

PROFILES _____

Criminal complaints from Syrian torture survivors on torture in Saydnaya military prison

“The sense of fear and helplessness was overwhelming. We wanted to die.”

Complainant profiles

On 6 November 2017 the European Center for Constitutional and Human Rights ([ECCHR](#)) and four Syrians – along with the lawyers Anwar Al-Bunni (Syrian Center for Legal Research and Studies, [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 between December 2011 and June 2014 at the Saydnaya military prison. The criminal complaint is directed against seven high-level Syrian military officials, including Defense Minister Lieutenant General Fahd Jasim al-Furayj 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 Support Group](#) (former Syrian military police employees) in September 2017.

Complainant/Witness 16

Witness 16 (referred to in the following text as **W 16**) is Kurdish and previously lived in Qamishli in northern Syria. He was politically active even before the outbreak of protests against Assad’s government in 2011. From that time he became active in the organization of demonstrations in his area. He was arrested by Air Force Intelligence officers in September 2011. He spent several weeks in

various Air Force Intelligence detention centers, during which time he was subjected to various modes of torture.

In February 2012 W16 was transferred to Saydnaya military prison where he remained until May 2013.

W16 told ECCHR about the inhumane detention conditions in military prisons as well as the systematic abuse and torture. Daily life at Saydnaya was strictly regimented. Between 3 and 5 in the morning the detainees were woken by guards and had to roll up their blankets. Then they received their only meal of the day: a small amount of (usually stale) bread, an egg, some rice or potatoes. Detainees had to collect water from a barely dripping tap. They were only allowed to use the back section of their cell. During the day they had to stand there in a row with their faces to the wall. At night the guards signaled it was time to sleep and the prisoners had to immediately roll out their blankets.

W 16 was released in May 2013 after 16 months in detention. He managed to escape Syria and he now lives with his family in Germany.

Complainant/Witness 19

Witness 19 (referred to in the following text as **W19**) served in the Syrian Marines. In November 2011 he was arrested by the Military Intelligence Service for refusing to take part in brutal attack against unarmed protestors. He initially spent one month in Military Intelligence detention centers (branches) in Damascus. From December 2011 he was detained in Saydnaya for two and half years.

Immediately after his arrival at Saydnaya W19 and the other new detainees were forced to undergo a procedure known as a “Welcome Party”, during which they were brutally and arbitrarily beaten by guards.

W19 shared his small cell with several other detainees. For a toilet he used a hole in the ground, and the only light came from a lamp in the corridor that shone through bars in the cell door. The detainees wore only underwear and were freezing. The only blanket they had was infested with lice and other insects.

Each interaction with the prison staff involved further torture, be it at mealtimes or during family visits. The guards beat and humiliated the detainees at every opportunity. “The sense of fear and helplessness was overwhelming. We wanted to die,” W19 told ECCHR.

W19 was released from Saydnaya in June 2014 together with 90 other prisoners. He managed to leave the country and now lives in Germany but had to leave his family behind in Syria.

Complainant/Witness 29

Witness 29 (referred to in the following text as **W29**) held a position in the Syrian Marines. He was arrested in November 2011 along with W19. He spent several months in various Military Intelligence branches in Damascus where he was interrogated and mistreated. He was transferred to the Saydnaya military prison in late December.

Like W19, W29 also describes the strict rules at the prison. A policy of silence was strictly enforced; detainees were not allowed to speak, whisper or pray. They had to stay absolutely still while the guards made their inspection rounds. If a detained screamed while being punished, he would be punished. Torture was conducted using cables, electric shocks, belts, pipes, poles and shoes.

W29 was released under an amnesty in June 2014 after two and a half years in jail. He fled to Germany where he has lived since 2015. His wife and daughter also now live here in Germany.

Complainant/Witness 26

Witness 26 (referred to in the following text as **W26**) served in the Syrian Air Force before his arrest. When the command was given to use violence against those taking part in protests against Assad, he did not publicly challenge it but he avoided taking part in the actions. As a result he was arrested along with other officers by Air Force Intelligence officials in November 2011.

He spent almost three years in various Air Force Intelligence detention centers and in March 2014 was transferred to the Saydnaya military prison where he was held for almost four months.

When he arrived in Saydnaya, W26 was taken to a part of the prison holding civilians as well as members of the Syrian military suspected of sympathizing with the opposition.

W26 initially shared a one-person cell that was 1.5 x 1.5 meters. There was a toilet and a sink, but detainees were not allowed to drink without permission. They received very little food. After a week W26 and others were brought to a larger cell. The cell 'leader' stood in the middle of the cell and explained the

rules: no talking, stay away from the entrance, roll up blankets immediately after waking and do not unroll until ordered to. The guards would punish the detainees even if they hadn't broken any rules. On several occasions W26 was subjected to torture.

W26 told ECCHR that it was forbidden to report the deaths of fellow detainees. It was also forbidden to report it if someone was dying. When on one occasion W26 asked for help because one of his cellmates was about to die, he was not merely ignored – as punishment the guards left the corpse lying in the cell for three days.

W26 was released in October 2014. He left Syria and came to Germany where he has lived with his family since December 2014.

Mazen Darwish, human rights activist, journalist and complainant

Mazen Darwish is a Syrian human rights activist, journalist, and president of the Syrian Center for Media and Freedom of Expression ([SCM](#)), which he set up in 2014 in Damascus. The organization documented numerous violations of the right to freedom of expression and freedom of the press. It also worked on journalists' working conditions and assisted media professionals in disputes with the authorities. When the government refused to allow the organization to be officially registered, they went underground to continue their work.

Darwish was imprisoned several times on account of his work. One of these arrests occurred in April 2008, after Darwish and his colleagues reported on uprisings in Adra, a city near Damascus. Darwish was sentenced to ten days' imprisonment for "defamation and slander of state authority".

Following the start of the peaceful mass protests against President Bashar al-Assad in the spring of 2011, the SCM began documenting the names of activists who had been imprisoned, disappeared or killed. In 2012 he was named Journalist of the Year by Reporters without Borders.

In February, Darwish and his colleagues were arrested at their offices by Air Force Intelligence. "After my arrest I was brought to various different secret military prisons, they kept taking me from one torture jail to the next," Darwish said in an [interview](#) with DIE ZEIT. He says the conditions in the torture centers are catastrophic. Aside from the lack of hygiene and cramped conditions, he also describes the torture methods, including: electric shocks, hanging detainees by the hands, beatings and sleep deprivation.

More than 70 human rights organizations campaigned for years for the release of the SCM team. The UN General Assembly and the European Parliament also called for their release. Darwish was freed in August 2015 on the condition that he appear one month later before the anti-terror court in Damascus. On 31 August 2015, the court held that the cases of Darwish and his colleagues were covered by an amnesty that had been declared in 2014. The judge also explicitly rejected the central charges of supporting terrorism.

Darwish, who has first-hand experience of the methods used and the conditions in Syrian prisons, told ECCHR that “torture was not an isolated case in Assad’s prisons, it was something that was systematically used.”

As a key witness to the events in Syria, Darwish continues to be involved in the fight for justice in his country.

Anwar al-Bunni, lawyer and complainant

Anwar al-Bunni is a well-known Syrian human rights lawyer. He is one of the founders of the [Human Rights Association Syria](#) (HRAS) and the Syrian Center for Legal Research and Studies ([SCLSR](#)), an organization which supports political prisoners.

As a lawyer, al-Bunni defended many human rights activists and others who were arrested and persecuted on account of their political positions in the wake of the protests in 2000 and 2001 in Damascus. Al-Bunni also became a target of repressive measures due to this work. He and members of his family were systematically threatened, persecuted and defamed by the authorities. He was debarred by the Bar Association in Damascus.

In May 2006, al-Bunni was arrested along with several other human rights activists after they signed the Beirut-Damascus Declaration, in which 274 Lebanese and Syrian intellectuals called for a normalization of the relations between the two states. During his pre-trial detention, al-Bunni was tortured several times.

In April 2007, after proceedings that did not meet international fair trial standards, al-Bunni was convicted of “disseminating false information threatening the state”. By that time, he had already spent almost one year in the infamous Adra prison in Damascus.

“It’s a miracle that I am still alive,” al-Bunni told ECCHR. He was not held with the other political prisoners but instead with the non-political inmates. On one

occasion, some detainees who were loyal to the regime tried to throw him from a second-floor balcony. He survived only thanks to the help of other detainees.

Al-Bunni was released in May 2011. He now lives in Berlin. In 2008, he received the [Front Line Award for Human Rights Defenders at Risk](#). In the same year, he was also awarded the annual [Human Rights Prize](#) of the German Richterbund (Judges Association).

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