

BACKGROUND _____

Saydnaya Military Prison – objective is to physically and psychologically break detainees

On 6 November 2017, the European Center for Constitutional and Human Rights (ECCHR) together with four Syrians and the lawyers Anwar al-Bunni (Syrian Center for Legal Studies and Research, SCLSR) and Mazen Darwish (Syrian Center for Media and Freedom of Expression, SCM) filed a criminal complaint with the German Federal Public Prosecutor (*Generalbundesanwalt*, GBA) in Karlsruhe concerning crimes against humanity and war crimes in Syria. The criminal acts in question – including intentional killing, persecution, torture, and prosecution without due process were committed against detainees at the Saydnaya military prison. The crimes took place between December 2011 and June 2014 in the prison itself as well as at the Tishreen military hospital and the military field court. This criminal complaint is directed against seven high-ranking Syrian military officials including Defense Minister Lieutenant General Fahd Jassem al-Frej and Military Prosecutor Brigadier General Mohammed Hassan Kenjo as well as the head of the military police and the Saydnaya military prison.

A second criminal complaint against officials from the National Security Bureau and **Air Force Intelligence** was submitted at the same time. These latest complaints supplement the criminal complaints and evidence submitted to the GBA by **Syrian torture survivors** in March 2017 and by the **Caesar Files Group** (former Syrian military police employees) in September 2017.

Saydnaya prison: Decades of torture, degradation and killings

In Syria, the word Saydnaya has become a synonym for unimaginable torture, systematic degradation and mass executions. For the Assad family, the military prison has been a key instrument of exerting power. At Saydnaya, it's not about obtaining “confessions” or gathering information. The purpose of the prison is to break the detainees, say Syrian human rights activists. It is one of the most significant political prisons in Syria.

Former Syrian president Hafez al-Assad had the prison built in the 1980s. It was then also used by his son and current president Bashar al-Assad after the outbreak of protests in 2011 to detain all those who saw his security apparatus as the opposition. Most of the prisoners are civilians, who are mainly peaceful demonstrators, human rights activists, and journalists. Also detained there are members of the Syrian army

who refuse(d) to take part in the brutal repression of peaceful protests against Assad or those who the government accuses of treason or desertion. As a military prison, Saydnaya – like the Balooni military prison in Homs, is under the authority of the Defense Ministry and is run by the military police.

Saydnaya prison is located roughly 30 kilometers north of Damascus and 5 kilometers southwest of Saydnaya village. The prison facilities consist of two main buildings (the “red jail” and the “white jail”) holding between 10,000 and 20,000 detainees, according to Syrian and international human rights organizations.

[Amnesty International](#) documented testimonies from several former Saydnaya detainees and prison guards, who report that thousands of detainees have been hanged in mass executions at the prison since 2011. Reports from witnesses who gave evidence to Amnesty International indicate that these secret executions are in some cases carried out in the presence of high-level representatives of the Syrian security apparatus.

The cruelty of daily life at Saydnaya

Saydnaya military prison is often the final place of detention for detainees who are not released after their arrest and pre-trial detention and torture in various other prisons run by Syrian intelligence services. Detainees who are transferred to Saydnaya face long-term detention under the strictest conditions. Many detainees don’t survive the sustained torture and the inhuman conditions in Saydnaya. Others are left permanently scarred.

Harsh rules regulating the detainees’ never-changing daily routine are a key element of operations at Saydnaya. Former detainees report how they were woken each morning between 3 and 5am. They then had to spend the entire day in the back section of the cell. Detainees were forbidden to speak, whisper or even to clear their throats. They were not allowed to pray, even on important religious holidays. They were not permitted to scream or moan while being tortured; prison staff saw this as a form of pain relief that was not to be tolerated. Detainees were not even allowed to report if a detainee in their cell died. When the guards made their rounds, the detainees had to turn and face the wall, kneel and cover their eyes with their hands. No movement was allowed.

Every cell had a *shawish*, or cell leader, a detainee who was responsible for keeping order in the cell. The *shawish* had to alert the guards if a detainee broke a rule. That detainee would then be tortured as punishment. If the *shawish* did not report anyone, he himself would be punished tortured. Thus the detainees would be punished whether or not they broke the rules.

The former detainees who have spoken to ECCHR or other organizations all report that the most common form of torture at Saydnaya was the beating of detainees; guards would attack detainees with belts, poles, cables or clubs. New arrivals were forced to endure a “welcome party,” during which the guards would randomly and wildly beat the detainees.

Interrogations are not carried out in Saydnaya. The torture inflicted on detainees there is not aimed at any real or purported intelligence gathering. Instead, the physical and psychological torture is designed to permanently break the individuals and the detainees as a group.

Illness is widespread due to the conditions in prison but no medical care is provided to Saydnaya detainees who are sick or injured by torture. In some emergency cases, detainees are transferred to the Tishreen military hospital but even there, detainees are denied the care they need and worse: former detainees reported to UN bodies that the doctors and nurses would brutally beat, humiliate and harass patients. Detainees who were brought to the military hospital saw many deaths; in some cases they were forced to put corpses into refuse bags and throw them into containers.

Correct as of: August 2019

European Center for Constitutional and Human Rights (ECCHR)

www.ecchr.eu