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CHRISTINA LAMB

# 'Bigger than Nuremberg': the secret files that could jail Assad

Thousands of pages of evidence reveal in detail the barbarity of the deposed dictator's regime. The hunt for the perpetrators has begun



Bill Wiley with some of the hundreds of boxes of evidence collected in Syria by his team of investigators

ZED JAMESON FOR THE SUNDAY TIMES

[Christina Lamb](#), Chief Foreign Correspondent

**F**irst the euphoria, then the reckoning. A worldwide scramble is under way to track down Bashar al-Assad's henchmen who implemented his reign of terror in Syria and start a justice process one war crimes investigator described as "bigger than Nuremberg".

While Assad, his wife and children were spirited away by their Russian backers to safety in Moscow, thousands of officers in his military and security apparatus are believed to be fleeing for their lives.

The key to bringing them to justice is a stack of brown cardboard boxes behind a locked door in an office with no name in a European city. They may look innocuous but inside those 406 boxes are more than 1.3 million documents that could put Assad and his henchmen behind bars for life.



The paperwork shows Bashar al-Assad was directing the killing, Wiley says

ZED JAMESON FOR THE SUNDAY TIMES

The Assad archive has been amassed over the last 13 years by a Canadian lawyer and war crimes investigator, Bill Wiley, 61, and

his team of Syrians on the ground who took astonishing risks to gather the evidence and smuggle it out.

trucks to rafts, they moved entire filing cabinets of paperwork through checkpoints. One paid with his life, killed by the regime, while another was injured and one was kidnapped by a rebel group. Several had to be taken out of the country to safety. Some papers had to be left in hiding places as it was too dangerous to move them.

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Despite the risks, hundreds of kilos at a time were brought out to be digitally scanned and analysed by Wiley's organisation, the Commission for International Justice and Accountability (CIJA), funded by the British, German and US governments.

The Assad regime documented everything and a chain of command signed off on what some have called a bureaucracy of death. "This is the most documented repression in history," said Wiley. "Like the Nazis but with computers."



Alois Brunner, a former Nazi, was said to have advised Assad's father, Hafez



Indeed Assad's father Hafez, who ruled from 1970 to 2000, is said to have been advised in torture methods by a former Nazi, Alois Brunner, who sought refuge in Damascus having served as deputy to the Holocaust architect Adolf Eichmann.

A tall sandy-haired man with a cigar almost constantly on the go, Wiley unlocks the room and opens boxes to reveal maps and papers. Many are embossed with the hawk of the Syrian regime or signed by Assad and other senior officials.

They tell the story of a dictatorship that carried out 50 years of incarcerations, executions, disappearances, sexual abuse using objects and setting fire to testicles, and chemical weapons strikes on its own people.

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estimates that since 2011, more than 300,000 civilians have lost their lives and at least 100,000 Syrians have been forcibly disappeared.

“It was a bureaucratic killing machine. Killing those people was a bureaucratic day-to-day business,” said Mohammad al Abdallah, a former prisoner who founded the Syria Justice and Accountability Centre in Washington, which also collects evidence.

They also photographed them. In August 2013, a Syrian military photographer code-named “Caesar” smuggled out about 55,000 pictures. His team photographed corpses of detainees — sometimes as many as 50 a day — delivered to military hospitals from security services.

Each corpse had a unique four-digit number scrawled on tape or the forehead with a thick marker pen. Another number signified the intelligence branch in which the individual had been killed. Many had been beaten, mutilated, burnt, shot — and in some cases even melted. Last week Osama Othman, a civil engineer, was unmasked as the brave man who brought out Caesar’s photographs.



Wiley said the documents they have are most likely “a drop in the ocean” of evidence out there

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The paperwork proves beyond any doubt, said Wiley, that Assad was no mere figurehead.

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“We know from our documents that Assad was directing things,” he said.

Among the papers are minutes from the central crisis management cell, which was set up by Assad in March 2011 to deal with the popular uprising.

This met almost every night and discussed strategies for crushing dissent. The cell requested reports from security

decisions taken and commands going down, then reports back on the success of their repression.

- [The Sunday Times view: Archives will hold Assad to account, however long it takes](#)

“Minutes were taken to Assad’s personal office and a clerk would wait while he went through and we’d see in the marginalia ‘do this, do this, don’t do this’,” said Wiley. “That’s when we knew he was not just a figurehead but that he gave and received orders.

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“To me he’s the archetype of Hannah Arendt’s banality of evil,” he said referring to the American writer’s famous description of Eichmann in her coverage of his trial. “He doesn’t look thuggish — he’s well-educated, urbane, an eye doctor, speaks several languages, wears finely tailored clothes — but he’s a bad guy through and through.”

CIIA’s documents have already been used in 13 cases across the globe against regime officials, some in absentia, including a trial in the US that found the Assad regime guilty of deliberately

targeting [The Sunday Times reporter Marie Colvin](#), who was killed in Homs in 2012.

along with other former clients such as the ex-Ukrainian president Viktor Yanukovich, Wiley is convinced Putin will hand him over within three years.



President Putin with Assad on a visit to Damascus in 2020. Putin has given sanctuary to Assad and his wife, though experts say he will have no qualms about giving them up when it suits him

EPA/ALEXEY DRUZHININ/SPUTNIK/KREMLIN POOL

“We’ve seen this before where a dictator loses power and is given refuge in an allied state but has no value to that state and becomes a liability. That’s what happened to Charles Taylor [of Liberia] and Laurent Gbagbo of Côte d’Ivoire so this will happen to Assad. I give it three years.

“The Russians are going to want to deal with the new authorities in Syria [to keep their naval and airbases](#), which they need for operations in Libya and central Africa, and Assad may be thrown in as a sweetener.

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“Why wouldn’t they give him back?” he added. “He’s of no use to them and they owe him nothing.”

Wiley and his team are racing to secure documents on the ground that could provide vital evidence. “This is a very rare situation — it’s like Germany in 1945, Iraq in 2003 and maybe central and east Europe in 1990-91 — where you can gather primary source materials,” he said.

His office started ramping up on the ground ten days ago as places fell to the rebels and has already hired ten more evidence collectors, on top of the 43 already there, as well as sending in scanners.

The [speed of the regime’s collapse](#) meant they had little chance to destroy their paper trail.

“What we have already is probably just a drop in the ocean,” he said. “There are probably 100 million papers.”

But watching the scenes of Syrians looting Assad’s palace and traipsing through detention centres has prompted fears that some evidence may be lost.

The International Committee of the Red Cross warned on Friday that some documents had already been damaged and said it was “calling on parties across Syria to prevent the destruction”.

The other priority is tracking perpetrators. Wiley’s Assad archive shows the sheer number of people involved.

“You are talking about 50 years of terror and so many killed and tortured — that needs a massive structure.” he said. “This is

“There are thousands and thousands of guys just from security and intelligence services and unless they are insane I don’t see them waiting at home to be shot.”



Assad’s younger brother, Maher, left, who commandeered the family’s narcotic’s business, is on the run. Assad with his siblings, Bassel, Majd and Bushra, from left to right. His mother, Anisa, and father, Hafez, front

LOUAI BESHARA/AFP/GETTY IMAGES

Among them are key figures such as Assad’s ruthless younger brother General Maher al-Assad, who commanded the notorious 4th Armoured Division and ran the regime’s narcotics business smuggling captagon, an illegal amphetamine. Maher is also said to have made his way to Russia via Iraq. Others are Ali Mamlouk, former head of the National Security Bureau; and Jamil Hassan, the air force intelligence chief.

The rebel leader who masterminded Assad’s downfall has said there will be no amnesty on “criminals” who fled Syria. Ahmed al-Shara, also known as Abu Mohammed al-Jolani, said: “We will pursue them in Syria and we ask countries to hand over those who fled so we can achieve justice.”

But the task is complicated by the fact that Jolani's organisation Havat Tahrir al-Sham is a proscribed terrorist group.

### dictator

Another challenge is the mechanism that will be used to bring Assad to justice. Syria is not a signatory to the International Criminal Court and previous attempts to create an international tribunal for Syria were vetoed at the UN security council by Russia and China. For this reason in 2016 the UN established a unique quasi-prosecutorial body, the International, Impartial and Independent Mechanism, known as the Mechanism, to help build cases against senior regime figures while waiting for a jurisdiction.

“This is a regime like [the Khmer Rouge in] Cambodia which brazenly used all resources of the state to do primarily one thing — repress its own people — so it’s not hard to make a list,” said Robert Petit, head of the Mechanism.

“We know some of the likeliest persons of interest have already fled or gone underground and will bring all our resources to try and ascertain their location.

“Bringing justice is fundamentally important if we want sustainable peace in Syria,” he added. “Revenge and violence doesn’t build anything.”

Like Wiley he believes Assad will not escape. “It may take time but two weeks ago who would have believed Assad would be out of power and fleeing. The world has changed and everything is possible.”

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