, whether Syrian, Arab, or foreign, that were proven via investigations or confirmed information to have financed terrorist groups in the country) and associated Communication from General Intelligence Branch 285 addressed to the heads of General Intelligence branches in the governorates, 11 August 2014, SNHR collection [IIIM Ref. No. ED00830206, IIIM English unofficial translation TR00000622] (disseminating the previous NSB instruction to recipient General Intelligence branch heads for implementation of the NSB instruction).

<sup>1020</sup> *See e.g.* Communication from Military Intelligence Branch 291 within the Military Intelligence Department, to governorate branches, Military Intelligence Branch 261 and Military Intelligence Unit 215, 22 May 2012, CIJA Ref. No. SYR.D0180.024.028 [IIIM Ref. No. ED00527711, IIIM English unofficial translation TR00000642] (“Please be informed, surveil and search for the mentioned individuals to arrest them and search for the weapons, and in case they



are seized with another person, they should be arrested and transferred to Branch 291.”); Memo from Air Force Intelligence Investigation Branch within the Air Force Intelligence Directorate, 11 November 2012, CIJA Ref. No. SYR.D0088.008.001 [IIIM Ref. No. ED00267943, CIJA English translation ED00799539] (Air Force Intelligence document to Air Force Intelligence airport detachments and Air Force Intelligence section Daraa with a wanted list of eight individuals, instructing recipients to: “Arrest and send them to us for the necessity of investigation.”); Communication from Head of Investigation Branch of Air Force Intelligence to all Air Force Intelligence branches, 27 July 2011, appended to Brown Expert Report, Ex. C-83 (forwarding a list of 1556 persons wanted in the Idlib governorate, with instructions from the Air Force Intelligence Director to disseminate the list to all branches and facilities of the [Air Force Intelligence] Directorate and its checkpoints); Communication from Political Security, 12 February 2015, SJAC Ref. No. DOC.2015.B0001.F131.0015 [IIIM Ref. No. ED00676008] (Political Security Department wanted list, copied to several recipients including Military Intelligence Department, Air Force Intelligence Directorate, General Intelligence Directorate, Military Police, Criminal Security Directorate, Immigration and Passports Administration, and Political Security Department branches); Circular from General Intelligence Branch 255 [Information Branch], 1 March 2014, CIJA Ref. No. SYR.D0303.001.024 [IIIM Ref. No. ED01147311] (General Intelligence Directorate wanted list, copied to several recipients including Political Security Department, Air Force Intelligence Department and Military Intelligence Department); Circular from the Air Force Intelligence Director, 9 February 2012, recirculated to all Political Security branches on behalf of the Head of the Political Security Department on 22 February 2012, FSLA collection [IIIM Ref. No. ED00862889\_DL00011] (sharing a list of 10 people wanted for arrest by the Air Force Intelligence Directorate with Political Security branches); Circular on behalf of the Head of the Political Security Department to all Political Security branches, 12 February 2012, FSLA collection [IIIM Ref. No. ED00862896] (distributing names of persons wanted for arrest by various Military Intelligence branches).

<sup>1021</sup> The Syrian Military Records and Syrian Military Police had a database listing persons for whom a search warrant has been issued by one of these agencies, comprising civilians who have failed to report to military conscription or who have deserted from military service, culminating in more than 500,000 wanted individuals by Military Intelligence in 2015: Database, IIIM Ref. No. ED00000091 and accompanying Record of Evidence shared with IIIM, IIIM Ref. Nos. ED00021698, FT00000008 (describing database issued by Syrian Military Records and Syrian Military Police and source).

The Syrian Air Force Intelligence had a database comprising more than 15,000 persons wanted by Air Force Intelligence in 2014, shared with other intelligence agencies: Database, IIIM Ref. No. ED00000090 and accompanying Record of Evidence Shared with IIIM, IIIM Ref. No. FT00000003 (describing database and source of database comprising wanted persons by the Air Force Intelligence, shared with other security agencies, which all had the authority to execute the search warrants).

The Air Force Intelligence had a database of nearly 100,000 individuals wanted by Syrian Government security agencies in 2012: Database, IIIM Ref. No. ED00000086 and accompanying Record of Evidence Shared with IIIM, IIIM Ref. Nos. ED00021701, FT00000007 (describing database issued by Syrian Airforce Intelligence Agency of 96,000 wanted by Syrian Government security agencies, and source).

The Political Security Department had a database of nearly 22,000 individuals wanted by the Political Security Department in 2014: Database, IIIM Ref. No. ED00000088 and accompanying Record of Evidence Shared with IIIM, IIIM Ref. No. FT00000001 (describing database issued by Syrian Political Security Department of 22,000 wanted by Syrian Government security agencies, and source).

The Syrian Military Records issued a database of nearly 55,000 individuals wanted for reserve service in the Syrian Military in 2014. This was given to the Military Police, who shared it with other security agencies: Database, IIIM Ref. No. ED00000089 and accompanying Record of Evidence Shared with IIIM, IIIM Ref. No. FT00000002 (describing database issued by Syrian Military Records of 55,000 wanted by Syrian Government security agencies, and source).

<sup>1022</sup> Circulars from Political Security Department to the heads of Political Security in the central and governorate branches, 20-23 February 2012, FSLA collection [IIIM Ref. No. ED00862892, pp. 1-14] (circulating wanted lists from the Military Intelligence Department, the Air Force Intelligence Department and the General Intelligence





Department); Communication from the Head of Political Security, 8 August 2011, CIJA Ref. No. SYR.D0080.107.037 [IIIM Ref. No. ED00251462] (instructing recipients to search for three named individuals, and if found, detain them and send them to the Air Force Intelligence Investigation Branch).

<sup>1023</sup> Communication from the Ministry of the Interior to Head of the Organization and Administration Directorate, 27 April 2012, CIJA Ref. Nos. SYR.D0015.014.139-140 [IIIM Ref. Nos. ED00045024-ED00045025, CIJA English translation ED00798127-ED00798128] (forwarding a wanted notice issued by Military Intelligence Branch 294 to Government entities including the Immigration and Passports Administration, the Criminal Security Directorate and the Police Commander in Al-Hasakah governorate. Branch 294 originally sent the notice to its own branches, the other intelligence agencies, the Military Police and the Ministry of the Interior.).

<sup>1024</sup> Circular from the Investigation and Prisons Branch of Military Police Branch with a list of persons wanted by Political Security, 2 October 2012, CIJA Ref. Nos. SYR.D0182.003.017-018 [IIIM Ref. Nos. ED00533911-ED00533912]; Circular from the Investigation and Prisons Branch of Military Police Branch with a list of persons wanted by Air Force Intelligence, 2 October 2012, CIJA Ref. Nos. SYR.D0182.003.021-022 [IIIM Ref. Nos. ED00533915-ED00533916]; Circular from the Investigation and Prisons Branch of Military Police Branch with a list of persons wanted by Military Intelligence Branch 294, 16 May 2012, CIJA Ref. No. SYR.D0182.016.092 [IIIM Ref. No. ED00536294].

<sup>1025</sup> Communication from Fifth Division regarding the update of a wanted list, 20 February 2012, CIJA Ref. No. SYR.D0063.016.024 [IIIM Ref. No. ED00185983, IIIM English unofficial translation TR00000531] (from the Fifth Division Security Office to the commander of Regiment 175 and the commander of a battalion, requesting the inclusion of eight names on wanted lists, based on information provided by Military Intelligence Branch 265, the Political Security Department in Daraa and the commander of the security group in Daraa and the First Corps). The list includes a victim whose photograph was identified by a family member amongst the Caesar files. *See Zaman Al-Wasl Article* (March 2015) (stating that the victim was shot, detained, and taken to the Fifth Division [contains graphic images]); *Syrian Human Rights Committee Report* (2015), victim number 5 [contains graphic images]. The victim's name was searched across the Mechanism's Central Repository, resulting in the identification of his name on this Government wanted list. Relevant Caesar Images are at IIIM Ref. Nos. ED00962600-ED00962606.

<sup>1026</sup> *See e.g.* Communication from Military Intelligence Branch 271 to Air Force Intelligence Idlib, 12 January 2012, CIJA Ref. No. SYR.D0199.106.010 [IIIM Ref. No. ED00582329] (indicating that the Military Intelligence Branch 271 in Idlib sent a communication to the Air Force Intelligence Section in Idlib, informing the latter that they were handing over a detainee and his possessions to the Air Force Intelligence Idlib Section because he was wanted by the Air Force Intelligence Investigation Branch); Communication from Head of Political Security Branch in Idlib to Air Force Intelligence Section in Idlib, 17 February 2014, SJAC Ref. No. DOC.2015.B0001.F135.0215 [IIIM Ref. No. ED00676239, IIIM English unofficial translation TR00000606] (“Please be informed and refer the said individual to the Idlib Attorney General [Public Prosecutor] once you have finished resolving his situation, bearing in mind that there is a request concerning him from the General Intelligence Directorate – Branch 331 under notification No. 122016/[Arabic letter B “ب”] dated 29/2/2012, issued by virtue of document No. 230/44 dated 28/2/2012.”); Communication from the Head of the Investigation Section of General Intelligence Branch 331 to the Head of Branch 331, 30 November 2011, SNHR collection [IIIM Ref. No. ED00829818, IIIM English unofficial translation TR00000632] (informing the head of the branch of the detention and interrogation of a person suspected to have attended unlicensed demonstrations); Memorandum from General Intelligence Branch 345 addressed to the Director of the General Intelligence Directorate, 5 August 2014, SNHR collection [IIIM Ref. No. ED00830142, IIIM English unofficial translation TR00000635] (informing that the Military Intelligence Branch in Tartous detained and transferred a female detainee to General Intelligence Branch 345 because she was wanted by General Intelligence Branch 251).

<sup>1027</sup> *See e.g.* Communication from Political Security Branch in Idlib to Air Force Intelligence Branch in Idlib regarding the transfer of a detainee, 23 August 2014, SJAC Ref. No. DOC.2015.B0001.F135.0135 [IIIM Ref. No. ED00676159] (sending information on detainee accused of participating in protests in Idlib and transferring him to Air Force Intelligence Directorate because he is on an Air Force Intelligence wanted list); Communication from Political Security Branch in Idlib to Air Force Intelligence Branch in Idlib regarding the transfer of a detainee, 10 January 2014,



SJAC Ref. No. DOC.2015.B0001.F135.0137 [IIIM Ref. No. ED00676161] (sending information on a detainee and informing of transfer to Air Force Intelligence because “they are finished with him”).

<sup>1028</sup> Communication from Head of Political Security Branch in Idlib to Air Force Intelligence Section in Idlib, 17 February 2014, SJAC Ref. No. DOC.2015.B0001.F135.0215 [IIIM Ref. No. ED00676239, IIIM English unofficial translation TR00000606] (“Please be informed and refer the said individual to the Idlib Attorney General [Public Prosecutor] once you have finished resolving his situation, bearing in mind that there is a request concerning him from the General Intelligence Directorate – Branch 331 under notification No. 122016/[Arabic letter baa: ب] dated 29/2/2012, issued by virtue of document No. 230/44 dated 28/2/2012.”).

<sup>1029</sup> See above Section V.C. See e.g. Communication from Military Intelligence Branch 265 to the First Corps Commander, 11 November 2011, CIJA Ref. No. SYR.D0063.012.321 [IIIM Ref. No. ED00185445] (requesting the latter to distribute the names of 10 individuals to military checkpoints to be arrested on sight and brought to Branch 265); Communication from the Head of the Air Force Intelligence Investigation Branch to various Air Force Intelligence branches and units, 27 July 2011, CIJA Ref. No. SYR.D0088.009.015 [IIIM Ref. No. ED00267991] (forwarding a list of 1557 persons wanted in the Idlib governorate, with instructions from the Air Force Intelligence Director to disseminate the list to all branches and facilities of the [Air Force Intelligence] Directorate and its checkpoints).

<sup>1030</sup> See above Section III.B. See also *Eyad A.* Judgment, p. 29 (“By May 2012, more than 10,000 people had died in the unrest. Many times that number of people were removed from demonstrations, checkpoints, workplaces, private homes or hospitals to intelligence service prisons, where they were systematically and sometimes severely abused, using the torture methods identified.”).

<sup>1031</sup> See e.g. Circular from Military Intelligence Branch 243 to all heads of sections and detachments and Deputy Branch Head, 21 October 2011, appended to Brown Expert Report, Ex. C-35 (instructing recipients to “[a]ctivate the work of joint military security checkpoints” to search for wanted persons and suspects); [REDACTED]; Witness interview record, IIIM Ref. No. XXX78, p. 5. See also *Eyad A.* Judgment, pp. 21 (“Scores of people were also arrested and abducted at checkpoints set up throughout the country and in large-scale raids covering entire districts. Among them were people who were entirely uninvolved.”), 22 (In April 2011 and the following months, Syrian “security forces increasingly set up checkpoints that carried out personal checks and were equipped with lists of people to be arrested.”).

<sup>1032</sup> In Idlib, for example, the Security Committee ordered the heads of the four main intelligence branches and the commander of the Idlib police to establish a checkpoint at a particular location, specifying how many personnel from each should staff the checkpoint. Communication from Commander of Security Operations in Idlib to the Heads of Military Intelligence, Police, Political Security, General Intelligence and Air Force Intelligence in Idlib, 4 September 2012, CIJA Ref. No. SYR.D0197.051.001 [IIIM Ref. No. ED00572171].

<sup>1033</sup> Witness interview record, IIIM Ref. No. XXX16, p. 7.

<sup>1034</sup> See above Section III.B.

<sup>1035</sup> Communication from Military Intelligence Detachment in Tell Abyad to the Head of Military Intelligence Branch 243, 14 April 2011, CIJA Ref. No. SYR.D0043.004.191 [IIIM Ref. No. ED00137054] (referring to decision by Tell Abyad Security Committee to deploy security patrols from security agencies to entrances to towns); Communication from Military Intelligence Detachment in Ras al-Ayn to Military Intelligence Branch 222, 14 June 2011, CIJA Ref. No. SYR.D0003.022.001 [IIIM Ref. No. ED00023077, CIJA English translation ED00797907] (discussing checkpoint deployments). See also *Eyad A.* Judgment, p. 25.

<sup>1036</sup> See e.g. Memo from the Head of the Political Security Branch in Raqqa to the Head of the Political Security Department, 21 May 2011, FSLA collection [IIIM Ref. No. ED00862944\_00004, IIIM English unofficial translation TR00000629] (stating that informants and representatives informed of two named persons suspected of calling for protests, and recommending to arrest them and send them to court. The Head of the Political Security Department approved the recommendation).

<sup>1037</sup> On 18 July 2011, the CCMC ordered the Security Committee in Homs Governorate to conduct inspections of certain neighbourhoods, starting immediately from the eastern city districts, and arrest the wanted persons, search for the perpetrators of crimes and hand them over to the judiciary, under the supervision of the NSB Head. CCMC



Decision No. 3413, 18 July 2011, appended to Brown Expert Report, Ex. C-181. On 17/18 July 2011, the CCMC ordered the Security Committee in Deir-Ezzor to “encircle and isolate [Al-Bukamal] in collaboration with the armed forces”; “carry out inspection operations” in all neighbourhoods; and “arrest the repeat offenders, instigators, and anti-regime elements and hand them over to the Judiciary.” It tasked the “head of the NSB to supervise, monitor and provide necessary assistance for the implementation” of the order. CCMC Decision No. 3414, 18 July 2011, CIJA Ref. No. SYR.E0001.017.002 [IIIM Ref. No. ED00780782, CIJA English translation ED00802334].

<sup>1038</sup> Communication from Head of the NSB dated 6 August 2011, disseminated by Military Intelligence Branch 294, 17 August 2011, appended to Brown Expert Report, Ex. C-40. *See also Eyad A. Judgment*, p. 25 (“Within their military-like structures, the security forces involved were instructed to take coordinated action against demonstrators from the end of April 2011 at the latest; in addition, raids and house searches with arrests were carried out, mostly with the participation of members of the intelligence services.”).

<sup>1039</sup> Communication from Political Security Branch Raqqa to Head of Political Security Department Registration Office Branch, 22 August 2011, CIJA Ref. No. SYR.D0077.190.006 [IIIM Ref. No. ED00243038, CIJA English translation ED00799180] (In response to a Political Security Department circular of 16 August 2011 that mirrored the language of the 5 August CCMC instruction, communication informed of decision to send patrols in response to request to “launch joint security campaigns against the area which are used as shelters for those wanted on charges of committing crimes of sabotage, killing, and attacking citizens as well as against those who incite others to take part in demonstrations.”). *See also Eyad A. Judgment*, p. 26 (“During the violent dispersal of demonstrations, house searches, raids and controls at checkpoints, the security authorities arrested scores of people from March 2011 onwards.”).

<sup>1040</sup> *See* Report 43 of the Hama Joint Investigation Committee, 2 October 2011, CIJA Ref. Nos. SYR.E0002.007.0136-0150, IIIM Ref. Nos. ED00782039-ED00782053, at ED00782044 (“The aforementioned individuals were arrested on 17/9/2011 in the home of detainee [REDACTED] by Branch 271 [...]”) and at ED00782050 (“[The detainee] was arrested on 14/9/2011 in his home [...]”). *See also* Communication from Head of the NSB dated 6 August 2011, disseminated by Military Intelligence Branch 294, 17 August 2011, appended to Brown Expert Report, Ex. C-40 (instructing recipients to launch daily joint security-military campaigns “to raid the locations” of wanted persons, arrest such persons and refer them to joint investigation committees for interrogation).

<sup>1041</sup> Witness interview record, IIIM Ref. No. XXX47, IIIM English unofficial translation XXX27, pp. 7-8; Witness interview record, IIIM Ref. No. XXX62, IIIM English unofficial translation XXX26, pp. 6-7; Witness interview record, IIIM Ref. No. XXX53, pp. 4-5.

<sup>1042</sup> Witness interview record, IIIM Ref. No. XXX47, IIIM English unofficial translation XXX27, p. 6.

<sup>1043</sup> *See* [REDACTED]. *See also* Communication from Head of the NSB dated 6 August 2011, disseminated by Military Intelligence Branch 294, 17 August 2011, appended to Brown Expert Report, Ex. C-40 (providing instruction to “launch daily joint security-military campaigns” in key security sectors as per security priorities).

<sup>1044</sup> Witness interview record, IIIM Ref. No. XXX54, p. 7; Witness interview record, IIIM Ref. No. XXX44, p. 6.

<sup>1045</sup> Witness interview record, IIIM Ref. No. XXX54, p. 9. *See also* Circular from Military Intelligence Branch 248, 24 December 2013, CIJA Ref. No. SYR.D0181.013.007 [IIIM Ref. No. ED00531028, IIIM English unofficial translation TR00000253] (indicating measures to be taken, “[g]iven the increase in the number of detainees in the [Military Intelligence Department] prisons which [are] now incapable of receiving all these large numbers [...] with a view to reducing the number of detainees and minimize the shortcomings associated with the current increase” which include illnesses and deaths).

<sup>1046</sup> FSLA interview record, IIIM Ref. No. XXX69, IIIM English unofficial translation XXX61, pp. 7-9. Government documents show that members of Military Intelligence Unit 215 were deployed outside of Damascus and worked alongside Military Intelligence branches in the governorates, including Daraa. For example, *see* Communication from Military Police Daraa Post to Single Military Judge in Daraa, 12 February 2012, CIJA Ref. Nos. SYR.D0156.055.017-018 [IIIM Ref. Nos. ED00451228-ED00451229, CIJA English translation ED00800092-ED00800093] (concerning deaths and injuries to Government forces serving in Daraa, specifically referencing a member of Military Intelligence Unit 215 deployed to the area); Communication from Military Intelligence Branch 271 to the Head of the Military Intelligence Department, 4 June 2011, CIJA Ref. Nos. SYR.D0186.081.003-005 [IIIM Ref. Nos. ED00542057-ED00542059] (showing daily update on events and reporting one death and injuries to members of Military



Intelligence Unit 215 serving in Idlib Governorate); Communication from Military Intelligence Branch 291 to Branches 261 and 271, 12 March 2012, CIJA Ref. No. SYR.D0199.018.027 [IIIM Ref. No. ED00580319] (reporting the disappearance of members of Military Intelligence Unit 215 who had been posted on mission to Military Intelligence Branch 219).

<sup>1047</sup> Circular on abiding by 60-day detention limit, 19 March 2012, CIJA Ref. No. SYR.D0186.068.003 [IIIM Ref. No. ED00541806, IIIM English unofficial translation TR00000563] (“You are requested to: 1. Comply strictly with Legislative Decree No. 55 dated 21/4/2011 and the statutory period of detention stipulated therein (sixty days) and to remand detainees to the competent judiciary before expiry of the said period. 2. In the event the detainees’ case falls within the jurisdiction of the Central Branches or the Committee formed at Branch 291, the detaining branch must not exceed the full period stipulated in the above-mentioned Decree No. 55, and the detainees must be remanded to those authorities shortly after their detention so the authorities can complete the investigation within the period stipulated in the Decree.”). In addition, the Military Intelligence Department had established an Investigation Committee at Branch 291. *See e.g.* Telegram from Military Intelligence Branch 291 to Military Intelligence Branch 223, 23 September 2011, CIJA Ref. Nos. SYR.D0175.008.033-036 [IIIM Ref. Nos. ED00517708-ED00517711, CIJA English translation ED00800294-ED00800297] (showing a recommendation for transfer from the Military Intelligence Branch in Lattakia (223) to the Committee at 291. “In reference to your telegram № /654/4 of 22/9/2011 on the subject of one [REDACTED] and his companion, [t]he recommendation has been approved.”).

<sup>1048</sup> Circular on abiding by 60-day detention limit, 19 March 2012, CIJA Ref. No. SYR.D0186.068.003 [IIIM Ref. No. ED00541806, IIIM English unofficial translation TR00000563].

<sup>1049</sup> *See* Section IV.G (Judicial system).

<sup>1050</sup> *See e.g.* Communication from Military Intelligence Branch 271 to Military Intelligence Branch 248, 7 March 2011, CIJA Ref. No. SYR.D0186.104.031 [IIIM Ref. No. ED00542792] (requesting the transfer of the deserter [REDACTED] and two of his associates from Branch 271 to Branch 248); Communication from the Head of Military Intelligence Branch 271 to Military Intelligence Branch 248, 19 April 2011, CIJA Ref. Nos. SYR.D0186.103.028-029 [IIIM Ref. Nos. ED00542732-ED00542733] (Document requesting physical transfer of a detainee from Military Intelligence Branch 271 to Branch 248).

<sup>1051</sup> Telegram from Military Intelligence Branch 223, 20 December 2012, CIJA Ref. Nos. SYR.D018.002.026-029 [IIIM Ref. Nos. ED00530298-ED00530301, IIIM English unofficial translation TR00000567-TR00000569]; (“Proposal: transfer detainee [REDACTED] to Branch 235 for further investigation and necessary measures -against him. [...]. Opinion of Head of Branch 291: I agree with the proposal and suggest using force during interrogation with him.”); Communication from General Intelligence Branch 251 with a transfer recommendation, 1 June 2013, CIJA Ref. Nos. SYR.D0246.073.002-004 [IIIM Ref. Nos. ED00655169-ED00655171] (showing a recommendation to transfer two detainees from the General Intelligence Branch 251 to the General Intelligence Investigation Branch 285); Communication from General Intelligence Branch 331 to General Intelligence Branch 111 with a transfer recommendation, 7 May 2012, CIJA Ref. Nos. SYR.D0246.147.001-002 [IIIM Ref. Nos. ED00655630-ED00655631] (showing a recommendation to transfer two detainees from the General Intelligence Branch in Idlib 331 to the General Intelligence Investigation Branch 285).

<sup>1052</sup> Letter from Political Security Department branch, 25 October 2014, SJAC Ref. No. DOC.2015.B0001.F135.0026 [IIIM Ref. No. ED00676050, IIIM English unofficial translation TR00000603] (“We present before you: [name of detainee, data, location] [REDACTED].”); Communication from Military Intelligence Branch 271 to Military Intelligence Branch 291, 3 June 2012, CIJA Ref. No. SYR.D0186.045.001 [IIIM Ref. No. ED00541372, IIIM English unofficial translation TR00000530] (“We present to you in presence the arrested [REDACTED] along with a copy of his statement record.”). The subject of this document is a victim whose photograph was identified amongst the Caesar files, IIIM Ref. No. ED00955261. The victim’s name was searched across the Mechanism’s Central Repository, resulting in the identification of his name on this Government transfer document. Relevant Caesar Images are at IIIM Ref. Nos. ED00979322-ED00979324. *See also* Communication from Brigadier General Aysar Bugha, Head of Political Security Branch in Idlib to Political Security Department, Investigation Branch, 5 March 2014, SJAC Ref. No. DOC.2015.B0001.F135.0191 [IIIM Ref. No. ED00676215, IIIM English unofficial translation TR00000605]



(concerning the physical transfer of a detainee accused of participating in protests in al-Rakaya, from the Political Security Branch in Idlib to the Political Security Investigation Branch).

<sup>1053</sup> Communication from the Head of Military Intelligence Branch 291/B to Military Intelligence Branch 220, 26 September 2011, CIJA Ref. Nos. SYR.D0175.012.001-003 [IIIM Ref. Nos. ED00517832-ED00517834] (Document from Military Intelligence Branch 291/B to Military Intelligence Branch 220, informing the branch to pursue the investigations with a detained soldier).

<sup>1054</sup> IIIM audio-recorded interview with B068019, IIIM Ref. Nos. XXX27-XXX40, at XXX28.

<sup>1055</sup> Letter to present to the post a detained conscript, 2 July 2011, CIJA Ref. No. SYR.D0183.056.023 [IIIM Ref. No. ED00539279, IIIM English unofficial translation TR00000619] (“Please receive and ensure the transfer of the said individual to the Intelligence Department – Branch 248 with envelope No. [handwritten: 23096] on [handwritten: 2]/7/2011”); Letter to present a detained conscript with his belongings, 20 July 2011, CIJA Ref. No. SYR.D0186.087.020 [IIIM Ref. No. ED00542258, IIIM English unofficial translation TR00000649] (a letter from the Military Intelligence Branch Idlib 271 to the Military Intelligence Investigation Branch in Damascus 248 accompanying the physical transfer of the same detainee).

<sup>1056</sup> *See above* Section IV.D (Military Police).

<sup>1057</sup> *See above* Section III.C.2 (summarising detention conditions in al-Balouna). Communication from Military Police Branch in Homs to heads of Military Police branches in Aleppo, Lattakia, Damascus, Heads of Second and Third Military Prison, Head of Military Police Tartus Post, Head of Military Police Hama Post, Head of Military Police Idlib Post and Head of Military Police Daraa Post, 2 March 2014, CIJA Ref. No. SYR.D0193.006.011 [IIIM Ref. No. ED00559233] (showing the role of Third Military Prison [Al-Balouna] as a transfer hub).

<sup>1058</sup> Communication from General Intelligence Branch in Idlib to Military Intelligence Branch in Idlib, 19 November 2014, CIJA Ref. Nos. SYR.D0246.027.001-003 [IIIM Ref. Nos. ED00654926-ED00654928, IIIM English unofficial translation TR00000573-TR00000575] (Recommendation for transfer of a detainee); Communication from the Political Security Branch in Idlib to the Air Force Intelligence section in Idlib, 17 February 2014, SJAC Ref. No. DOC.2015.B0001.F135.0215 [IIIM Ref. No. ED00676239, IIIM English unofficial translation TR00000606] (a letter from the Political Security Department Branch in Idlib to the Air Force Intelligence section in Idlib accompanying the physical transfer of a detainee, noting that the individual is also the subject of a General Intelligence wanted notice); Communication from the Political Security Branch in Idlib to the Military Security Branch in Idlib, 5 August 2014, SJAC Ref. No. DOC.2015.B0001.F135.0299 [IIIM Ref. No. ED00676323, IIIM English unofficial translation TR00000608] (a letter from the Political Security Department branch in Idlib to the Military Intelligence Branch in Idlib 271 accompanying the physical transfer of a detainee, noting that the individual is also the subject of a General Intelligence wanted notice).

<sup>1059</sup> Letter from the Political Security Branch in Idlib to the Attorney General [Public Prosecutor] in Idlib, accompanying the physical transfer of a detainee with a summary of accusations against them, 25 November 2014, SJAC Ref. No. DOC.2015.B0001.F135.0065 [IIIM Ref. No. ED02035092, IIIM English unofficial translation ED02035091]; Letter from Military Intelligence Branch 271 to the Attorney General [Public Prosecutor] in Idlib, accompanying the physical transfer of a detainee with a summary of accusations against them, 2 July 2011, CIJA Ref. No. SYR.D0178.008.015 [IIIM Ref. No. ED00521326]; Letter from the Air Force Intelligence Northern Region Branch (Aleppo) to the First Attorney General [Public Prosecutor] in Aleppo, 2013 [IIIM Ref. No. ED00017611, pp. 1-2, IIIM English unofficial translation TR00000595].

<sup>1060</sup> Letter from the Head of General Intelligence Branch 251 to the Head of General Intelligence Directorate concerning 11 individuals arrested by them in Damascus and Rif Dimashq, with recommendations, 6 January 2013, CIJA Ref. Nos. SYR.D0246.220.003-004 [IIIM Ref. Nos. ED00656175-ED00656176].

<sup>1061</sup> Letter from the Head of Military Intelligence Branch 227 to the Head of the Military Intelligence Department with a recommendation to send a detainee to the Rif Dimashq Attorney General [Public Prosecutor] for crimes including protesting and inciting to protest, approved by the Head of the Military Intelligence Department, 7 April 2012, CIJA Ref. Nos. SYR.D0179.017.064-066 [IIIM Ref. Nos. ED00522493-ED00522495]; Letter from the Head of Military Intelligence Branch 227 to the Head of the Military Intelligence Department with a recommendation to send a detainee to the Counter-Terrorism Court for crimes including protesting and working in support of armed terrorist groups,



approved by the Head of the Military Intelligence Department, 6 December 2013, CIJA Ref. Nos. SYR.D0181.018.002-004 [IIIM Ref. Nos. ED00531324-ED00531326].

<sup>1062</sup> See above Section III.F.

<sup>1063</sup> Detention order issued by the Single Military Judge in Daraa, 27 November 2012, CIJA Ref. No. SYR.D0113.093.047 [IIIM Ref. No. ED00315597]; Detention order issued by the First Military Field Court, 12 February 2013, CIJA Ref. No. SYR.D0169.113.005 [IIIM Ref. No. ED00497746].

<sup>1064</sup> Summary of detainee's case [REDACTED] [IIIM Ref. No. ED00017505]; Release orders issued by the Counter-Terrorism Court to Daraa Central Prison, December 2012, CIJA Ref. Nos. SYR.D0115.037.002-005 [IIIM Ref. Nos. ED00322013-ED00322016]; Release order issued by the Counter-Terrorism Court to Damascus Central Prison, with referral to the Public Prosecutor in Hama, [REDACTED] 2023, p. 3 [IIIM Ref. No. ED02036529].

<sup>1065</sup> Release on bail form from the Military Investigative Judge in Damascus addressed to the Office of the Military Public Prosecutor in Damascus, 3 May 2012, CIJA Ref. No. SYR.D0115.081.021 [IIIM Ref. No. ED00323936]; [REDACTED], 2015 [IIIM Ref. No. ED00863501, IIIM English unofficial translation TR00000578].

<sup>1066</sup> Letter from Air Force Intelligence Daraa Section to Daraa Attorney General [Public Prosecutor], requesting that a detainee be returned to them on release, having previously been sent to the Attorney General [Public Prosecutor] in Damascus by the Air Force Intelligence, 24 July 2011, CIJA Ref. No. SYR.D0115.001.048 [IIIM Ref. No. ED00321009, IIIM English unofficial translation TR00000698] (Air Force Intelligence request to Attorney General [Public Prosecutor] in Daraa to return a detainee to them, who they had previously sent to the Attorney General [Public Prosecutor] in Damascus, once released.).

<sup>1067</sup> See above Section III.F (Judicial process).

<sup>1068</sup> While the Joint Investigation Committees were established and interrogated detainees, security branches continued to interrogate detainees in their own branches and headquarters. See Communication from the Head of the Joint Investigation Committee in Hama Governorate to the Security and Military Commander in Hama, 2012, CIJA Ref. No. SYR.E0002.001.002 [IIIM Ref. No. ED00780867, CIJA English translation ED00802378] (indicating that, “recently, some of the mentioned security agencies have been noticed to investigate in their headquarters and submit arrestees directly to the judicial authorities in violation of the above mentioned decision so that all security branches should exclusively present those arrestees to the joint investigation committee which has the jurisdiction to investigate, verify, present and establish the legal proceedings, edit investigation records and refer to the competent legal authority after characterizing the perpetrated crime.”).

<sup>1069</sup> Communication from Head of the NSB dated 6 August 2011, disseminated by Military Intelligence Branch 294, 17 August 2011, appended to Brown Expert Report, Ex. C-40 (“Establish a joint investigation committee at the governorate level that includes representatives from all security branches and the Criminal Security Branch. All persons arrested in security campaigns shall be referred to this committee for interrogation. The results of these interrogations shall be sent to all security branches so that they can be used in identifying and seriously pursuing new targets, with an interest in investigations to find and arrest members of local coordination committees.”).

<sup>1070</sup> Communication from Military Intelligence Branch 271 to Military Intelligence Branch 291, 3 June 2012, CIJA Ref. No. SYR.D0186.045.001 [IIIM Ref. No. ED00541372, IIIM English unofficial translation TR00000530] (reporting on the arrest and interrogation of a detainee [Caesar victim]: “We present to you in presence the arrested along with a copy of his statement record”, and transferring him to Military Intelligence Branch 291 (the Committee), with copies to Branch 291/B (for information), Branch 248 (for information) and Branch 294 (for information).).

<sup>1071</sup> IIIM Ref. No. ED00955261. The victim's name was searched across the Mechanism's Central Repository, resulting in the identification of his name on this Government transfer document. Relevant Caesar Images are at IIIM Ref. Nos. ED00979322-ED00979324.

<sup>1072</sup> Communication from Military Intelligence Branch 271 to Head of the Military Intelligence Department, 4 August 2012, CIJA Ref. No. SYR.D0183.078.040 [IIIM Ref. No. ED00539956].

<sup>1073</sup> Circular signed by the Head of the Military Intelligence Department, circulated by Military Intelligence Branch 248 to the Bureau of the Head of the Military Intelligence Department, all central and external Department branches, and the Committees formed at Branches 291 and 293, 18 October 2012, CIJA Ref. No. SYR.D0197.054.026 [IIIM Ref. No. ED00572281, CIJA English translation ED00801072].



<sup>1074</sup> See e.g. Communication from Air Force Intelligence Northern Branch to the First Public Prosecutor in Aleppo, [REDACTED] 2013 [IIIM Ref. No. ED00017611, IIIM English unofficial translation TR00000595] ([REDACTED]). See also Communication from Political Security Branch in Idlib to the Public Prosecutor in Idlib, 25 November 2014, SJAC Ref. No. DOC.2015.B0001.F135.0065 [IIIM Ref. No. ED02035092, SJAC English translation ED02035091] (related to the transfer of a detainee to the Public Prosecutor in Idlib for participating in protests).

<sup>1075</sup> Communication from General Intelligence Branch [REDACTED] to the Counter-Terrorism Court, [REDACTED] 2023 [IIIM Ref. No. ED02036529, IIIM English unofficial translation TR00000707] (showing transfer of a detainee with summary of allegations, along with the detainee's statement).

<sup>1076</sup> White Heart Organization interview record, IIIM Ref. No. XXX25, IIIM English unofficial translation TR00000700.

<sup>1077</sup> Communication from Military Intelligence Branch 271 to Military Intelligence Branch 290, with a copy to Military Intelligence Branch 291, 4 August 2012, CIJA Ref. No. SYR.D0183.078.036 [IIIM Ref. No. ED00539952] (requesting to transfer the detainee to the Committee in Military Intelligence Branch 291 and send a copy of the detainee's statement to Military Intelligence Branch 271 to use and follow with individuals mentioned therein and conduct the necessary measures).

<sup>1078</sup> Communication from Military Intelligence Unit 215 to the Head of the Military Intelligence Department, 10 June 2014, CIJA Ref. No. SYR.D0329.021.033-034 [IIIM Ref. No. ED01226195-ED01226196] (stating that a previous detainee's (deceased) statement was used to implicate the current detainee).

<sup>1079</sup> Communication from Military Intelligence Unit 215 to the Public Prosecution of the Counter-Terrorism Court via the Military Public Prosecution in Damascus, 12 June 2014, CIJA Ref. No. SYR.D00329.021.032 [IIIM Ref. No. ED01226194] (noting that the detainee is transferred to the Public Prosecution of the Counter-Terrorism Court along with an investigation report about him and concluding that he had committed the crimes of protesting without a permit; insulting the political leadership and army; undermining the prestige of the state; and being an accomplice to terrorist acts).

<sup>1080</sup> Communication from the Political Security Branch in Idlib to the Head of the Air Force Intelligence in Idlib, 4 August 2014, SJAC Ref. No. DOC.2015.B0001.F135.0298 [IIIM Ref. No. ED02035088, SJAC English translation ED02035087]. See also Communication from the Political Security Branch in Idlib to the Head of the Air Force Intelligence in Idlib, 4 August 2014, SJAC Ref. No. DOC.2015.B0001.F135.0303 [IIIM Ref. No. ED02035090, SJAC English translation ED02035089] (showing that one detainee was wanted on warrants issued both by the Air Force Intelligence Branch and the General Intelligence Branch in Idlib, but was arrested and first interrogated by the Political Security Branch in Idlib before being transferred to the Air Force Intelligence Branch); Communication from the Political Security Branch in Idlib to the Head of the Air Force Intelligence in Idlib, 19 May 2014, SJAC Ref. No. DOC.2015.B0001.F135.0344 [IIIM Ref. No. ED02035097, SJAC English translation ED02035098] (showing that one detainee was wanted on warrants issued both by the Air Force Intelligence Branch and the General Intelligence Branch in Idlib, but was arrested and first interrogated by the Political Security Branch in Idlib before being transferred to the Air Force Intelligence Branch).

<sup>1081</sup> Communication from Military Intelligence Branch 271 to the Head of the Military Intelligence via Military Intelligence Branch 291/B, 24 October 2012, CIJA Ref. Nos. SYR.D0199.133.012-013 [IIIM Ref. Nos. ED00582702-ED00582703].

<sup>1082</sup> Sources of Information, a comprehensive guide for security agencies to conduct intelligence-gathering, CIJA Ref. Nos. SYR.D0282.034.018-026 [IIIM Ref. Nos. ED00751832-ED00751840, IIIM English unofficial translation TR00000508-TR00000500, at TR00000503-TR00000502]. This document is lacking a header or any immediate indications of its source. However, there are other indications that it is a Political Security document issued by the Political Security Information branch. A circular from the Political Security Information Branch, dated 7 February 2010, is a multi-page guide to types of intelligence, which refers to a separate guide called "Sources of Intelligence Information". See Circular from the Political Security Department signed by Head of the Information Branch, 7 February 2010, CIJA Ref. Nos. SYR.D0086.007.003-010 [IIIM Ref. Nos. ED00264249-ED00264256, at ED00264252] ("Intelligence Information: This is information that is attained by intelligence methods. It will be discussed in the report on Sources of Intelligence Information."). The title of this separate report that the circular refers



to, “Sources of Intelligence Information”, is consistent with the title of the document lacking a header above, which is “Sources of Information”. In addition, the font and formatting of this Political Security circular appear to match that of the “Sources of Information” guide. This indicates that the “Sources of Information” guide is likely a chapter in a series of guides to various aspects of intelligence/security work distributed by the Political Security Information Branch. For example, there is another such Political Security circular that is a guide to document preservation. *See* Circular from the Political Security Department signed by the Head of the Information Branch, 7 February 2010, CIJA Ref. Nos. SYR.D0086.006.022-026 [IIIM Ref. Nos. ED00264242-ED00264246]. In addition, the “Sources of Information” guide appears in a folder of CIJA-sourced Syrian Government documents that consists predominantly of documents from the Political Security Branch in Idlib ranging in date from 2011 to 2014. *See* CIJA document folder SYR.D0282.034 [IIIM Ref. Nos. ED00751815-ED00751864].

<sup>1083</sup> *See e.g.* Communication from Military Intelligence Branch 271 to Military Intelligence Branch 291 copying other Military Intelligence Branches (248 and 294), including Office of the Head of the Military Intelligence Department, 3 June 2012, CIJA Ref. No. SYR.D0186.045.001 [IIIM Ref. No. ED00541372, IIIM English unofficial translation TR00000530] (report, sent up the chain of command, indicating that detainee confessed after being subjected to an interrogation). The subject of this document is a victim whose photograph was identified amongst the Caesar files, IIIM Ref. No. ED00955261. The victim’s name was searched across the Mechanism’s Central Repository, resulting in the identification of his name on this Government transfer document. Relevant Caesar Images are at IIIM Ref. Nos. ED00979322-ED00979324.

<sup>1084</sup> *See e.g.* Communication from General Intelligence Branch 331 to the Head of General Intelligence Branch 331, 4 August 2012, CIJA Ref. Nos. SYR.D0260.012.004-005 [IIIM Ref. Nos. ED00703393-ED00703394, IIIM English unofficial translation TR00000546-TR00000547] (investigation report includes the statement that the detainee was subjected to force). *See also below* para. 349.

<sup>1085</sup> *See* Section III.D.

<sup>1086</sup> Communication from NSB to the Minister of the Interior, 6 September 2011, CIJA Ref. No. SYR.D0178.002.018 [IIIM Ref. No. ED00521106, CIJA English translation ED00800575] (NSB acknowledging that they are aware that arrested individuals are being subjected to beatings and torture “without justification”). *See also* Communication from NSB to the Minister of the Interior, 9 July 2011, CIJA Ref. No. SYR.D0178.002.001 [IIIM Ref. No. ED00521089, CIJA English translation ED00800569] (Most of those who have been released by the security agencies have been disclosing all that they were subjected to abuse on the part of the security elements and interrogators, exaggerating and publicizing this in the media in order to harm the security agencies); Circular from NSB with a stamp from the Office of the Minister of Interior showing that it was received by them, 29 September 2011, CIJA Ref. No. SYR.D0178.002.025 [IIIM Ref. No. ED00521113, CIJA English translation ED00800578] (noting that some of the security forces during the search of villages and neighbourhoods to arrest wanted individuals have been engaging in unrestrained activities that reflect negatively on security work, and receipt of many complaints from citizens after every search, from loss of jewellery and money and damage to furniture, to the exposure of some citizens to abuse and insults and curses from the search members, to the arrest of some without justification, despite their not being wanted in the lists.); Circular from NSB, 20 December 2012, FSLA collection [IIIM Ref. No. ED00862945, p. 1, IIIM English unofficial translation TR00000237, p. 1] (reminding the recipients that “[a]rrestees may not be beaten or cursed”).

<sup>1087</sup> Communication from NSB to the Minister of the Interior, 6 September 2011, CIJA Ref. No. SYR.D0178.002.018 [IIIM Ref. No. ED00521106, CIJA English translation ED00800575].

<sup>1088</sup> Communication from Military Intelligence Branch 248 instructing other branches, 12 February 2012 CIJA Ref. No. SYR.D0181.017.021 [IIIM Ref. No. ED00531293, CIJA English translation ED00800799] (reminding the branches to “[a]bsolutely abstain from hitting, humiliating, or abusing detainees during their detention, interrogation, or transfer to the competent authorities, at risk of accountability”); Memo from Military Intelligence Branch 248 to the Head of the Military Intelligence Department, 26 August 2013, CIJA Ref. Nos. SYR.D0179.034.028-031 [IIIM Ref. Nos. ED00524505-ED00524508, IIIM English unofficial translation TR00000086-TR00000088, at TR00000087] (“It’s important to pay attention to the cleanliness of prison and all facilities and the arrestees and their health. It should be taken care of as much as the available capabilities allow. This is to save their lives and minimize deaths which has





lately been remarkably increasing. [...] Some mistakes by some of the Department branches were reviewed, including: [...] the use of force, beating, and torture on detainees.”)

<sup>1089</sup> As noted above (endnotes 6-7), the use of force [*“al-shidah”*] and its reference in Syrian Government documents predates the 2011 popular uprising, despite the Syrian Government’s claim that legal prohibitions against *“al-shidah”* prohibit “torture” under the Convention Against Torture. *See e.g.* Memo from Military Intelligence Branch 235 to the Head of the Military Intelligence, 14 November 1989, CIJA Ref. Nos. SYR.D0399.016.092-017.003 [IIIM Ref. Nos. ED01419696-ED01419708, at ED01419704] (noting that “they stuck to their account despite a lengthy and intense interrogation with them and the use of all interrogation methods, including force”); Memo from Military Intelligence Branch in Idlib to the Head of the Military Intelligence Department and Deputy Chief of Staff of the Armed Forces, 12 August 1998, CIJA Ref. Nos. SYR.D0338.028.014-019 [IIIM Ref. Nos. ED01250542-ED01250547, at ED01250544-ED01250545] (noting that “Using force on him, and during face-to-face interrogations with [the other detainees], his account settled on the following [...]”); Communication from Military Intelligence Branch in Idlib to the Military Intelligence Branch 291/4, 13 March 2005, CIJA Ref. Nos. SYR.D0376.008.091-094 [IIIM Ref. Nos. ED01361100-ED01361103, at ED01361102] (noting that “despite the use of force and pressure on the three detainees, they confirmed that they had no knowledge [...]”); Communication from Military Intelligence Branch in Idlib to the Military Intelligence Branch 291/B, 14 June 2005, CIJA Ref. No. SYR.D0375.030.002-003 [IIIM Ref. No. ED01360216, ED01360218, at ED01360218, IIIM English unofficial translation TR00000548-TR00000549] (noting that the interrogators could not use force on the detainee because of his health and mental state, which they assessed would not allow for obtaining the information sought).

<sup>1090</sup> Communication from the Head of the Investigation Section of General Intelligence Branch 331 to the Head of the Branch, 4 August 2012, CIJA Ref. Nos. SYR.D0260.012.004-005 [IIIM Ref. Nos. ED00703393-ED00703394, IIIM English unofficial translation TR00000546-TR00000547, at TR00000547] (“The detainee was re-interrogated with force, and he persistently maintained his version of the story.”).

<sup>1091</sup> Telegram from Military Intelligence Branch 223 to the Head of the Military Intelligence Department via Branch 291, 20 December 2013, CIJA Ref. Nos. SYR.D0181.002.027-029 [IIIM Ref. Nos. ED00530299-ED00530301, IIIM English unofficial translation TR00000567-TR00000569, at TR00000569] (“Opinion of Head of Branch 291: I agree with the proposal and suggest using force during interrogation with him.”).

<sup>1092</sup> Telegram from Military Intelligence Branch 261 to the Head of Military Intelligence via Branch 291, 27 December 2013, CIJA Ref. No. SYR.D0180.030.025 [IIIM Ref. No. ED00528006, IIIM English unofficial translation TR00000252] (“Opinion of Brig. Gen., Head of Branch 291: I suggest to approve the proposal and to use force on them during interrogation, as they may be connected to others in the university.”).

<sup>1093</sup> Communication from the Head of General Intelligence Branch 331 to General Intelligence Branch 111 (with spaces for the Recommendation of the First Assistant to the General Intelligence Director and the Decision of the General Intelligence Director), 19 November 2014, CIJA Ref. Nos. SYR.D0246.027.001-003 [IIIM Ref. Nos. ED00654926-ED00654928, at ED00654928].

<sup>1094</sup> *See above* Section III.

<sup>1095</sup> Witness interview record, IIIM Ref. No. XXX50; Witness interview record, IIIM Ref. No. XXX57; Witness interview record, IIIM Ref. No. XXX01; Witness interview record, IIIM Ref. No. XXX94; Witness interview record, IIIM Ref. No. XXX18.

<sup>1096</sup> Witness interview record, IIIM Ref. No. XXX71; [REDACTED]; Witness interview record, IIIM Ref. No. XXX72; Witness interview record, IIIM Ref. No. XXX65.

<sup>1097</sup> *See* IIIM video-recorded interview with B073285, IIIM Ref. No. XXX29. *See also* IIIM audio-recorded interview with B841722, IIIM Ref. Nos. XXX65-XXX72, at XXX65.

<sup>1098</sup> *See* La Caisne, Operation Caesar (2018), pp. 122-123 (On 29 April 2011, Hamza al-Khatib left his village with his family and friend to go on a demonstration in Daraa, but was stopped at a roadblock outside the town. His body was returned to his parents a month later with bullet wounds, his penis cut off, his face bloated and his body blue with haematoma. His family immediately posted a video of his mutilated body on the internet. His name was chanted at rallies and Facebook pages and web pages were dedicated to him.)

<sup>1099</sup> *Addounia* TV interviews with Dr. Akram al-Sha’ar, IIIM Ref. Nos. OS00003916-OS00003917.



<sup>1100</sup> Tishreen Military Hospital Death Reports include the name and title of Dr. Akram al-Shaar, dated between February and August 2012: CIJA Ref. No. SYR.D0137.097.027 [IIIM Ref. No. ED00389104]; CIJA Ref. No. SYR.D0141.085.009 [IIIM Ref. No. ED00402715]; CIJA Ref. No. SYR.D0145.075.010 [IIIM Ref. No. ED00415745]; CIJA Ref. No. SYR.D0145.119.019 [IIIM Ref. No. ED00416797]; CIJA Ref. No. SYR.D0145.119.026 [IIIM Ref. No. ED00416804]; CIJA Ref. No. SYR.D0172.097.012 [IIIM Ref. No. ED00509393].

<sup>1101</sup> See La Caisne, Operation Caesar (2018), p. 123 (The photo of Hamza al-Khatib's body was one of hundreds of pictures of murdered civilians classified as "terrorists" by the Syrian Government: Hamza al-Khatib's body bore the number 23). Another photo showed the body of Thamer al-Sharei, a 15-year-old boy, arrested in Daraa the same day as Hamza. His body was returned to his family two months later riddled with bullet holes and a large cut on his cheek. His photo bears the number 12. Caesar photos for Hamza al-Khatib: IIIM Ref. Nos. ED00958663-ED00958670; Caesar photos for Thamer Al-Shara'i: IIIM Ref. Nos. ED00958653-ED00958662.

<sup>1102</sup> Forensic Photography Section has also been translated into English as "Criminal Photography" Department or Division. See above endnote 890; SNHR Report (2015).

<sup>1103</sup> *Eyad A.* Judgment, pp. 26-28; SNHR Report (2015), p. 8.

<sup>1104</sup> *Eyad A.* Judgment, p. 92; SNHR Report (2015), p. 8.

<sup>1105</sup> *Eyad A.* Judgment, p. 92; SNHR Report (2015), p. 8.

<sup>1106</sup> *Eyad A.* Judgment, pp. 90, 96; Summary Expert Report Regarding the "Caesar Files", p. 11 [IIIM Ref. No. ED00868455, IIIM English unofficial translation TR00000234].

<sup>1107</sup> See above Sections III.C.3, D.4, E.2; *Eyad A.* Judgment, pp. 97-99; SNHR Report (2015), p. 4.

<sup>1108</sup> See e.g. IIIM video-recorded interview with B073285, IIIM Ref. No. XXX29; IIIM audio-recorded interview with B841722, IIIM Ref. Nos. XXX65-XXX72, at XXX65.

<sup>1109</sup> See Circular from Military Intelligence Branch 248, 18 December 2012, CIJA Ref. No. SYR.D0197.057.014 [IIIM Ref. No. ED00572345, IIIM English unofficial translation TR00000427] (informing the branches of the procedure to follow in the event of a prisoner's death, referencing previous NSB letter no./32197/7 of 3 December 2012. A copy of the Circular was sent to the Head of the Military Intelligence Department, all branches of the department, and the Committees at Branches 291 and 293.).

<sup>1110</sup> See below paras. 353-355.

<sup>1111</sup> See Circular from Military Intelligence Branch 248, 18 December 2012, CIJA Ref. No. SYR.D0197.057.014 [IIIM Ref. No. ED00572345, IIIM English unofficial translation TR00000427] ("the Military Police takes all necessary medical (forensic examination of the body) and judicial measures to release or bury the body"); IIIM audio-recorded interview with B841722, IIIM Ref. Nos. XXX65-XXX72, at XXX65.

<sup>1112</sup> Circular from Military Intelligence Branch 248, 18 December 2012, CIJA Ref. No. SYR.D0197.057.014 [IIIM Ref. No. ED00572345, IIIM English unofficial translation TR00000427] (informing the branches of the procedure to follow in the event of a prisoner's death, referencing previous NSB letter no./32197/7 of 3 December 2012. A copy of the Circular was sent to the Head of the Military Intelligence Department, all branches of the department, and the Committees at Branches 291 and 293.).

<sup>1113</sup> Circular from Military Intelligence Branch 248, 18 December 2012, CIJA Ref. No. SYR.D0197.057.014 [IIIM Ref. No. ED00572345, IIIM English unofficial translation TR00000427] (although the instruction begins by referring to the bodies of "terrorists referred to it by the security agencies as a result of combat activities", it also refers to the bodies of "detainees", indicating that a "medical report" [تقرير طبي] should be attached in the cases of detainees who die "in the prisons of the branches of the Department").

<sup>1114</sup> The family members of detained persons have described being sent to the Military Police to request information about their disappeared relatives. See Section III.G (Incommunicado detention and enforced disappearance); Circular from Military Intelligence Branch 248, 18 December 2012, CIJA Ref. No. SYR.D0197.057.014 [IIIM Ref. No. ED00572345, IIIM English unofficial translation TR00000427] (informing the branches of the procedure to follow in the event of a prisoner's death, referencing previous NSB letter no./32197/7 of 3 December 2012. The NSB instructions indicate that the Military Police should inform the families of "killed terrorists").



<sup>1115</sup> Circular from Military Intelligence Branch 248, 18 December 2012, CIJA Ref. No. SYR.D0197.057.014 [IIIM Ref. No. ED00572345, IIIM English unofficial translation TR00000427] (second point of summary of NSB instruction).

<sup>1116</sup> Circular from Military Intelligence Branch 248, 18 December 2012, CIJA Ref. No. SYR.D0197.057.014 [IIIM Ref. No. ED00572345, IIIM English unofficial translation TR00000427] (third point of summary of NSB instruction). Alternative English translations for this office [مكتب دفن الموتى] include “Funeral Office” and “Mortuary Bureau”.

<sup>1117</sup> Communication from Head of Section 85/t to the Head of General Intelligence Branch 251, [REDACTED] 2013, CIJA Ref. No. SYR.E0017.001.018 [IIIM Ref. No. ED01424420, IIIM English unofficial translation TR00000452] ([REDACTED]).

<sup>1118</sup> Circular from Military Intelligence Branch 248, 18 December 2012, CIJA Ref. No. SYR.D0197.057.014 [IIIM Ref. No. ED00572345, IIIM English unofficial translation TR00000427] (instructions from Head of Military Intelligence Department: “when any detainee dies in the prisons of the branches of the Department, the hospital they were taken to or in which the body was kept is asked to prepare an immediate preliminary medical report about their medical condition and the reason for their death.”); Communication from Military Intelligence Branch 227 to the Office of Major General, Head of the Military Intelligence Department, 19 December 2013, CIJA Ref. Nos. SYR.D0181.003.017-018 [IIIM Ref. Nos. ED00530342-ED00530343, IIIM unofficial translation TR00000710 and TR00000571] (reporting the death of detainee [REDACTED] at Harasta Military Hospital. This detainee was transferred to Harasta Military Hospital on 15 December 2013 and died there the same day. The detainee’s body was recorded under number 3956.); Communication from Military Intelligence Branch 227 to the Office of Major General, Head of the Military Intelligence Department, 5 August 2013, CIJA Ref. Nos. SYR.D0180.015.020-021 [IIIM Ref. Nos. ED00527043-ED00527044, IIIM English unofficial translation TR00000246-TR00000247] (reporting death of detainee [REDACTED] at Mezzeh Military Hospital (601). The communication states that following arrest in March 2013 and interrogations, detainee [REDACTED]’s health condition deteriorated, and he died at Military Hospital 601 the same day “due to cardiorespiratory arrest”. The detainee’s body was placed in the morgue/hospital fridge under number 2655. The communication indicates that, through the interrogations, he confessed to joining armed terrorist groups and attacking checkpoints and security forces and killing army members, and requests to dismiss the subject of his death and bury his body in a known place.).

<sup>1119</sup> See Circular from Military Intelligence Branch 248, 18 December 2012, CIJA Ref. No. SYR.D0197.057.014 [IIIM Ref. No. ED00572345, IIIM English unofficial translation TR00000427] (informing the branches of the procedure to follow in the event of a prisoner’s death, referencing previous NSB letter no./32197/7 of 3 December 2012).

<sup>1120</sup> Circular from Military Intelligence Branch 248, 18 December 2012, CIJA Ref. No. SYR.D0197.057.014 [IIIM Ref. No. ED00572345, IIIM English unofficial translation TR00000427].

<sup>1121</sup> Circular from Military Intelligence Branch 248, 18 December 2012, CIJA Ref. No. SYR.D0197.057.014 [IIIM Ref. No. ED00572345, IIIM English unofficial translation TR00000427].

<sup>1122</sup> See Communication from Head of Section 85/t to the Head of General Intelligence Branch 251, [REDACTED] 2013, CIJA Ref. No. SYR.E0017.001.018 [IIIM Ref. No. ED01424420, IIIM English unofficial translation TR00000452] [REDACTED]; Witness interview record, IIIM Ref. No. XXX19, p. 16.

<sup>1123</sup> Communication from Military Intelligence Branch 227 to the office of Major General, Head of the Military Intelligence Department, 5 August 2013, CIJA Ref. Nos. SYR.D0180.015.020-021 [IIIM Ref. Nos. ED00527043-ED00527044, IIIM English unofficial translation TR00000246-TR00000247] (reporting death of detainee [REDACTED] at Mezzeh Military Hospital (601)); Communication from Military Intelligence Branch 227 to the office of Major General, Head of the Military Intelligence Department, 6 August 2013, CIJA Ref. Nos. SYR.D0180.014.079-081 [IIIM Ref. Nos. ED00526990 (cover page), ED00526991-ED00526992 (report), IIIM English unofficial translation TR00000558 (cover page), CIJA English translation ED00800769, ED00800771 (report)] (reporting death of detainee [REDACTED] at Mezzeh Military Hospital (601)); Communication from Military Intelligence Branch 227 to the office of Major General, Head of the Military Intelligence Department, 6 August 2013, CIJA Ref. Nos. SYR.D0180.014.075-077 [IIIM Ref. Nos. ED00526986 (cover page), ED00526987-ED00526988 (report), IIIM English unofficial translation TR00000555 (cover page), TR00000248-TR00000249 (report)] (reporting death of detainee [REDACTED] at Mezzeh Military Hospital (601)); Communication from



Military Intelligence Branch 227 to the office of Major General, Head of the Military Intelligence Department, 5 August 2013, CIJA Ref. Nos. SYR.D0180.015.010-012 [IIIM Ref. Nos. ED00527033 (cover page), ED00527034-ED00527035 (report), IIIM English unofficial translation TR00000559 (cover letter), TR00000250-TR00000251 (report)] (reporting death of detainee [REDACTED] at Mezzeh Military Hospital (601)); Communication from Military Intelligence Branch 227 to the office of Major General, Head of the Military Intelligence Department, 5 August 2013, CIJA Ref. Nos. SYR.D0180.015.014-016 [IIIM Ref. Nos. ED00527037 (cover page), ED00527038-ED00527039 (report)] (reporting death of detainee [REDACTED] at Mezzeh Military Hospital (601)); Communication from Military Intelligence Branch 227 to the office of Major General, Head of the Military Intelligence Department, 14 September 2013, CIJA Ref. Nos. SYR.D0197.092.028-030 [IIIM Ref. Nos. ED00574707 (cover page), ED00574708-ED00574709 (report), IIIM English unofficial translation TR00000561 (cover page), TR00000564-TR00000565 (report)] (reporting death of detainee [REDACTED] at Mezzeh Military Hospital (601)); Communication from Military Intelligence Branch 227 to the office of Major General, Head of the Military Intelligence Department, 19 December 2013, CIJA Ref. Nos. SYR.D0181.003.016-018 [IIIM Ref. Nos. ED00530341 (cover letter), ED00530342-ED00530343 (report), IIIM English unofficial translation TR00000566 (cover letter), TR00000710 and TR00000571 (report)] (reporting death of detainee [REDACTED] at Harasta Military Hospital); Communication from Military Intelligence Branch 227 to the office of Major General, Head of the Military Intelligence Department, July 2013 [day unclear], [IIIM Ref. No. ED02036218, pp. 5-6] (reporting death of detainee [REDACTED] at Mezzeh Military Hospital (601)).

<sup>1124</sup> Communication from Military Intelligence Branch 216 to the office of Major General, Head of the Military Intelligence Department, 2 August 2014, CIJA Ref. Nos. SYR.D0329.019.061-062 [IIIM Ref. Nos. ED01226022, ED01226024, IIIM English unofficial translation TR00000581-TR00000582] (reporting death of detainee [REDACTED] at Harasta Military Hospital).

<sup>1125</sup> Communication from Military Intelligence Branch 227 to the office of Major General, Head of the Military Intelligence Department, 6 August 2013, CIJA Ref. Nos. SYR.D0180.014.075-077 [IIIM Ref. Nos. ED00526986 (cover page), ED00526987-ED00526988 (report), IIIM English unofficial translation TR00000555 (cover page), TR00000248-TR00000249 (report)].

<sup>1126</sup> In addition to four documents which were identified by CIJA, another such communication was provided by a different source. The IIIM verified the references within the documents and Caesar images within its Central Repository.

<sup>1127</sup> Communication from Military Intelligence Branch 227 to the office of Major General, Head of the Military Intelligence Department, 6 August 2013, CIJA Ref. Nos. SYR.D0180.014.079-081 [IIIM Ref. Nos. ED00526990 (cover page), ED00526991-ED00526992 (report), IIIM English unofficial translation TR00000558 (cover page), CIJA English translation ED00800769, ED00800771 (report)]; Caesar Image, IIIM Ref. No. ED00978550.

<sup>1128</sup> Communication from Military Intelligence Branch 227 to the office of Major General, Head of the Military Intelligence Department, 14 September 2013, CIJA Ref. Nos. SYR.D0197.092.028-030 [IIIM Ref. Nos. ED00574707 (cover page), ED00574708-ED00574709 (report), IIIM English unofficial translation TR00000561, TR00000564, TR00000565] (indicating the findings of their interrogation and the causes of death of [REDACTED]). Moreover, Military Intelligence Branch 227 recommended not returning the body to the family and burying it in a known place.); Communication from Military Intelligence Branch 227 to the office of Major General, Head of the Military Intelligence Department, 19 December 2013, CIJA Ref. Nos. SYR.D0181.003.016-018 [IIIM Ref. Nos. ED00530341 (cover page), ED00530342-ED00530343 (report), IIIM English unofficial translation TR00000566, TR00000710, TR00000571] (indicating the findings of their interrogation and the causes of death of [REDACTED]). Moreover, Military Intelligence Branch 227 recommended not returning the body to the family and burying it in a known place.); Communication from Military Intelligence Branch 216 to the office of Major General, Head of the Military Intelligence Department, 2 August 2014, CIJA Ref. Nos. SYR.D0329.019.061-062 [IIIM Ref. No. ED01226022, ED01226024, IIIM English unofficial translation TR00000581-TR00000582] (indicating the findings of their interrogation and the causes of death of [REDACTED]). Moreover, Military Intelligence Branch 216 recommended burying the body in a known place.).



<sup>1129</sup> Communication from Military Intelligence Branch 227 to the office of Major General, Head of the Military Intelligence Department, 5 August 2013, CIJA Ref. Nos. SYR.D0180.015.014-016 [IIIM Ref. Nos. ED00527037 (cover page), ED00527038-ED00527039 (report)].

<sup>1130</sup> Circular from Military Intelligence Branch 248, 18 December 2012, CIJA Ref. No. SYR.D0197.057.014 [IIIM Ref. No. ED00572345, IIIM English unofficial translation TR00000427] (informing the branches of the procedure to follow in the event of a prisoner's death, referencing previous NSB letter no./32197/7 of 3 December 2012).

<sup>1131</sup> [REDACTED]; [REDACTED]; [REDACTED].

<sup>1132</sup> See SNHR Report (2015), p. 15; Zaman Al-Wasl Article (2015), IIIM Ref. No. OS00001711, p. 5 (A nurse who worked at Hospital 601 stated that the bodies were put in a room close to the garage of Hospital 601).

<sup>1133</sup> See Caesar Image, IIIM Ref. No. ED00990169; UNOSAT satellite imagery of Mezzeh Military Hospital, IIIM Ref. No. ED00014664 (demonstrating the geolocation of a Caesar photo, which shows bodies at the garage of Hospital 601); Bellingcat, Caesar Photographs Geolocation (2015); HRW Report (2015), p. 3.

<sup>1134</sup> Circular from Military Intelligence Branch 248, 18 December 2012, CIJA Ref. No. SYR.D0197.057.014 [IIIM Ref. No. ED00572345, IIIM English unofficial translation TR00000427] (informing the branches of the procedure to follow in the event of a prisoner's death, referencing previous NSB letter no./32197/7 of 3 December 2012, in which NSB stipulated that “some branches of the [Military Intelligence] Department are late in presenting the status of any detainee who dies in their custody which delays the procedures for releasing them to their families or burying them. Therefore, the body is kept for a longer period resulting in its disintegration and the Medical Services Administration [Directorate] is forced to bury them and not to release them to their families.”).

<sup>1135</sup> Communication from Head of Section 85/t to the Head of General Intelligence Branch 251, [REDACTED] 2013, CIJA Ref. No. SYR.E0017.001.018 [IIIM Ref. No. ED01424420, IIIM English unofficial translation TR00000452] [REDACTED].

<sup>1136</sup> [REDACTED]. See also IIIM audio-recorded interview with B841722, IIIM Ref. Nos. XXX65-XXX72, at XXX65.

<sup>1137</sup> Witness interview record, IIIM Ref. No. XXX19, p. 15. See also Witness interview record, IIIM Ref. No. XXX42; [REDACTED].

<sup>1138</sup> See below para. 361.

<sup>1139</sup> See below para. 362.

<sup>1140</sup> See above paras. 348-349.

<sup>1141</sup> IIIM audio-recorded interview with B841722, IIIM Ref. Nos. XXX65-XXX72, at XXX68.

<sup>1142</sup> See above para. 94 (referring to Caesar photo locations mapped in Annex B); *Eyad A. Judgment*, pp. 96-97.

<sup>1143</sup> See above Sections III.C.3, D.4, E.2; *Eyad A. Judgment*, pp. 95-98.

<sup>1144</sup> La Caisne, Operation Caesar (2018), p. 95. See also *Eyad A. Judgment*, p. 93 (“According to both witnesses, the condition of the corpses laid out in the courtyard of the hospitals did not correspond to the medical report that ‘Caesar’ received from the forensic medicine departments of the hospitals. There had already been similar, but – according to ‘Caesar’ – ‘not such brutal’ footage. After ‘Caesar’ had secretly put image files on data carriers and smuggled them out of his office, he and ‘Sami’ decided to continue with this activity so that they could both collect image material and take it out of the country. Hereby, ‘Caesar’ and ‘Sami’ intended to bring the fate of people who had disappeared in such large numbers in Syria at the time to public attention and secure evidence.”).

<sup>1145</sup> See e.g. Witness interview record, IIIM Ref. No. XXX19, pp. 16-17. See also Zaman Al-Wasl Article (2015), IIIM Ref. No. OS00001711.

<sup>1146</sup> ADMSP interview record, IIIM Ref. No. XXX35, p. 3.

<sup>1147</sup> Communication from Head of Section 85/t to the Head of General Intelligence Branch 251, [REDACTED] 2013, CIJA Ref. No. SYR.E0017.001.018 [IIIM Ref. No. ED01424420, IIIM English unofficial translation TR00000452] [REDACTED]; [REDACTED].

<sup>1148</sup> See above paras. 354-355.

<sup>1149</sup> The following documents request and receive approval from the Head of the Military Intelligence Department to bury the detainees’ bodies “in a known place”: Communication from Military Intelligence Branch 227 to the office of Major General, Head of the Military Intelligence Department, 5 August 2013, CIJA Ref. Nos. SYR.D0180.015.020-



021 [IIIM Ref. Nos. ED00527043-ED00527044, IIIM English unofficial translation TR00000246-TR00000247] (reporting death of detainee [REDACTED] at Mezzeh Military Hospital (601)); Communication from Military Intelligence Branch 227 to the office of Major General, Head of the Military Intelligence Department, 6 August 2013, CIJA Ref. Nos. SYR.D0180.014.079-081 [IIIM Ref. Nos. ED00526990 (cover page), ED00526991-ED00526992 (report), IIIM English unofficial translation TR00000558 (cover page), CIJA English translation ED00800769, ED00800771 (report)] (reporting death of detainee [REDACTED] at Mezzeh Military Hospital (601)); Communication from Military Intelligence Branch 227 to the office of Major General, Head of the Military Intelligence Department, 5 August 2013, CIJA Ref. Nos. SYR.D0180.015.010-012 [IIIM Ref. Nos. ED00527033 (cover page), ED00527034-ED00527035 (report), IIIM English unofficial translation TR00000559 (cover page), TR00000250-TR00000251 (report)] (reporting death of detainee [REDACTED] at Mezzeh Military Hospital (601)); Communication from Military Intelligence Branch 227 to the office of Major General, Head of the Military Intelligence Department, 5 August 2013, CIJA Ref. Nos. SYR.D0180.015.014-016 [IIIM Ref. Nos. ED00527037 (cover page), ED00527038-ED00527039 (report)] (reporting death of detainee [REDACTED] at Mezzeh Military Hospital (601)); Communication from Military Intelligence Branch 227 to the office of Major General, Head of the Military Intelligence Department, 14 September 2013, CIJA Ref. Nos. SYR.D0197.092.028-030 [IIIM Ref. Nos. ED00574707 (cover page), ED00574708-ED00574709 (report), IIIM English unofficial translation TR00000561 (cover page), TR00000564-TR00000565 (report)] (reporting death of detainee [REDACTED] at Mezzeh Military Hospital (601)); Communication from Military Intelligence Branch 227 to the office of Major General, Head of the Military Intelligence Department, 19 December 2013, CIJA Ref. Nos. SYR.D0181.003.016-018 [IIIM Ref. Nos. ED00530341 (cover letter), ED00530342-ED00530343 (report), IIIM English unofficial translation TR00000566 (cover letter), TR00000710 and TR00000571 (report)] (reporting death of detainee [REDACTED] at Harasta Military Hospital); Communication from Military Intelligence Branch 216 to the office of Major General, Head of the Military Intelligence Department, 2 August 2014, CIJA Ref. Nos. SYR.D0329.019.061-062 [IIIM Ref. Nos. ED01226022, ED01226024, IIIM English unofficial translation TR00000581-TR00000582] (reporting death of detainee [REDACTED] at Harasta Military Hospital); Communication from Military Intelligence Branch 227 to the office of Major General, Head of the Military Intelligence Department, July 2013 [IIIM Ref. No. ED02036218, pp. 5-6] (reporting death of detainee [REDACTED] at Mezzeh Military Hospital (601)).

<sup>1150</sup> See e.g. Communication from Military Intelligence Branch 227 to the office of Major General, Head of the Military Intelligence Department, 5 August 2013, CIJA Ref. Nos. SYR.D0180.015.020-021 [IIIM Ref. Nos. ED00527043-ED00527044, IIIM English unofficial translation TR00000246-TR00000247] (reporting death of detainee [REDACTED] at Mezzeh Military Hospital (601)); Communication from Military Intelligence Branch 227 to the office of Major General, Head of the Military Intelligence Department, 5 August 2013, CIJA Ref. Nos. SYR.D0180.015.014-016 [IIIM Ref. Nos. ED00527037 (cover page), ED00527038-ED00527039 (report)] (reporting death of detainee [REDACTED] at Mezzeh Military Hospital (601)); Communication from Military Intelligence Branch 216 to the office of Major General, Head of the Military Intelligence Department, 2 August 2014, CIJA Ref. Nos. SYR.D0329.019.061-062 [IIIM Ref. Nos. ED01226022, ED01226024, IIIM English unofficial translation TR00000581-TR00000582] (reporting death of detainee [REDACTED] at Harasta Military Hospital); Communication from Military Intelligence Branch 227 to the office of Major General, Head of the Military Intelligence Department, July 2013, [IIIM Ref. No. ED02036218, pp. 5-6] (reporting death of detainee [REDACTED] at Mezzeh Military Hospital (601)).

<sup>1151</sup> See e.g. Communication from Military Intelligence Branch 227 to the office of Major General, Head of the Military Intelligence Department, 6 August 2013, CIJA Ref. Nos. SYR.D0180.014.079-081 [IIIM Ref. Nos. ED00526990 (cover page), ED00526991-ED00526992 (report), IIIM English unofficial translation TR00000558 (cover page), CIJA English translation ED00800769, ED00800771 (report)] (reporting death of detainee [REDACTED] at Mezzeh Military Hospital (601)); Communication from Military Intelligence Branch 227 to the office of Major General, Head of the Military Intelligence Department, 5 August 2013, CIJA Ref. Nos. SYR.D0180.015.010-012 [IIIM Ref. Nos. ED00527033 (cover page), ED00527034-ED00527035 (report), IIIM English unofficial translation TR00000559 (cover letter), TR00000250-TR00000251 (report)] (reporting death of detainee [REDACTED] at Mezzeh Military Hospital (601)); Communication from Military Intelligence Branch 227



to the office of Major General, Head of the Military Intelligence Department, 14 September 2013, CIJA Ref. Nos. SYR.D0197.092.028-030 [IIIM Ref. Nos. ED00574707 (cover page), ED00574708-ED00574709 (report), IIIM English unofficial translation TR00000561 (cover page), TR00000564-TR00000565 (report)] (reporting death of detainee [REDACTED] at Mezzeh Military Hospital (601)); Communication from Military Intelligence Branch 227 to the office of Major General, Head of the Military Intelligence Department, 19 December 2013, CIJA Ref. Nos. SYR.D0181.003.016-018 [IIIM Ref. Nos. ED00530341 (cover letter), ED00530342-ED00530343 (report), IIIM English unofficial translation TR00000566 (cover letter), TR00000710 and TR00000571 (report)] (reporting death of detainee [REDACTED] at Harasta Military Hospital).

<sup>1152</sup> ADMSP interview record, IIIM Ref. No. XXX35, p. 4; Witness interview record, IIIM Ref. No. XXX19.

<sup>1153</sup> *Eyad A.* Judgment, pp. 100-104 (Witness Z 30/07/19, who worked as an administrator at the Damascus cemetery office, stated that he was recruited by senior officers of the security services to assist with burying bodies in mass graves from 2011 to 2017. His task was “adding corpses to the lists” received from the officers who escorted the delivery vehicles and refrigerated trucks. The witness “entered the date, the origin of the individual corpses, i.e. the intelligence service branch, and the total number of dead as provided to him on the documents at the burial sites.”).

<sup>1154</sup> SJAC podcast *Adaleti*, Interview with a bulldozer driver who worked for the Damascus governorate municipality (episode titled “Bulldozer Driver” (سائق البلدوزر) (2022)), IIIM Ref. No. OS00005417 (The interviewee recalled being instructed to help with digging mass graves using his bulldozer in a cemetery in Najha from early 2011. He estimated that he helped bury approximately 400-500 bodies each time. The mass graves were long trenches, approximately three to four meters deep. Trucks delivered bodies from nearby hospitals, including Tishreen Military Hospital, Harasta Military Hospital, and Hospital 601. Later, in 2014, he assisted in burials at a mass grave in Al-Qutayfah). See also *Eyad A.* Judgment, pp. 100-102 (Witness Z 30/07/19 described how security agencies delivered bodies to Tishreen Military Hospital and Harasta Military Hospital. These bodies were taken to mass graves in Najha, approximately 14 kilometres south of the centre of Damascus on the road to Damascus International Airport, and al-Qutayfah, located approximately 40 kilometres northeast of the centre along the motorway to Homs. The refrigerated trucks held 700 to 750 bodies each; “the dead were stacked inside.” The witness observed bodies with various marks of torture, such as electric burns, missing fingernails, and other serious wounds. Consistent with the Caesar photos, the witness’s co-workers said that the bodies “carried numbers, especially the branch number”. They buried the bodies in long trenches, ranging in length between 50 meters to 200 meters and a few meters wide), pp. 104-106 (Another witness described an additional mass grave in Najha. Witness BB initially worked from 15 November 2010 until the end of 2012 in the mailroom of General Intelligence Branch 295, located in Najha, south of Damascus. By virtue of working in the mailroom, “he regularly received papers comprising a list of dead people, which documented the transport of their corpses. These lists came to him from hospitals, such as the Harasta hospital or hospital number 601 and contained a record of the total number of dead and an identification number, the number of the intelligence branch they had come from and the date for each body.” The lists arrived in clusters, each with 50 to 100 dead detainees listed. Based on the lists he saw, he stated that more than 8,400 bodies were buried between April 2011 and January 2012. He did not have direct access to the mass grave, but he saw excavators digging the grave from a hill.)

<sup>1155</sup> *Eyad A.* Judgment, pp. 107-108.

<sup>1156</sup> See Medical Syndicate Medical Report Concerning a Death issued on [REDACTED] 2014 and stamped by Tishreen Military Hospital and Forensic Medicine Department, listing the date of death as [REDACTED] 2013, IIIM Ref. No. ED02037658 (attached to ADMSP Missing Persons Form 20220601823, IIIM Ref. No. XXX60); Medical Syndicate Medical Report Concerning a Death stamped by Tishreen Military Hospital and Forensic Medicine Department, issued on [REDACTED] 2014 and listing the date of death as [REDACTED] 2013, IIIM Ref. No. ED02037676 (attached to ADMSP Missing Persons Form 202306193182, IIIM Ref. No. XXX81); Medical Syndicate Medical Report Concerning a Death issued on [REDACTED] 2018 and listing the date of death [REDACTED] 2016, IIIM Ref. No. ED02037696 (attached to ADMSP Missing Persons Form 202309133943, IIIM Ref. No. XXX99); Medical Syndicate Medical Report Concerning a Death issued on [REDACTED] 2019 and listing the date of death as [REDACTED] 2019, IIIM Ref. No. ED02037702 (attached to ADMSP Missing Persons Form 202307183318, IIIM Ref. No. XXX05); [REDACTED]. The IIIM has also obtained medical death reports from Harasta Military Hospital, which are in a different format to the examples from Tishreen, but also record the deaths



of named detainees, 2012, IIIM Ref. Nos. ED01424418, ED01424419, CIJA Ref. Nos. SYR.E0017.001.016-017 [IIIM English unofficial translation TR00000598-TR00000599] (Both documents list the cause of death of the respective detainees as “cardiorespiratory arrest”).

<sup>1157</sup> Death Certificate issued on [REDACTED] 2014 and listing date of death as [REDACTED] 2014, IIIM Ref. No. ED02037662 (attached to ADMSP Missing Persons Form 20220530746, IIIM Ref. No. XXX66) [In this case the indirect cause of death is only partly legible but does not appear to be “cardiovascular collapse”].

<sup>1158</sup> [REDACTED]; Death Certificate issued on [REDACTED] 2014, stamped by Tishreen Military Hospital and Forensic Medicine Department, listing the date of death as [REDACTED] 2013, IIIM Ref. No. ED02037659 (attached to ADMSP Missing Persons Form 20220601823, IIIM Ref. No. XXX60); Death Certificate issued on [REDACTED] 2014, stamped by Tishreen Military Hospital, and listing date of death as [REDACTED] 2013, IIIM Ref. No. ED02037679 (attached to ADMSP Missing Persons Form 202306193182, IIIM Ref. No. XXX81; Documenter Observations Form, IIIM Ref. No. ED02037682); Death Certificate issued on [REDACTED] 2013, listing the date of death as [REDACTED] 2013, IIIM Ref. No. ED02037683 (attached to ADMSP Missing Persons Form 202308253661, IIIM Ref. No. XXX84); Death Certificate issued on [REDACTED] 2014, listing the date of death as [REDACTED] 2013, IIIM Ref. No. ED02037692 (attached to ADMSP Missing Persons Form 202304192246, IIIM Ref. No. XXX93); Death Certificate issued on [REDACTED] 2016, listing the date of death as [REDACTED] 2016, IIIM Ref. No. ED02037694 (attached to ADMSP Missing Persons Form 20220311292, IIIM Ref. No. XXX95); Death Certificate issued on [REDACTED] 2018, listing the date of death as [REDACTED] 2016, IIIM Ref. No. ED02037698 (attached to ADMSP Missing Persons Form 202309133943, IIIM Ref. No. XXX99); Death Certificate issued on [REDACTED] 2016, listing the date of death as [REDACTED] 2016, IIIM Ref. No. ED02037700 (attached to ADMSP Missing Persons Form 20220530768, IIIM Ref. No. XXX01); Death Certificate issued on [REDACTED] 2019, date of death in the associated Medical Syndicate Report recorded as [REDACTED] 2019, IIIM Ref. No. ED02037702 (attached to ADMSP Missing Persons Form 202307183318, IIIM Ref. No. XXX05); Death certificate issued by Tishreen Military Hospital provided by IIIM witness B841722, IIIM Ref. Nos. XXX65-XXX72, [REDACTED] 2013, IIIM Ref. XXX65-XXX72, [REDACTED] 2013, IIIM Ref. No. HC00000236 [IIIM English unofficial translation TR00000616]; [REDACTED]; Death certificate issued by Tishreen Military Hospital, 2012, IIIM Ref. No. ED00863445.

<sup>1159</sup> Legislative Decree 26 of 2007, Article 14(a) [IIIM Ref. No. OS00005559] (“In the event of a civil status incident, the person legally responsible for reporting it must submit the certificate proving its occurrence along with its documents within thirty days if it occurred within the country, and sixty days if it occurred outside the country.”).

<sup>1160</sup> The following death statements were obtained by family members in varying circumstances: IIIM Ref. No. ED02036219, pp. 3-4, 7-8; IIIM Ref. No. HC00000237 (Death Statement provided by witness B841722, for his family member who was detained by General Intelligence); [REDACTED]; Ministry of the Interior – Civil Affairs Death Statement issued on [REDACTED] 2018, listing the date of death as [REDACTED] 2015, IIIM Ref. Nos. ED02037670, ED02037669 (attached to ADMSP Missing Persons Form 202206241122, IIIM Ref. No. XXX72); Ministry of the Interior – Civil Affairs Death Statement issued on [REDACTED] 2018, listing the date of death as [REDACTED] 2015, IIIM Ref. No. ED02037686 (attached to ADMSP Missing Persons Form 20220329377, IIIM Ref. No. XXX89).

<sup>1161</sup> Legislative Decree 26 of 2007, Article 38 [IIIM Ref. No. OS00005559] allows the directors of prisons and hospitals to register deaths that occur within their institutions with the civil registry (“Deaths occurring in prisons, quarantines, and hospitals are recorded based on certificates provided by the directors of these institutions or their representatives to the competent civil registry clerk. These institutions maintain special registers for these incidents.”).

<sup>1162</sup> Commission of Inquiry on Syria, Death Notifications in the Syrian Arab Republic (2018); SNHR Report (2018); SNHR Report (2022).

<sup>1163</sup> Provenance Affidavit pertaining to PR000695, IIIM Ref. No. IP00000175. These documents all have a date of issue in 2022. While the Mechanism cannot confirm that all the individuals who are the subjects of documents in this collection were in fact detained by the Government, the collection does include documents for individuals whose cases are public and are suspected to have been detained by the Syrian Government. For example, [REDACTED] (Death statement obtained from Zaman Al-Wasl, IIIM Ref. No. ED02032306, p. 15); [REDACTED] (Death statement





obtained from Zaman Al-Wasl, IIM Ref. No. ED02032306, pp. 1-2); [REDACTED] (Death statement obtained from Zaman Al-Wasl, IIM Ref. No. ED02032306, p. 6). *See also* Section III.G.

<sup>1164</sup> Circular from Military Intelligence Branch 248, 18 December 2012, CIJA Ref. No. SYR.D0197.057.014 [IIM Ref. No. ED00572345, IIM English unofficial translation TR00000427] (stating that mandated steps for documenting detainee deaths constituted “the necessary legal and judicial measures which constitute a judicial immunity for the work of the Military Intelligence Department and avert the liability of [Military Intelligence] Department personnel before any judicial authority in the future”).

<sup>1165</sup> IIM audio-recorded interview with B841722, IIM Ref. Nos. XXX65-XXX72, at XXX65; [REDACTED]; [REDACTED]. Caesar images for [REDACTED] at IIM Ref. Nos. ED00981704, ED00981705, ED00981706, ED00981707.

<sup>1166</sup> [REDACTED]; Death certificate issued by Tishreen Military Hospital, 2012, IIM Ref. No. ED00863445.

<sup>1167</sup> *See above* Section IV.G.

<sup>1168</sup> According to Law 19 of 2012 on combatting terrorism, financing terrorism is “[a]ny direct or indirect collection or supply of funds, weapons, ammunitions, explosives, means of communication, information or other items with the intent of using them in carrying out a terrorist act committed by a terrorist individual or organization.” As per the definition, providing humanitarian or medical aid, even to terrorist groups, would not constitute financing terrorism. It would also not constitute financing terrorism under the previous law (currently repealed) on money laundering and financing terrorism, which defined financing terrorism as “every act intended to provide or collect funds, by any direct or indirect means, from legitimate or illegitimate sources, with the intention of using them in a terrorist act”. *See* Legislative Decree 33 of 2005, IIM Ref. No. OS00005557.

<sup>1169</sup> Witness interview record, IIM Ref. No. XXX25 [2011]; Witness interview record, IIM Ref. No. XXX65 [2011]; Witness interview record, IIM Ref. No. XXX57 [2012]; [REDACTED].

<sup>1170</sup> Witness interview record, IIM Ref. No. XXX27; Witness interview record, IIM Ref. No. XXX29. *See also above* Section III.F.

<sup>1171</sup> *See e.g.* Witness interview record, IIM Ref. No. XXX29; Witness interview record, IIM Ref. No. XXX27.

<sup>1172</sup> *See above* Section III.F.

<sup>1173</sup> *See above* Sections III.F, V.E.

<sup>1174</sup> Communication from the Head of the Political Security Department to the Heads of the Political Security branches in the governorates, 23 May 2011, FSLA collection [IIM Ref. No. ED00862913\_00015, IIM English unofficial translation TR00000630].

<sup>1175</sup> Communication from the Head of the Political Security Department to the Heads of the Political Security branches in the governorates, 23 May 2011, FSLA collection [IIM Ref. No. ED00862913\_00015, IIM English unofficial translation TR00000630] (“Most of these investigation memorandums are superficial, routine and nearly identical, and almost no effort goes into them, as if they were merely perfunctory. Most (if not all) of the individuals interrogated say in their confessions that they merely went out chanting “peaceful, peaceful” and calling for “freedom”. We as a security agency rely on this immediately. They deny that anyone participated with them, or that they have any other information. Detainees are brought in for violating the decree on demonstrations, which prompts the courts to release them immediately.”); Circular from the Head of the Political Security Department to heads of Political Security branches in the governorates, 10 May 2011, FSLA collection [IIM Ref. No. ED00862913\_00014, IIM English unofficial translation TR00000627] (informing recipient branches of the variety of crimes that detained protesters could be charged with when transferred to court, such as crimes relating to protesting, riots, firearms possession (if the detainee had an unlicensed firearm in their possession), undermining the prestige of the state and weakening national sentiment, insulting state employees, assaulting state employees, burning property, or stirring sectarianism, but also emphasising that these were merely examples). *See also* IIM audio-recorded interview with B068019, IIM Ref. Nos. XXX27-XXX40, at XXX27.

<sup>1176</sup> Memo from Military Intelligence Branch 248 to the Head of the Military Intelligence Department, 26 August 2013, CIJA Ref. Nos. SYR.D0179.034.028-031 [IIM Ref. Nos. ED00524505-ED00524508, IIM English unofficial translation TR00000086-TR00000088, at TR00000087] (“It’s important that heads of interrogation sections and branch officers pay close attention to the arrestees’ statements. They have to be clear, legible and contain fine detail



of the arrestee's statements and what acts they have committed, including description of places where they committed the terrorist acts and the accomplices. This way, the statement will be credible before the court and will not give the chance to the arrestee to claim the confessions were elicited under pressure and coercion. The statement is the most important document of all the investigation documents because it is forwarded to the court to base the ruling on - in case of unavailability of enough incriminating evidence.”).

<sup>1177</sup> Syrian Arab Republic follow-up responses to the Committee Against Torture, CAT/C/SYR/CO/1/Add.1 (2011), para. 81.

<sup>1178</sup> See above Section III.F.

<sup>1179</sup> See above Sections III.F, IV.G.

<sup>1180</sup> Witness interview record, IIIM Ref. No. XXX29.

<sup>1181</sup> See above Section III.F.

<sup>1182</sup> See above Section III.F.

<sup>1183</sup> Statement from the Counter-Terrorism Court registry on the conditional release of a detainee pending their trial, [REDACTED] 2014, IIIM Ref. No. ED00017896; Statement from the Counter-Terrorism Court's investigation office on the conditional release of a detainee pending investigation, [REDACTED] 2014, IIIM Ref. No. ED00017678; Statement from the [REDACTED] Investigative Judge of the Counter-Terrorism Court, 2015, IIIM Ref. No. ED00863501, IIIM English unofficial translation TR00000578.

<sup>1184</sup> Decision to release the accused issued by the Military Investigative Judge in Damascus sent to the Military Prosecution in Damascus, [REDACTED] 2012, CIJA Ref. No. SYR.D0115.081.021 [IIIM Ref. No. ED00323936] (4th Military Investigative Judge decided to release the accused immediately unless wanted for other reasons.); Decision to release the accused issued by the Military Investigative Judge in Damascus sent to the Military Prosecution in Damascus [REDACTED] 2012, CIJA Ref. No. SYR.D0115.082.012 [IIIM Ref. No. ED00323983] (5th Military Investigative Judge decided to release the accused immediately unless wanted for other reasons.); Decision to release the accused issued by the Military Investigative Judge in Damascus sent to the Military Prosecution in Damascus, 29 May 2011, CIJA Ref. No. SYR.D0116.004.022 [IIIM Ref. No. ED00326093] (1st Military Investigative Judge decided to release the accused immediately unless wanted for other reasons.).

<sup>1185</sup> Instruction from the Head of the NSB to the Minister of Justice (copied to the Head of the Political Security Department for review and necessary action, and forwarded to the attention of the heads of the Political Security branches at the headquarters and in the governorates for review and necessary action), 2 September 2012, SJAC Ref. No. DOC.2015.B0001.F094.0004 [IIIM Ref. No. ED00675369, IIIM English unofficial translation TR00000576] (“In light of security imperatives and the public interest: Please instruct Prosecutor-Generals in all governorates not to release any ‘Syrian or foreign’ detainees who were previously transferred to the State Security Court or the Field Court for offences relating to State security and then remanded to civilian prisons, where they have served lengthy sentences, before first consulting the authority that arrested them. This is to allow the National Security Office to assess their situations so that the appropriate decision can be made in each case.”).

<sup>1186</sup> Telegram from Military Intelligence Department Branch 248 to branches in the districts and central Department branches, sent pursuant to the instruction of the Head of the Military Intelligence Department, 19 December 2013, CIJA Ref. No. SYR.D0180.036.021 [IIIM Ref. No. ED00528308, CIJA English translation ED00800780] (requesting recipients “to not release any female detainee in your custody at the present time and to not refer them to the judicial authorities until further notice, pending instructions in their regard, including female detainees about whom a decision was issued by the Head of the Department to refer them to the competent judiciary, excluding female detainees whom it was decided or it is necessary, for interrogating them, to refer them to the Intelligence Department branches only.”).

<sup>1187</sup> See e.g. Human Rights Committee, Fourth Periodic Report by the Syrian Arab Republic, CCPR/C/SYR/4 (2021), para. 38.

<sup>1188</sup> Human Rights Committee, Fourth Periodic Report by the Syrian Arab Republic, CCPR/C/SYR/4 (2021), paras. 39-40 (indicating that “[n]o provisions under Syrian law grant immunity for offences involving acts of torture committed by any party” which “are dealt with in accordance with the law, regardless of who the perpetrators may be”, and listing disciplinary proceedings against police officers between 2016 and 2020 but not intelligence or security personnel covered by immunity provisions).



<sup>1189</sup> Instructions from Military Intelligence Branch 294 for Security and Police Bodies, 15 May 2011, CIJA Ref. Nos. SYR.D0043.004.045-048 [IIIM Ref. Nos. ED00136908-ED00136911, CIJA English translation ED00798495-ED00798498] (“It is forbidden to summon or detain a civil servant working for any of the ministries or public organizations except through the National Security Bureau. This also applies to comrades who occupy leading positions in the Baath Party, National Progressive Front, popular organizations, trades unions and international organizations.”).

<sup>1190</sup> Legislative Decree 61 of 1950, Article 53 [IIIM Ref. No. OS00004866, IIIM English unofficial translation TR00000648].

<sup>1191</sup> Legislative Decree 61 of 1950, Article 54 [IIIM Ref. No. OS00004866, IIIM English unofficial translation TR00000648].

<sup>1192</sup> Both Legislative Decree 14 of 1969 (establishing the General Intelligence Directorate) and Decree 549 of 1969 (regulating the Directorate’s activities) are unpublished. Their existence has been cited in the Syrian Court of Cassation Decision no. 25, Basis 28 of 1979 [IIIM Ref. No. ED02033180] and Opinion of the General Assembly of the Advisory Section for Fatwa and Legislation of the Council of State No. 654 of 1997 [IIIM Ref. No. ED02033179, IIIM English unofficial translation TR00000676].

<sup>1193</sup> While these UN bodies have repeatedly referenced the immunity provisions of Legislative Decrees 14 of 1969 and 69 of 2008, the Syrian Government has declined to respond to allegations that these laws provide *de facto* immunity for security personnel who commit torture before UN Human Rights bodies. *See e.g.* Committee Against Torture Concluding Observations, CAT/C/SYR/CO/1 (2010), para. 13; Committee Against Torture Concluding Observations, CAT/C/SYR/CO/1/Add.2 (2012), para. 20(s); CEDAW Concluding Observations, CEDAW/C/SYR/CO/2 (2014), para. 27(d); Committee on the Rights of the Child Concluding Observations, CRC/C/SYR/CO/5 (2019), paras. 27, 49 (expressing the Committee’s deep concern “about the extensive and consistent reports of cases of torture and other cruel, inhuman or degrading treatment or punishment of children detained by government forces and non-State armed groups,” and regret of “the lack of information on measures taken by the State party to repeal Legislative Decrees No. 14/1969 and No. 69/2008 granting immunity from prosecution to security and intelligence forces, which may impede independent investigations of cases of abuse of children and access to justice and reparation”, as well as “[t]he deprivation of liberty of children for their actual or alleged association with security forces and non-State armed groups” and “[t]he abduction of children, some as young as 3 months, for a variety of reasons, including to secure prisoner exchanges, for the alleged affiliation of relatives to parties to the conflict or to demand ransoms”).

<sup>1194</sup> *See* Circular from Military Intelligence Branch 248, 18 December 2012, CIJA Ref. No. SYR.D0197.057.014 [IIIM Ref. No. ED00572345, IIIM English unofficial translation TR00000427] (“Therefore, in order to take the necessary legal and judicial measures which constitute a judicial immunity for the work of the Intelligence Department and avert the liability of Department personnel before any judicial authority in the future, and given that the Military Police takes all necessary medical (forensic examination of the body) and judicial measures to release or bury the body.”).

<sup>1195</sup> The Syrian Government has explained the mandate of the Council of State and its fields of competence, including provisions regarding its independence, jurisdiction, and advisory role. *See* Syrian Arab Republic Reply to Letter AL SYR 4/2022 (2022), para. 2, in response to the Special Procedures of the Human Rights Council Letter, AL SYR 4/2022.

<sup>1196</sup> Both Legislative Decree 14 of 1969 (establishing the General Intelligence Directorate) and Decree 549 of 1969 (regulating the Directorate’s activities) are unpublished. Their existence has been cited by Syrian Court of Cassation Decision no. 25, Basis 28 of 1979 [IIIM Ref. No. ED02033180] and in Opinion of the General Assembly of the Advisory Section for Fatwa and Legislation of the Council of State No. 654 of 1997 [IIIM Ref. No. ED02033179, IIIM English unofficial translation TR00000676].

<sup>1197</sup> *See* Opinion of the General Assembly of the Advisory Section for Fatwa and Legislation of the Council of State No. 654 of 1997 [IIIM Ref. No. ED02033179, IIIM English unofficial translation TR00000676].

<sup>1198</sup> *See* Décision - Pourvoi n° 21-81.344, 2021 (French Cour de Cassation) (“2°/ que l'exposant faisait valoir que non seulement les faits de crime contre l'humanité et a fortiori ceux de complicité de ce crime n'étaient pas incriminés en Syrie, mais en outre et surtout un décret daté de 1950 garantissait aux services de renseignements militaires et à l'armée



de l'air une immunité de poursuite pour les crimes commis dans l'exercice de leurs fonctions, ce dont il résultait que la Syrie n'incriminait pas les faits reprochés à l'exposant à une époque où il était affecté à la direction des renseignements généraux; qu'en retenant le contraire sans répondre à cette articulation essentielle du mémoire du mis en examen, la chambre de l'instruction a méconnu les exigences de l'article 593 du code de procédure pénale”).

<sup>1199</sup> See Committee Against Torture Concluding Observations, CAT/C/SYR/CO/1 (2010), para. 13; Committee Against Torture Concluding Observations, CAT/C/SYR/CO/1/Add.2 (2012), para. 20(s); CEDAW Concluding Observations, CEDAW/C/SYR/CO/2 (2014), para. 27(d); Committee on the Rights of the Child Concluding Observations, CRC/C/SYR/CO/5 (2019), para. 27.

<sup>1200</sup> Legislative Decree 53 of 2011, Article 1 [IIIM Ref. No. OS00004888].

<sup>1201</sup> Legislative Decree 55 of 2011 [IIIM Ref. No. OS00003388]; Human Rights Committee, Replies of the Syrian Arab Republic to the list of issues, CCPR/C/SYR/RQ/4 (2024), para. 44.

<sup>1202</sup> Circular from Military Intelligence Branch 248 to all Military Intelligence branches, 19 March 2012, CIJA Ref. No. SYR.D0186.068.003 [IIIM Ref. No. ED00541806, IIIM English unofficial translation TR00000563] (“You are requested to: 1. Comply strictly with Legislative Decree No. 55 dated 21/4/2011 and the statutory period of detention stipulated therein (sixty days) and to remand detainees to the competent judiciary before expiry of the said period. 2. In the event the detainees’ case falls within the jurisdiction of the Central Branches or the Committee formed at Branch 291, the detaining branch must not exceed the full period stipulated in the above-mentioned Decree No. 55, and the detainees must be remanded to those authorities shortly after their detention so the authorities can complete the investigation within the period stipulated in the Decree.”); Communication from Military Intelligence Branch 291/B to Military Intelligence Branch 290 with copies to other branches and sub-branches, 20 September 2011, CIJA Ref. Nos. SYR.D0175.008.001-003 [IIIM Ref. Nos. ED00517676-ED00517678, CIJA English translation ED00800268-ED00800270] (“Therefore, we recommend: -Referring the remaining arrested individuals to the competent local branches and agencies after interrogating them and determining their detention period by the competent judicial authorities, if necessary, based on circular № /5371/248/3 of 2/5/2011.”).

<sup>1203</sup> For example, of the 123 accounts of detention described by 113 detainees (61 male and 52 female) who were transferred to Adra civilian prison, 102 detentions in security branches lasted longer than 60 days. For the 18 male detainees who were transferred to Sednaya military prison, 14 detainees were held in security branches for more than 60 days before transfer.

<sup>1204</sup> Law 22 of 2012 [IIIM Ref. No. OS00003403, IIIM English unofficial translation TR00000673].

<sup>1205</sup> See above Section IV.G.

<sup>1206</sup> See above Section III.D., F.

<sup>1207</sup> See above Section III.G.

<sup>1208</sup> See Yahoo! News, interview transcript (2017) (“The most important thing. If you take these photos to any court in your country, could they convict any criminal regarding these? Could they tell you what– what this crime, who committed? If you don’t have this full picture, you cannot make judgment. It’s just propaganda. It’s just fake news. They want to demonize the Syrian government. In every war, you can have any individual crime. It happened here all over the world anywhere. But it’s not a policy– it’s not policy.”).

<sup>1209</sup> See above Section V.F. See also Section III.G.

<sup>1210</sup> See Human Rights Council, First Periodic Report by the Syrian Arab Republic, A/HRC/WG.6/12/SYR/1 (2011), para. 31 (“The Ministry of the Interior has issued several circulars drawing attention to the importance of ensuring the promptness, precision and legality of procedures taken when making arrests and referring cases to the courts and of only taking such action as is provided for by law. The most recent such document was circular 1860/S of 7 October.”). A Government document containing the same reference number and date was located in the Central Repository, obtained from CIJA, further supporting the authenticity of this document collection. Circular from the Minister of the Interior to heads of Political Security branches in the center and governorates, 7 October 2010, CIJA Ref. Nos. SYR.D0289.014.004-005 [IIIM Ref. Nos. ED01121449-ED01121450, IIIM English unofficial translation TR00000542-TR00000543].

<sup>1211</sup> See Sections III.C-F.



<sup>1212</sup> Communication from Military Intelligence Branch 243 to all branches and detachments, 12 March 2011, CIJA Ref. Nos. SYR.D0043.004.236-241 [IIIM Ref. Nos. ED00137099-ED00137104, CIJA English translation ED00798547-ED00798552]; Communication from the Head of Military Intelligence to Military Intelligence Branch 243, 12 May 2011, CIJA Ref. Nos. SYR.D0043.004.167-171 [IIIM Ref. Nos. ED00137030-ED00137034, CIJA English translation ED00798534-ED00798538] (a later circulation of these same instructions).

<sup>1213</sup> Order from the Political Security Department to subordinate Political Security Department branches, 12 April 2011, FSLA collection [IIIM Ref. No. ED00862913\_00012, IIIM English unofficial translation TR00000626] (“Out of fear that certain hostile and negative parties and unfriendly media might exploit cases of some individuals being arrested after demonstrations to stir up domestic and international public opinion against the country, You are requested to: Offer good treatment to detainees arrested after demonstrations, refrain from beating them, interrogate them without the use of violence, attempt to win them over as informants or agents and take the appropriate measure against them in accordance with the rules. Any violators shall be held responsible. Please review and enforce.”).

<sup>1214</sup> The cover letter accompanying these instructions stated that they were to replace those that had been sent on 3 March 2011 (assessed as being the first set of “Special Instructions” described above). These instructions are an updated version of the previous instructions, reflecting changes in the legal framework (such as the abolition of the Supreme State Security Court and the introduction of Legislative Decree 55 of 2011).

<sup>1215</sup> Communication from NSB to the Head of Military Intelligence, 13 May 2011, SJAC Ref. Nos. DOC.2013.B031.F039.0002 (cover page), DOC.2013.B031.F039.0003-0005 (instructions) [IIIM Ref. Nos. ED00674247 (cover page), ED00674248-ED00674250 (instructions), IIIM English unofficial translation TR00000634 (cover page), CIJA English translation ED00798496-ED00798498 (translation of the copy of the instructions at IIIM Ref. Nos. ED00136909-ED00136911)].

<sup>1216</sup> Communication from the Head of the Political Security Department to the heads of governorate branches of the Political Security Department, 13 May 2011, CIJA Ref. Nos. SYR.D0325.003.004-007 [IIIM Ref. Nos. ED01210437, ED01210436, ED01210435, ED01210438]; Circular from Military Intelligence Branch 294, 15 May 2011, CIJA Ref. Nos. SYR.D0043.004.045-048 [IIIM Ref. Nos. ED00136908-ED00136911, CIJA English translation ED00798495-ED00798498].

<sup>1217</sup> NSB instruction to Minister of the Interior to instruct all subordinates, especially investigation branches and sections, to treat citizens with respect, 9 July 2011, CIJA Ref. No. SYR.D0178.002.001 [IIIM Ref. No. ED00521089, CIJA English translation ED00800569].

<sup>1218</sup> Order from the Head of the Political Security Department to heads of governorate and central branches of the Political Security Department, 11 July 2011, FSLA collection [IIIM Ref. No. ED00862911\_00016, IIIM English unofficial translation TR00000628] (order from the Ministry of the Interior to the heads of the Political Security Department branches to instruct their personnel to “operate within the confines of the law and to refrain from offending the dignity of citizens”, in response to complaints).

<sup>1219</sup> Communication from the NSB to the Minister of the Interior, 6 September 2011, CIJA Ref. No. SYR.D0178.002.018 [IIIM Ref. No. ED00521106, CIJA English translation ED00800575] (stating that information about the arrest of citizens who are being subjected to beatings and torture without justification has been received. In some cases it has also been revealed that, after being beaten and tortured, certain individuals were proven innocent. It also reminds recipients that such treatment is not allowed, and requests a list of the punishments imposed on subordinates who have violated these instructions.). The Ministry of the Interior circulated these instructions and requested a response, to which the Idlib Police Command indicated that they have had no complaints from citizens and no one has been punished. *See* Communication from Minister of the Interior to Head of Idlib Police, 27 September 2011, CIJA Ref. No. SYR.D0178.002.019 [IIIM Ref. No. ED00521108, CIJA English translation ED00800577]; Communication from the Head of Idlib Police to the Minister of the Interior, 30 September 2011, CIJA Ref. No. SYR.D0178.002.020 [IIIM Ref. No. ED00521107, CIJA English translation ED00800576]. *See also* Communications from local Idlib police regions to the Idlib Police Command, 27 September 2011, CIJA Ref. Nos. SYR.D0184.075.003-008 [IIIM Ref. Nos. ED01103103-ED01103109] (associated reports from the local Idlib police regions to the Idlib Police Command all informing that no complaints have been received and no punishments have been enforced).



<sup>1220</sup> Circular from the Military Intelligence Department, 6 December 2011, CIJA Ref. Nos. SYR.D0183.015.023-024 and SYR.D0183.015.026 [IIIM Ref. Nos. ED00537666-ED00537667 and ED00537669, CIJA English translation ED00800856-ED00800857 and ED00800859] (Circular from the Military Intelligence Department citing an NSB meeting on 5 December 2011, and attaching the Special Instructions of 13 May 2011. Only two pages of the attachment are present in the Central Repository, but it is clear that these were the same instructions as previously circulated on 13 May 2011).

<sup>1221</sup> On 15 December 2011, the Head of the NSB sent instructions on how to properly arrest, detain and treat people accused of the crime of demonstrating, including a specific instruction against holding detainees incommunicado, referencing a meeting of the CCMC that took place on 12 December 2011. The Central Repository contains two copies of this communication provided by different sources, one sent to the Secretary of the Idlib Branch of the Baath Party and the other to the Secretary of the Raqqa Branch of the Baath Party: Communication from NSB to the Head of Idlib Branch, 15 December 2011, SJAC Ref. No. DOC.2013.B031.F087.0001 [IIIM Ref. No. ED00674324, IIIM English unofficial translation TR00000614]; Communication from NSB to the Head of Raqqa Branch, 15 December 2011, CIJA Ref. No. SYR.D0178.002.031 [IIIM Ref. No. ED00521119, CIJA English translation ED00800579] (“It is prohibited to conceal any detainee if asked about them by their family, and any detainee is allowed to contact their family and inform them about the place of their arrest, and prohibited for security personnel to extort or blackmail them”). On 4 January 2012, the Minister of the Interior sent a circular to all branches of the Political Security Department, copied to the NSB, with reference to its 15 December 2011 instructions. This circular transmitted the NSB instructions, including the instruction against holding detainees incommunicado. The Central Repository contains two copies of this communication, obtained from different sources: Communication from the Minister of the Interior to all heads of Political Security in Damascus and governorates, 4 January 2012, SJAC Ref. No. DOC.2015.B0001.F006.0018 [IIIM Ref. No. ED00674770] and FSLA collection [IIIM Ref. No. ED00862913\_00008, IIIM English unofficial translation TR00000625] (including a reminder that unit commanders are personally responsible for the explanation of instructions to their subordinates and their proper implementation, with threat of sanctions for those contravening the instructions). On 24 February 2012, the NSB sent an instruction to the Head of the Political Security Department emphasising the need to abide by the instructions originally sent in the 15 December 2011 NSB letter, including the instruction against holding detainees incommunicado: Communication from NSB to Head of Political Security, 24 February 2012, SJAC Ref. No. DOC.2015.B0001.F092.0006 [IIIM Ref. No. ED00675361, IIIM English unofficial translation TR00000613] (Reminder from the NSB of aforementioned instructions, dated 15 December 2011, after receiving complaints about the “secrecy of some security branches in Damascus and the governorates regarding those detained by them”). On 13 March 2012, the Minister of the Interior sent a circular, referencing their previous 4 January 2012 circular and the 24 February 2012 NSB instruction, emphasising the importance of abiding by these instructions, and again including the instruction against holding detainees incommunicado. The Central Repository contains two copies of this circular, obtained by different sources, seized at different locations/Syrian Government entities: Circular from the Minister of the Interior received by the Raqqa Governorate Police Command, 13 March 2012, CIJA Ref. No. SYR.D0107.001.004 [IIIM Ref. No. ED01092057, IIIM English unofficial translation TR00000701]; Circular from the Minister of the Interior forwarded to the heads of the Political Security branches in the headquarters and the governorates, 13 March 2012, SJAC Ref. No. DOC.2015.B0001.F006.0005 [IIIM Ref. No. ED00674757, IIIM English unofficial translation TR00000702].

<sup>1222</sup> Circular signed by the Head of the Military Intelligence Department, circulated by Military Intelligence Branch 248 to the Bureau of the Head of the Military Intelligence Department, all central and external Department branches, and the Committees formed at Branches 291 and 293, 18 October 2012, CIJA Ref. No. SYR.D0197.054.026 [IIIM Ref. No. ED00572281, CIJA English translation ED00801072] (instructing recipients “[n]ot to arrange any visit for any detainee in your custody or allow them to communicate with anyone unless you have presented the matter, with mandating reasons, before the Head of the Department and obtained the appropriate decision in this concern.”).

<sup>1223</sup> Circular signed by the Head of the Military Intelligence Department, circulated by Military Intelligence Branch 248 to all Department branches, 22 May 2012, CIJA Ref. No. SYR.D0181.032.037 [IIIM Ref. No. ED00532053, IIIM English unofficial translation TR00000089] (noting that “some branches of the Division are not complying” with a



previous circular prohibiting the use of physical force against arrested persons, that cases of abuse and beating of arrestees were still occurring, leaving physical signs and negative psychological impact in some cases, and reminding them to abide by the circular and report violators).

<sup>1224</sup> Memo from Military Intelligence Branch 248 to the Head of the Military Intelligence Department, 26 August 2013, CIJA Ref. Nos. SYR.D0179.034.028-031 [IIIM Ref. Nos. ED00524505-ED00524508, IIIM English unofficial translation TR00000086-TR00000088].