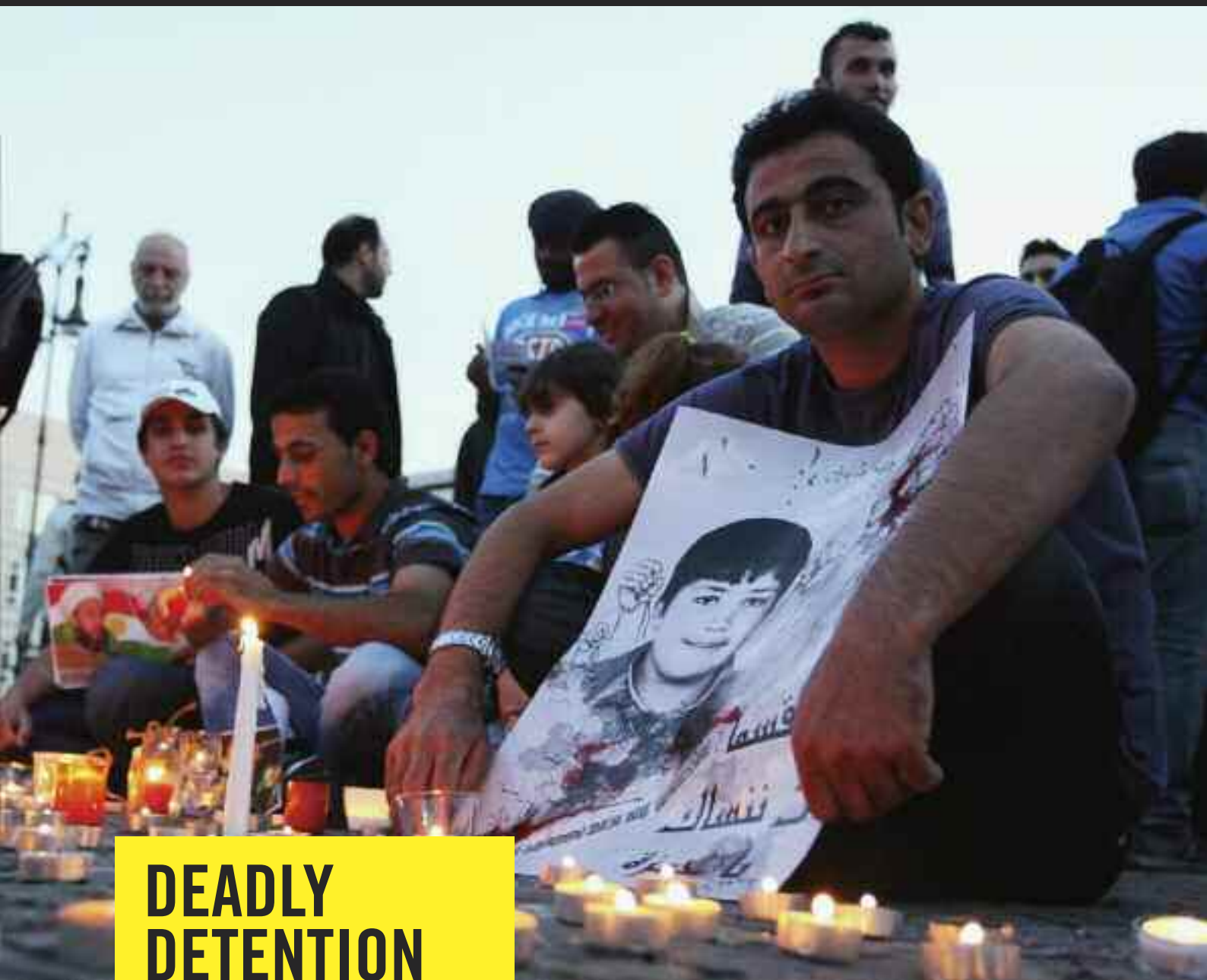


**Flygtningenævnets baggrundsmateriale**

|                                 |                                                                   |
|---------------------------------|-------------------------------------------------------------------|
| <b>Bilagsnr.:</b>               | <b>236</b>                                                        |
| Land:                           | Syrien                                                            |
| Kilde:                          | Amnesty International                                             |
| Titel:                          | Deadly Detention, Deaths in custody amid popular protest in Syria |
| Udgivet:                        | 31. august 2011                                                   |
| Optaget på baggrundsmaterialet: | 1. september 2011                                                 |



# DEADLY DETENTION

DEATHS IN CUSTODY AMID  
POPULAR PROTEST IN SYRIA

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INTERNATIONAL



Amnesty International is a global movement of more than 3 million supporters, members and activists in more than 150 countries and territories who campaign to end grave abuses of human rights.

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**INTERNATIONAL**



First published in 2011 by  
Amnesty International Ltd  
Peter Benenson House  
1 Easton Street  
London WC1X 0DW  
United Kingdom

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Index: MDE 24/035/2011 English  
Original language: English  
Printed by Amnesty International,  
International Secretariat, United Kingdom

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*Cover photo:* A group of people in Berlin, Germany, hold a vigil for Hamza al-Khateeb, a 13-year-old who reportedly died in detention after being detained in Syria on 29 April 2011.

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# 1. INTRODUCTION



A peaceful pro-reform demonstration in Baniyas, a coastal town north of Damascus © Private

Since the end of 2010, millions of people across the Middle East and North Africa region have taken to the streets to call for greater rights and freedom and the replacement of authoritarian regimes. In Syria, ruled with an iron hand by Hafez al-Assad from 1971 to 2000 and since then by his son Bashar al-Assad, small demonstrations were held in February but evolved into mass protests only in mid-March. Since then, the protests have spread nationwide on an unprecedented scale and with a momentum that shows no sign of abating despite severe government repression which has seen many hundreds of people killed.

The protests have been largely peaceful, yet the Syrian authorities have responded in the most brutal manner in their efforts to suppress them. The security forces<sup>1</sup> have repeatedly used grossly excessive force, using snipers to shoot into crowds of peaceful protesters and deploying army tanks to shell residential areas while seeking to justify such force on the pretext that the government is under attack by armed gangs. Amnesty International has obtained the names of more than 1,800 people reported to have died or been killed during or in connection with the protests since mid-March;<sup>2</sup> many are believed to have been shot by security forces using live ammunition while participating in peaceful protests or attending funerals of people killed in earlier protests. Thousands of other people have been arrested, with many held incommunicado at unknown locations at which torture and other ill-treatment are reported to be rife. Some, as this report details, have died in detention in highly suspicious circumstances.

In the face of the protests and growing international condemnation, President al-Assad has lifted the 48-year long state of emergency,<sup>3</sup> approved legislative reforms including a law which allows the creation of other political parties to rival the all-powerful ruling Ba'ath party,<sup>4</sup> and issued at least three amnesties for certain categories of prisoners.<sup>5</sup> These measures, however, have failed signally to reduce the protests and appear generally to be seen as concessions proffered too little, too late by a government that continues to use the most hardline methods in its efforts to crush all dissent and popular demands for change.

The sharp rise in the number of reported deaths in custody has been one of the most shocking features of the government's bloody crackdown on the protests. No less than 88 such deaths have been reported to Amnesty International as occurring during the period from 1 April and 15 August 2011, a figure for four and a half months which is already many times higher than the yearly average over recent years.<sup>6</sup> In at least 52 of these cases, there is evidence that torture caused or contributed to the deaths, a concern exacerbated by reports of widespread torture in detention centres in recent months. Some of the dead, who include children, were also mutilated either before or after death in particularly grotesque ways apparently intended to strike terror into the families to whom their corpses were returned. The victims in all cases appear to have been detained in the context of the protests, though the circumstances of their arrest are often hazy, and to have died while held in the custody of the security forces in prisons or other places of detention, both recognized and unrecognized, or after being removed to hospitals while they remained in custody. Some clearly suffered gunshot wounds suggesting that they may have been victims of extrajudicial executions. Many of the deaths became known only when the victims' bodies were handed to their families by the authorities or families were contacted and told to collect their relatives' bodies from the morgue. Syria has a history of high levels of deaths in custody, including many cases where torture or other ill-treatment is alleged to have caused or contributed to the deaths.<sup>7</sup>

Out of the 88 cases, Amnesty International is aware of only two which are said to have been the subject of official investigations. Even in these two cases, concerning the deaths of Hamza Ali al-Khateeb, aged 13, and Sakher Hallak (see Chapter 3), there is little to indicate that the investigations were independent or impartial and in both cases the findings have yet to be disclosed. Rather than mounting independent investigations, as international human rights law and standards demand, the Syrian authorities have either said nothing, denied that individuals had been detained or responded to reports of killings by the security forces by blaming these on unidentified "armed gangs" opposed to the government. Victims' families have been denied the truth, justice and reparation, while those responsible for torture and other gross human rights violations continue to commit crimes with impunity and be shielded from accountability.

This report is based on information obtained by Amnesty International from a variety of sources. Amnesty International researchers have interviewed witnesses and others who had fled Syria in recent visits to Lebanon and Turkey,<sup>8</sup> and communicated by phone and email with individuals who remain in Syria and continue to take serious risks to ensure that information reaches the outside world. Among others, they include relatives of victims, human rights defenders, medical professionals and newly released detainees. Amnesty International has also received information from Syrian and other human rights activists who live outside Syria.

Amnesty International has not been able to conduct first-hand research on the ground in Syria during 2011; the last time the government permitted the organization to visit the country was in June 2010. Since the protests began, the Syrian government has sought to deny access to the country by international media and independent human rights organizations such as Amnesty International, so as to prevent the full horror of what is occurring to reach the outside world. They have only been partially successful, however, as evidenced by the large amount of video material, much of it taken on mobile phone cameras, that has been sent out of the country by people participating in the protests and witnesses to the ongoing repression.

In just over half of the cases reported here, 45 cases, relatives, activists or other individuals were able to film the victims' bodies to show the injuries that they had sustained and that may have caused or contributed to their deaths and to send the recordings out of the country. In many of the cases, the footage includes commentary by individuals whose identity is usually not disclosed but who provide details of the victim and their detention and describe marks that can be seen on the bodies that appear to have been caused by torture or other abuse. Amnesty International submitted videos of bodies for 20 of these cases and a photograph of a body for one case to independent forensic pathologists to seek their expert comment on the injuries visible and their possible origin and impact and to suggest possible causes of death, where feasible.<sup>9</sup> Such assessments based on film evidence rather than first-hand examination must inevitably be treated with a degree of caution but they are striking nonetheless in the way that they point to a pattern of systematic gross abuse which is consistent with other evidence that Amnesty International has received from a diverse array of sources, including former detainees and families of victims.

In reporting some of these cases, Amnesty International is withholding certain names and other information to protect sources or others whose lives or safety could be at risk of their identities were to become known to the Syrian authorities. In other cases, only limited details are available, reflecting the difficulty of obtaining information about human rights violations in Syria, difficulties that have been exacerbated during the current crisis. In addition to closing their borders to most of the international media, Amnesty International and other independent observers, the Syrian authorities have continued to target local human rights defenders and civil society activists to the point where there is a widespread climate of fear that has made many people, including victims' relatives, fearful of talking to international organizations. As this report shows, in many cases Amnesty International has been told when and where those who died were reportedly arrested and when bodies were returned to their families but often without being able to establish further details, such as whether there were eyewitnesses to individual arrests, whether victims were seen being tortured or abused in custody by other detainees, and in what circumstances bodies were returned to or retrieved by their families. Only in very few cases has Amnesty International been able to obtain information indicating where a person was being detained at the time of their death. Consequently, this report uses qualified terms such as "reported arrests" and "reported deaths in custody", where appropriate, in order to reflect this lack of clarity regarding some of the details of the cases reported.

Despite these limitations, Amnesty International considers that the crimes behind the high number of reported deaths in custody of suspected opponents of the regime identified in this report, taken in the context of other crimes and human rights violations committed against

civilians elsewhere in Syria, amount to crimes against humanity. They appear to be part of a widespread, as well as systematic, attack against the civilian population, carried out in an organized manner and pursuant to a state policy to commit such an attack. For this reason, Amnesty International has called on the UN Security Council to not only condemn, in a firm and legally binding manner, the mass human rights violations being committed in Syria but also to take other measures to hold those responsible to account, including by referring the situation in Syria to the Prosecutor of the International Criminal Court. As well, Amnesty International continues to urge the Security Council to impose an arms embargo on Syria and to immediately freeze the assets of President al-Assad and other officials suspected of responsibility for crimes against humanity.

## 2. PATTERNS AND OBSERVATIONS

### PROFILE OF VICTIMS AND ARRESTS

The 88 individuals reported to have died in custody after being detained for their actual or suspected involvement in the pro-reform protests were of a wide variety of ages. Although in more than half of the cases Amnesty International does not have precise information on the age of the victims, the ages it does know range from 13 to 72 years old. Ten of the victims whose ages are known are children, aged 17 and under.

All of the 88 individuals are men or boys. While women have played significant roles in many of the protests - particularly in urban areas - and in the pro-reform movement in general, a smaller proportion of women involved have been detained. Amnesty International has received considerably fewer reports of torture and other ill-treatment of women during these events, as in previous years, as compared with men.

The arrests of those who died are reported to have taken place in seven of Syria's 14 governorates. Forty of the victims were reportedly arrested in the governorate of Homs, of which 10 were in the town of Tell Kalakh; in the city of Homs, Tell Kalakh and elsewhere in the governorate there have been major protests, in response to which the authorities have mounted repressive security operations. Twenty-eight of the victims were reportedly arrested in the governorate of Dera'a, where initially there were the largest protests and a particularly brutal response from the Syrian security forces. Twelve others were reportedly arrested in the governorate of Rif Dimashq, which surrounds the capital, Damascus, and two in the governorate of Damascus itself, three in the governorate of Idleb, two in the governorate of Hama and one in the governorate of Aleppo. The first individual recorded as dying in custody since the protests began was reportedly arrested on 1 April and his body returned to his family on the same day. The most recent was arrested on an unknown date and his body returned to his family on 15 August.

Although Amnesty International has, in many cases, only limited details about the reported arrests, many appear to have taken place during or in the wake of protests. Information is available in only a few cases about those who carried out the arrests, but reports indicate that Military Intelligence and Air Force Intelligence, two of the key intelligence agencies which arrest and question political suspects in Syria, as well as the army and, in one case, the Criminal Security Department were responsible. In at least one case, it appears that pro-regime gang members known as *shabiha* were involved in the arrest. Since the protests began, the Syrian security forces have arrested thousands of people. Mass arrests have been carried out, especially in the cities and towns where large popular protests have taken place. People have been arrested because they are believed by the authorities to have organized or openly supported the protests, whether orally in public gatherings, in the media, on the internet or elsewhere. Many of those detained are likely to be prisoners of conscience, held solely for exercising their rights to freedom of expression, association and assembly by peacefully supporting or taking part in protests.

Since protests began in Syria, hundreds, if not thousands, have been held in incommunicado detention, many in detention centres run by intelligence agencies such as Military

Intelligence and Air Force Intelligence, without access to visits from family members or legal counsel. In many cases, families have reportedly been afraid to seek information about the whereabouts of detained relatives. Amnesty International fears many may have been held in conditions amounting to enforced disappearance. Keeping detainees in incommunicado detention has been a common practice in Syria for many years and those so held are at particular risk of torture and other ill-treatment.

Amnesty International has information on the place of detention of those reported to have died in custody in a number of cases. They include detention centres run by Military Intelligence, Air Force Intelligence and, in one case each, State Security and the Criminal Security Department. In cases where such information is known, it appears that the individuals were held in incommunicado detention and that the families were never officially notified of their detention or their place of detention. Amnesty International is aware of only one individual reported to have died in custody who was visited in the period between the time of his arrest and his body being handed to his family. Relatives who did seek information on the whereabouts of their detained family members reportedly met walls of secrecy. In one case, the father of Hussam Ahmed al-Zu'bi, who reportedly died in custody having been arrested on 29 April in Dera'a, is recorded on video as saying that he had approached Political Security, Air Force Intelligence and the governor of Dera'a governorate for information on the whereabouts of his son, but on each occasion was given no information (see Chapter 3 for more details).

## TREATMENT IN DETENTION

Amnesty International has received first-hand testimony from one witness to the treatment of a detainee, Ahmed Hamsho, who was to die in custody.<sup>10</sup> It also knows of one news agency report that relates the testimony of a witness to the treatment of another man, Tamer Mohamed al-Shar'i, who was later to die.<sup>11</sup> This case and those of other individuals mentioned below are presented in further detail in Chapter 3 and the Appendix.

In many other cases of individuals reported to have died in custody, the organization has obtained disturbing information about the state of the corpse. It has studied video images of the corpses in 45 cases and, for 20 of these, sent them to forensic pathologists who made comments on visible injuries and, where appropriate, their possible cause.<sup>12</sup> In one other case it sent a photograph of the corpse to a forensic pathologist. In some cases, the low technical quality of the images, particularly when they appeared to have been recorded on mobile phones, meant that the forensic pathologists were unable to make significant comments. In others, however, they were able to remark on injuries they saw. They included the presence of burns, in some cases multiple burns; blunt force injuries, in one case leading possibly to a cranial base fracture; whipping marks; slashes; an open wound suggesting stabbing; bruises around the ankle suggesting shackling; and possible gunshot wounds.

In another eight cases, Amnesty International does not have images of the corpse, but has obtained descriptions of it from sources that saw it. These sources have reported injuries such as gunshot wounds, bruising to the body and face, cuts and slashes, whipping marks, burns and genital mutilation.

Such information, coupled with Amnesty International's information about reports of widespread torture and other ill-treatment in detention in Syria in recent months, gives rise to

serious concerns that some of those who are reported to have died in custody were tortured or otherwise ill-treated and that such treatment may have caused or contributed to their deaths.

During the ongoing unrest in 2011, numerous forms of torture and other ill-treatment have been reported by released detainees directly to Amnesty International and indirectly via credible sources. Such treatment appears to have been used both as a means to obtain a “confession” and as a way of punishing those who protest and intimidating others into not joining them. A number of released detainees have said that those abusing them wanted a “confession” to being in the pay of foreign agents, or to obtain names of individuals who had organized or participated in protests.

It is reportedly very common for detainees to be slapped, beaten and kicked by members of the security forces using their hands, fists and feet, often repeatedly and over long periods. Still commonly reported, but slightly less frequently, is being whipped and beaten with wooden sticks, cables or rifle butts. All of these methods have been reported relatively frequently in Syria over many years. A number of the video clips of bodies of individuals reported to have died in custody show bruises and other injuries to the face, head and other parts of the body which appear to demonstrate the practice of such beatings and whippings. Marks of possible whipping have been noted on the bodies of Ayman al-Saleh al-Khaldi, Basheer Abd al-Rahman al-Zu'bi, Mahmoud Abd al-Rahman al-Zu'bi and Zaher al-Mabaydh. In three cases, the individuals are reported to have had their necks broken: Marshed Rakan Abazied, Mohamed Hussayn al-Zu'bi and Nazir Abd al-Qadr al-Zu'bi. Blunt force injuries are noted by the forensic pathologists in the cases of Abdallah Jiha, Amer Rakan al-Qardelee, Hamza Ali al-Khateeb, Hazem Obayd, Mohamed Adel Halloum and Redhaa Alwieh.

Amnesty International has information about 10 cases during these events of individuals who are reported to have had electric shocks applied to parts of their body, including, in two cases, to the genitalia. Six of the 10 are reported to have died in custody and their cases are described later in this report: Abd al-Rahman al-Khateeb, Amer Rakan al-Qardelee, Mohamed Hussayn al-Zu'bi, Obaida Sa'eed Akram, Rouhi Fayez al-Naddaf and Tariq Ziad Abd al-Qadr. Two of these - Rouhi Fayez al-Naddaf and Tariq Ziad Abd al-Qadr - are believed to have had electric shocks applied to their genitalia. One released prisoner told Amnesty International that Air Force Intelligence branches have been notorious during these events for the application of electric shocks to detainees. He said that while detained in June at Damascus Central Prison, also referred to as 'Adra Prison, he met two men who told him they had been electrocuted while held at the branch of Air Force Intelligence in Kafar Soussa, an area of Damascus. One said he had been strapped into a chair, had water splashed onto his feet – presumably to aid the conduction of electricity – and was electrocuted on his hands. The man said that the pain was extreme and felt like his “head was going to explode”. The second man said he had been electrocuted with an electroshock weapon on his upper arms and chest.<sup>13</sup>

In some cases it is reported that cigarettes have been stubbed out on detainees' bodies. On at least one bus in which detainees had been held in the Homs area on 18 May, soldiers counted those arrested by stabbing a lit cigarette on the back of the detainees' necks. An Amnesty International delegate saw the



A burn mark visible on the neck of a 20-year-old former detainee © Amnesty International

burn mark on the neck of a 20-year-old man who had fled to northern Lebanon after his release.<sup>14</sup> A witness who saw the body of Mahmoud Abd al-Rahman al-Zu'bi, a 72-year-old man who died after apparently being arrested near the city of Dera'a on 29 April, told Amnesty International that when he saw the corpse there were cigarette burns on the man's face. The video clip of Tariq Ziad Abd al-Qadr also indicates what appears to be a cigarette burn on his shoulder. There are also signs of possible burns on the bodies of Basheer Abd al-Rahman al-Zu'bi, Kifah Haidar, Mohamed Adel Halloum and Nasser al-Sabe'.

Cuts, slashes and possible stab wounds are observed on the bodies of Abd al-Rahman al-Khateeb, Abd al-Razaq Zakariya al-Haloul, Ahmed Hamsho, Ayman al-Saleh al-Khaldi, Hassan al-Saleh, Hazem Obayd, Louay Abd al-Hakeem al-Amer, Majd al-Kurdy, Marshad Rakan Abazied, Mohamed Adel Halloum, Mohamed Ahmed al-Ramadan, Mohamed Manhal al-Karaad, Mohamed Sulayman Khalif al-Rafaa'i, Rouhi Fayez al-Naddaf, Sameer Abd al-Qadr al-Zu'bi and So'dat al-Kurdy.

There are other methods of torture and other ill-treatment which have been reported during the current unrest, but for which Amnesty International does not have specific information indicating they were used on the individuals reported to have died in custody. A number of detainees have told Amnesty International that there were hung by their handcuffed wrists to a bar, door frame, ladder or other object high enough off the ground to force them to stand on the tip of the toes or to be hanging above the ground completely, and then beaten; some have reportedly being hung by their ankles in such positions. Two cases have been reported during these events of detainees being subjected to "the German chair", another method used over many years in Syria, which consists of a metal chair with moving parts to which the victim is tied; the backrest is then bent backwards causing acute hyper-extension of the victim's spine and severe pressure on the neck and limbs. One released detainee told Amnesty International that he had been subjected to the *dulab* (tyre) method of torture, whereby the victim is forced into a motor vehicle tyre, which is sometimes suspended, and then beaten, sometimes with sticks or cables.<sup>15</sup> This method has been reported in Syria for decades.<sup>16</sup>

Suspected bullet wounds are observed in the bodies of Abd al-Malik al-Fa'oury, Hussam Ahmed al-Zu'bi, Kifah Haidar, Majd al-Kurdy and So'dat al-Kurdy. Given reports it has received from released detainees, medical professionals and others about adequate medical treatment being denied to detainees who were injured when arrested, Amnesty International is concerned that some of those who have died after apparently receiving gunshot wounds may not have been given appropriate medical attention during their reported detention. One former detainee who was held in a detention centre in Damascus in June told Amnesty International that a guard had scoffed "Where do you think you are?" when he requested to see a doctor. Another former detainee, a farmer from a village near Jisr al-Shughur who had fled to Turkey, told Amnesty International on 12 June that on 4 June he was shot in the leg by members of the security forces and taken by soldiers to a hospital in Idleb, where a doctor "with tears in his eyes" told him he was forbidden from treating him. The farmer said that he was held at a nearby military interrogation office for three days, during which he was blindfolded and beaten, including on his untreated leg wound, until he signed papers that he was unable to read. Denial of adequate medical treatment to detainees has been a concern in Syria for many years and reports of such concerns have led to Amnesty International issuing many Urgent Actions to appeal for detainees to be given urgent medical care. Deliberate

denial of adequate medical care to a person deprived of their liberty where that denial could result in serious illness, suffering or death, would amount to torture or other ill-treatment.

Finally, in two cases, those of Hamza Ali al-Khateeb and Sakher Hallak, the deceased individuals' genitalia appear to have been mutilated. It is not known whether these alleged injuries occurred before or after death. In addition to the cases mentioned above regarding reports of electric shocks being applied to sexual organs, Amnesty International has received information about other cases of detainees who have allegedly been deliberately wounded in the genitalia by their captors. Two witnesses told Amnesty International separately about a wounded young man from Tell Kalakh, who they said was tortured with a heated iron skewer to his testicles at an unidentified detention facility in Homs in May.<sup>17</sup>

## RETURN OF BODIES

The bodies of those reported to have died in custody are reported to have been given back to the families in a variety of ways. Sometimes they are said to have been taken by the security forces directly to the families' homes. In several cases known to Amnesty International, families at some point heard from the authorities that they should go to a hospital or morgue to identify or otherwise collect the body of their relative. In two cases here, those of Mohamed Mumtaz Haaloo and Sakher Hallak, the bodies were apparently left by the side of the road. The bodies were received by the families after different periods of reported detention; in one case, the body was handed over on the same day as the reported arrest, while in another the period between the reported arrest and delivery of the body to the family was 66 days – the longest period recorded among the cases where reliable information is available to Amnesty International.



Sakher Hallak's body was left by the side of a road © Private

In at least two cases, the relatives were told that they had to sign a document saying that armed opposition elements had killed the individual concerned so as to receive the body. In some cases, relatives said that, in order to receive the body, they were forced to pledge not to refer to the dead men as *shuhada* (martyrs), the term used by those supporting ongoing protests to refer to those killed by the security forces, when announcing their funerals at the mosque or to agree to a specific time as well as a specific location for the funeral. Other restrictions have reportedly included that the family does not look at the corpse, that not more than 10 people attend the funeral, and that the funeral procession should be in cars rather than with people walking. According to more than one Syrian human rights defender, families have often agreed to such restrictions, even with threats that the relatives will be arrested if they do not obey them, but gone ahead with commemorating the deceased without adhering to them.

## 3. DEATH IN CUSTODY CASES

### HOMS GOVERNORATE

The governorate of Homs has been particularly severely affected by an escalating crackdown on pro-reform protests, with over 430 individuals recorded by Amnesty International as having died there during or in connection with the protests by 14 August, over 200 of whom during the first two weeks of August alone. Among the dead there are 40 individuals reported to have died in custody, 11 of them during the first two weeks of August.

Homs, the governorate's capital and Syria's third largest city, about 165km north of Damascus, has repeatedly been the scene of large protests and waves of repression. Two of the individuals believed to have died in custody were reportedly arrested quite early in the events, before 17 April. Others were reportedly detained at different dates through the later months, in all of which there were significant demonstrations and heavy responses by the security forces. In May, the army was sent into the city and tanks shelled residential areas. The armed forces went heavily into Homs again in late July, as a result of which scores were reported killed.

**Ahmed al-Masri**, an unemployed man of about 28 years of age from Qusayr, south of the city of Homs, disappeared one day in the third week of May. A neighbour told Amnesty International that he could not remember which day it was that Ahmed al-Masri disappeared but knew that he had participated in many of the protests in Qusayr and had been carrying a banner that day, and so may have been on his way to or from a demonstration. A few days later, a released detainee and an informal contact in the security forces told the family that Ahmed al-Masri was being held at a detention centre run by Military Intelligence. His father went to the Military Intelligence centre and tried to hand over some medicine for his son, who had a medical condition relating to his brain, but a senior officer told him there was "no need". A few days later again, the family received the news that Ahmed al-Masri had died and a family member went to the National Hospital in Homs to identify the body. An official document stated that the cause of death was "severe respiratory distress". A video clip of the body indicates, according to a forensic pathologist consulted by Amnesty International, "possible burns to the abdomen and legs" and "blunt force lesion under left eye".



Tariq Ziad Abd al-Qadr, whose body was reportedly returned on 16 June © Private

One of the most disturbing video clips of corpses seen by Amnesty International is that of **Tariq Ziad Abd al-Qadr**. According to a voice on the clip, he was arrested on 29 April and his body was returned to his family on 16 June. In what appears to be the inside of a home, an unidentified individual analyses the injuries seen on the body and their possible causes in a calm and methodical manner while hands in surgical gloves indicate their position. The individual points to: the head, from which hair seems to have been pulled out; marks to the neck and to the penis, which he says were caused by electric shocks; an apparent cigarette burn on the shoulder; signs of whipping on the shoulders; stab wounds on the side of his torso; and burns on the arms, hands, legs, the sole of

one foot and waist. A short document is displayed in the video which is said to be from the National Hospital and to state that the cause of death was being “shot in the chest”. The people filming the body show how the chest does not appear to carry signs of any bullet wounds.

According to information recorded by Syrian activists, **Obaida Sa’eed Akram**, aged 23, was seen being arrested by security forces amid protests in the al-Khaldiyeh area of the city of Homs on 17 June. On 27 June his body was handed over to his family at the National Hospital in Homs. Witnesses who saw his body said that there was a bullet wound near his ear, bruises on his face and signs that teeth had been pulled out. They also reported that his fingers appeared to have been broken, that his neck carried wounds and that they believed there were signs of electrocution on his wrists and his knees. A photo of his body sent to Amnesty International shows various head wounds including on and around the left ear, very dark bruising near the jaw and on the neck, and other lesions on his right hand (the left hand does not appear in the picture), wrist and arms. According to the information obtained, no doctor examined the body and no comment or documentation was received from the authorities.

Taxi driver **Mohamed Mumtaz Haaloo**, aged 28 or 29, from the city of Homs, was arrested by an Air Force Intelligence patrol on 23 July, according to information provided by activists in Syria. He was detained for 24 hours, before his dead body appeared by the al-Batoun Bridge in the al-Khaldiyeh area of Homs, reportedly showing signs of torture.

Amnesty International knows of 10 cases of individuals from the town of Tell Kalakh who are reported to have died in custody. They are reported to have died in custody after being apprehended during a security operation there in May.

**Ahmed Hamsho** was arrested and held at the Military Intelligence detention facility in Homs where he was seen badly injured and being further beaten by soldiers until he fell silent and was taken away. Eight other men – brothers **Majd** and **So’dat al-Kurdy**, brothers **Abd al-Rahman** and **Ahmed Abu Libdeh**, **Mohamed Adel Halloum**, **Kifah Haidar**, **Oqba al-Sha’ar** and **Mohamed al-Rajab** – were reportedly seized in a raid by soldiers on a house on 17 May. The men were shot at, beaten with rifles then taken away. Two weeks later, the authorities told relatives to go to a military hospital in Homs to identify the bodies of the eight men. They were reportedly given no explanation of the men’s deaths when they did so. Various signs of torture and other ill-treatment were seen on most of the bodies.<sup>18</sup>



Majd al-Kurdy, reportedly arrested on 17 May  
© Private

**Abd al-Rahman al-Khateeb**, a 55-year-old grocer who apparently suffered from high blood pressure, was arrested by soldiers at his home in mid-May, according to a man who was arrested at the same time. He told Amnesty International that Abd al-Rahman al-Khateeb, along with others arrested at the same time, were blindfolded, beaten up by soldiers, led into a bus, and taken to a nearby village considered loyal to President Bashar al-Assad where they

were led out of the bus and beaten up by a mob of villagers. He said that they were then taken to the Military Intelligence department in Homs, had their blindfolds removed and were placed in an overcrowded cell with around 100 detainees.

Abd al-Rahman al-Khateeb appeared to have lost his memory, possibly from a blow he was reported to have received to the back of his head either during his arrest or the attack by villagers. Later the same day, he had some difficulties breathing. Detainees knocked repeatedly on the cell door until the guards showed up and were told that Abd al-Rahman al-Khateeb needed to be hospitalized. He was taken away but less than two weeks later, his relatives were asked to go to the military hospital in Homs to identify the body. A document given to the family stated that he had died on 18 May. He was buried on 31 May. A video clip of his corpse shows dark bruises on his fingertips which one of those present claims were caused by electrocution. There is also a circular lesion on his leg and bruising on thighs. Those present indicate something at the back of his head – possibly relating to the beating he was reported to have sustained there – but the image on the video is not clear.

## DERA'A GOVERNORATE

The south-western governorate of Dera'a has been at the forefront of popular protest and the authorities' brutal crackdown in response. Amnesty International has the names of around 350 people from the governorate who had died during or in connection with the protests as of 14 August, about a fifth of the total for the whole country. Twenty-eight of the 88 deaths in custody recorded by Amnesty International during the same period are reported to have taken place in and around the city of Dera'a, 21 of them of people arrested on 29 April.

The critical situation in Dera'a developed following the detention of a group of boys who had put political graffiti on a school wall and for whose release local people peacefully demonstrated. The first killings of protesters in Dera'a took place on 18 March, setting off a cycle of demonstrations, shootings and funerals. The Syrian authorities tightened their grip on the city and by 25 April the armed forces were surrounding it and electricity supplies were reportedly cut, as were telephone lines and access to the internet.



Thirteen-year-old Hamza Ali al-Khateeb © Private

Pro-reformists declared 29 April to be "Break the siege Friday". According to information provided by Syrian human rights activists and people close to the family, 13-year-old **Hamza Ali al-Khateeb** joined many hundreds of people from al-Jeeza and other villages around Dera'a in peaceful marches towards the city in a symbolic attempt to break the blockade. The protesters were attacked by Syrian security forces, who reportedly shot at them near the Saida military compound and arrested several hundred people. Hamza Ali al-Khateeb is one of many who went missing. He was later reported to be held by Air Force Intelligence. On 24 May the family received a phone call to say there was a body in the al-Jeeza Hospital morgue which they should see, and a relative of Hamza Ali al-Khateeb went there and identified his body. According to publicly available video images and confidential material made available to Amnesty International, there were injuries to his face, head and back and his penis had been cut off. A forensic pathologist consulted by Amnesty International reviewed video evidence and concluded that the boy seemed to have suffered a "blunt force injury to the face" as well as bluish discoloured lesions with a central darker area on chest and right hand side of the abdomen, which could "represent entrance wounds".



Protesters hold placards of Hamza Ali al-Khateeb during a demonstration to express solidarity with Syria's anti-government protesters, in Tripoli, northern Lebanon © Reuters/Mohamed Azakir

National and international uproar over the brutal death of a child led to the Syrian authorities making public statements via state-run media. According to SANA, the state news agency, a report by Syrian television on 31 May showed how “people began to gather in some villages of Dera’a countryside responding to inciting calls for Jihad, which were taken advantage of by armed groups to attack army, police and security forces and citizens, and set off toward the military housing compound in [the] Said[a] area where al-Khateeb was martyred.” Judge Samer Abass, described as the official in charge of investigating the case, said Hamza Ali al-Khateeb died “from several gunshots without any traces of torture on the body”. A coroner, Akram al-Shaar, is said to have examined the corpse on 29 April and found it to be “of a plump young man in his twenties... and that there weren’t any traces of violence, resistance or torture or any kinds of bruises, fractures, joint displacements or cuts”. The report added that “photos of the body which appeared by some channels and news agencies were taken after an advanced stage of disintegration after death” and that the body was returned to the family on 21 May. The report concluded by saying that Minister of Interior Major-General Ibrahim al-Shaar had appointed a committee “to uncover the circumstances of the incident and reveal the results to the public” and that it had begun its work that day. Amnesty International wrote to the Syrian Minister of Justice on 28 July 2011 requesting further details about the investigation but no reply was received before publication of this report.

**Tamer Mohamed al-Shar’i**, a 15-year-old boy similarly from al-Jeeza, also went missing on 29 April amid the mass arrests of and shooting at protesters. An amateur video dated 8 June shows his body being brought by ambulance to a hospital where it is then cleaned and prepared, presumably for burial. The ambulance is met by a large group of chanting people, including a mother who cries “My son!”, and some anti-Bashar al-Assad comments are heard.



A demonstration as part of Tamer Mohamed al-Shar'i's funeral in Dera'a, June 2011 © Private

His corpse appears to show a badly beaten head and a damaged eye. The wounds are consistent with testimony given by a named individual, cited in the media, who says he was held with Tamer Mohamed al-Shar'i at a branch of Air Force Intelligence and saw him being beaten, despite having a bullet wound in the side of his chest. The witness said that he saw eight or nine interrogators bludgeon the head, back, feet and genitals of Tamer Mohamed al-Shar'i, whose hands were tied behind his back. The witness said he saw Tamer Mohamed al-Shar'i beaten "until he bled from the nose, mouth and ears and fell

unconscious".<sup>19</sup> A forensic pathologist consulted by Amnesty International watched the video clip and noted: "Wound below left knee, seems to be the result of an open tibial fracture. Obvious facial injuries: jaw - especially left side - huge laceration and probable fractures."

**Nazir Abd al-Qadr al-Zu'bi**, a 20-year-old young man from al-Musayfrah, to the east of the city of Dera'a, is also reported to have gone missing amid the mass arrests on 29 April. According to confidential material seen by Amnesty International, Nazir al-Zu'bi took part in the "Break the siege Friday" march and was wounded when members of the security forces opened fire on the protesters. On 17 May the family was told that Nazir al-Zu'bi was dead and a family member went to identify the body at the local morgue. According to the material



Twenty-year-old Nazir Abd al-Qadr al-Zu'bi is also reported to have gone missing on 29 April 2011 © Private

seen, someone said to be a forensic doctor not appointed by the authorities examined Nazir al-Zu'bi's body and observed that Nazir al-Zu'bi's kneecaps had been smashed, his skull damaged and his neck broken and that he had been bleeding from the nose, right eye and ears, adding the comment that the death was not a result of any bullet wound but torture. A forensic pathologist consulted by Amnesty International watched a video clip showing part of his body and noted: "Disfigurement of right cheek. Bruising right upper part of chest. Lots of small lesions on left hand [and] right arm, chest. Seem traumatic."

Six other members of the extended al-Zu'bi family are reported as having died in custody after being detained that day, including 17-year-old **Hussam Ahmed al-Zu'bi**, a video of whose body and face shows bruising and swelling as well as apparent bullet wounds. The father of Hussam Ahmed al-Zu'bi speaks in the video about his attempts to find out what had happened to his son. "First we went to the governor..., who would not see any of us," he says, before explaining how he and others approached Political Security and were advised by an officer of this agency to contact Air Force Intelligence. He explains that they went to see this agency, but learnt nothing from the officer they met, a colonel whom he names and describes as "smoking a Cuban cigar". He says they returned to the governor, "who would not see us as he was in a meeting". He complains: "We begged with the authorities there to tell

the truth, to reveal the truth, but there was no result." Then, on 21 May, the father says: "We were told that there was going to be funerals of men without identification... The people and residents of Hauran came out. Then they [the security forces] came with ambulances [and] they started to bring down the martyrs." Among them was his son Hussam Ahmed al-Zu'bi.

An eyewitness told Amnesty International that he had been with **Mahmoud Abd al-Rahman al-Zu'bi**, a 72-year-old man from al-Musayfrah, and more than 20 others, including children, in a van heading towards Dera'a as part of the protest. When they neared an area called Saida Military Residences, a housing complex for military personnel, they found themselves in the middle of the protest, which, they said, was completely peaceful with people waving olive branches and chanting "*Salmiyeh, salmiyeh*" (Peaceful, peaceful). Some soldiers were there but not shooting to begin with. According to the account, as some protesters were chanting "*Allahu akhbar!*" (God is great!), a soldier called back "Chant for your own souls" and a minute later shooting suddenly began. All the people in the van jumped out and rushed to hide behind olive trees and rocks on the other side of the road. The shooting continued for 20 minutes. When the shooting became less intense and stopped from time to time, the eyewitness and others hiding near him, including Mahmoud al-Zu'bi, started consulting each other on how to escape and decided to take it in turns to run away between the shooting. However, he then saw the soldiers approaching them so all of those remaining started running towards some nearby bushes. Mahmoud al-Zu'bi was apparently unable to escape due to his advanced years. The eyewitness learned later that he had been arrested that day and was returned dead to his family 20 days later. There were reportedly marks on his face that looked like cigarette burns.



Osama Hussayn Abd al-Qadr al-Zu'bi, one of seven family members detained on 29 April © Private

The other four members of the al-Zu'bi family reported to have died in custody are: **Basheer Abd al-Rahman al-Zu'bi**, whose severely bruised body was videoed, revealing probable burn and whipping marks, and whose neck was, according to a man speaking in the video, broken; **Mohamed Hussayn al-Zu'bi**, a video of whose body is described by a witness as having a broken neck and burns apparently caused by electric shocks; **Osama Hussayn Abd al-Qadr al-Zu'bi**, whose body in a video shows bruising and swelling on the face and chest; and **Sameer Abd al-Qadr al-Zu'bi**, for whom the video clip indicates severe cuts to the hands as well as a circular lesion on the chest. One Syrian human rights defender told Amnesty International that they had been detained by Military Intelligence.

Twelve other individuals reported to have died after being taken into custody on 29 April are: **Abd al-Jawaad Barakaat al-Turekmani**, **Ahmed Hassan al-Aqaab**, **al-Sami Mohamed al-Muhsin**, **Khalid Mohamed al-Mubarak**, **Mohamed Ahmed al-Ramadan** (a video of whose body shows bruising and a cut to the abdomen area), **Mohamed Abd al-Rahman Yehyeh**, **Mohamed al-Al'wi al-Saleem al-Kalash**, **Mohamed Sulayman Khalif al-Rafaa'i** (a video of whose body shows bruising and scarring, a cut to the chest and a circular lesion), **Saleh Mohamed al-Muqdad**, **Sami Mohamed Maqbal al-Masalmeh**, **Tamer Subhy al-Qadaah** (a video of whose body shows facial swelling and bruising) and **Dhiyaa al-Kafry**.

## DAMASCUS AND RIF DIMASHQ GOVERNORATES

Damascus and the surrounding governorate of Rif Dimashq have witnessed numerous smaller demonstrations and a number of repressive episodes in generally isolated areas. By 14 August, some 150 people had died during or in connection with the protests in these two governorates. Fourteen of the 88 deaths in custody recorded by Amnesty International during the same period are said to have been arrested there.

**Zaher al-Mubayedh**, born in 1990, was an upholsterer who had recently finished his military service. A friend of his told Amnesty International that on 28 April the two of them were stopped at a military checkpoint, believed to be of the Fourth Division, near the Sharaf Hospital in Daraya, near Damascus. According to the friend, the soldiers argued with Zaher al-Mubayedh, beat him and arrested him. The family could not discover his whereabouts, and his father went daily to a nearby court thinking he might find him on trial there. About a month after his detention, the father received a call from a military hospital and was asked to go and identify his son's body. The father was reportedly told that to receive the body he would have to sign a notification of death which stated that Zaher al-Mubayedh had died in a motorbike accident, a document seen by Amnesty International. The father refused when he saw signs of apparent torture on his son's body and asked the hospital to open an investigation. The hospital referred the father to the military police; when the father arrived there he was reportedly told that no officer was present but that his complaint would be recorded at the hospital the following day. The next day he went to the hospital but found that the notification of death had not been amended. A forensic doctor is reported to have then examined the body and informed the father that the death had occurred about four weeks before and that the hospital received the body on 2 June. The father did then sign the necessary papers to receive the body. According to people who saw the body, Zaher al-Mubayedh's spine and neck had been broken, there were knife cuts on the body, burns on his upper limbs and marks on the ankles where they had apparently been shackled.

**Fahd Ali Adnan** (known as Abu Ali al-Khaja) was about 51 years old and made ornamental copper paintings after years of work as a primary school teacher. According to several human rights defenders, he was arrested by members of State Security at around 4pm on 31 July while at a printing house in Duma, in Rif Dimashq governorate. He was reportedly held at the al-Khateeb branch of State Security, where, on 2 August, he was returned to the cell after what was alleged to have been a torture session and started having nervous tremors. His cellmates appealed to the guards to procure him medical treatment but they only came and took him away after half an hour. Two hours later the guards reportedly brought him back to the cell but he was apparently in a similarly poor state and died shortly afterwards. A video clip of his body shows some marks on his back which are described by the narrator as being signs of whipping.

**Rouhi Fayeze al-Naddaf** was a construction contractor aged 27 or 28 and the co-ordinator for Zamalka in Rif Dimashq governorate of the Coalition of Free Damascenes for Peaceful Change.<sup>20</sup> According to members of the Coalition, Rouhi Fayeze al-Naddaf was arrested at around 4pm on 7 August at his office in Zamalka by members of Air Force Intelligence. On 9 August his family say they received a call from Air Force Intelligence informing them that he had died as the result of a heart attack. A group of Zamalka residents went that morning to the Air Force Intelligence branch in Harasta where they were told that Rouhi Fayeze al-Naddaf had died a few hours after his arrest due to a mistake by the interrogator. They asked the

senior officer there, “So you mean you killed him?” and the officer reportedly responded, “No, the protests killed him.” The officer then apparently threatened the group by telling them the security forces would shell them if they continued to protest and saying, “This is the last body you will receive as the other bodies will be buried without us informing the families.” The family received the body of Rouhi Fayez al-Naddaf the same morning. A video clip dated 9 August shows considerable dark patches over his feet, ankles, lower legs, upper legs, bottom and back, which appear to be bruises from beating. Bruising around his wrists appear to show shackling. Individuals who saw his body said that his testicles carried marks which may have been from electric shocks.

## ALEPPO GOVERNORATE

Aleppo is Syria’s largest city, a powerful economic hub and generally seen as a conservative city where many wealthy merchant families live. It has witnessed considerably fewer protests than much of the rest of the country and some 12 people have died there during the ongoing events. One of the cases of people reported to have died in custody is from Aleppo, but is somewhat distinct from many of the other cases in this report.

**Sakher Hallak**, a wealthy 43-year-old doctor who ran an upmarket eating-disorders clinic in Aleppo, is the only victim known to Amnesty International whose family has vigorously denied that he had any personal involvement with the protests. According to a member of his family who lives in the USA, Sakher Hallak was arrested by *shabiha*, pro-regime gang members, and members of a security agency late on 25 May when driving home from work. He was taken to a branch of the Criminal Security Department in Aleppo, where he was seen by a fellow physician. Family contacts, including a member of the Syrian parliament, confirmed that he was detained and assured the family that he was being treated well.

On 28 May, the coroner’s office in Aleppo informed the family that a body had been discovered that was likely to be that of Sakher Hallak. The authorities said the body had been found the day before. According to an official statement, the authorities said that Sakher Hallak had never been detained by them and that his death was a criminal act being investigated. The official autopsy said the cause of death was “cerebral hypoxia resulting from being hanged” and had occurred on 25 May. However, Amnesty International has received information indirectly from sources it cannot reveal for reasons of security indicating that Sakher Hallak was in fact killed on 27 May, two days after being taken into detention, and had other injuries not referred to officially, including broken ribs, arms and fingers, gouged eyes and mutilated genitals.

It is thought that Sakher Hallak may have been a target for Syrian security agencies because of a three-week visit he had just made to the USA, which may have raised suspicions that he wished to support the protest movement by liaising with Syrian opponents there. Such concerns are increased by the fact that at least two other doctors, whose names are known to Amnesty International, have reportedly been threatened by members of the security forces that they risked a fate like that of Sakher Hallak; at least one of them had treated protesters. Sakher Hallak’s family is adamant that he had been in the USA simply to attend a conference on eating disorders as well as to spend some time with relatives who live in the country.

## 4. LACK OF INVESTIGATIONS AND IMPUNITY

Amnesty International is aware of only two cases of reported deaths in custody during the current unrest in which the authorities publicly announced that they had opened an investigation, namely in the cases of Hamza Ali al-Khateeb and Sakher Hallak (see Chapter 3 and Appendix for more details on these and other cases mentioned below). In neither case have the authorities issued any information about the nature or scope of the investigation or even who the investigating authority is. In one case, the authorities appear to have conceded that the individual, Rouhi Fayez al-Naddaf, did die in custody but claimed that it was not the fault of the security forces but of “the protests”. In the case of Tariq Ziad Abd al-Qadr, the official cause of death was reportedly given as a shot to the chest, when no bullet wound appears to be visible on the corpse. There is no evidence that the investigations have been or are being conducted in a full, independent and impartial manner, an impression strengthened by what Amnesty International knows about investigations into deaths in custody in previous years.

Amnesty International wrote to the Syrian Minister of Justice on 28 July 2011 to request urgent clarification regarding any steps that had been or were being taken by the Syrian authorities to investigate recent reported deaths in custody and provided him with a list of 69 of the 88 names contained in this report (Amnesty International has obtained details on 19 more cases in the meantime), along with information on the date and location of arrest and the date on which the body was returned to the family, wherever available. To date, the organization has received no response from the Syrian authorities.

As already mentioned above, in at least two cases, the relatives of men who died in custody were made to sign a document saying that armed opposition elements had killed the individual concerned. In at least two other cases of individuals reported to have died in custody, those of Hamza Ali al-Khateeb and Sakher Hallak, the authorities have made specific announcements that the persons concerned were not detained by the security forces and that, in the case of Hamza Ali al-Khateeb, “armed groups” were responsible for the death. More broadly, the authorities have made general statements contesting reports of killings by the security forces and accused unidentified “armed gangs” of being responsible for killings of protesters and bystanders in demonstrations and of local inhabitants during security operations in residential areas, as well as of members of the security forces.

Amnesty International has received information about a number of incidents when armed individuals are reported by independent sources to have attacked members of the security forces or *shabiha* in a number of towns and cities, including Homs, Tell Kalakh and Baniyas, since April. In relation to some attacks, a number of casualties on the part of the security forces were reported to Amnesty International; in relation to others, the number of casualties was unknown. The organization is also aware of reports of several cases in which persons suspected of acting as informers for the security forces have been killed in Homs and Baniyas, but does not have detailed information about the circumstances of the deaths. It does not, however, have any information from any source other than the Syrian authorities and state-

run media alleging that “armed gangs” unconnected to the Syrian state have attacked protesters or bystanders. It has, moreover, received reports about a number of incidents where it appears that the Syrian authorities have either provoked or staged events, apparently to create false evidence of there being armed opposition.<sup>21</sup>

The Syrian authorities have generally failed to ensure that deaths in custody are properly investigated in recent decades or that those responsible for any abuses that may have led to the deaths are held accountable. One exceptional case known to Amnesty International is that of three police officers in Aleppo who were sentenced in 1998 to 10 years’ imprisonment after being found guilty of grievous bodily harm and killing a man allegedly involved in drug-dealing. However, in many cases, it is not clear what kind of investigations, if any, have been carried out into deaths in custody, particularly when they involve political detainees. Amnesty International has written to the authorities with regards to a number of deaths in custody in recent years to enquire whether investigations have been established and what their findings were, but has routinely received no reply.<sup>22</sup>

Provisions against torture and other abuses exist in Syrian legislation. Torture is prohibited in the Syrian Constitution.<sup>23</sup> The Penal Code stipulates penalties for “[a]nyone who batters a person with a degree of force that is not permitted by law in a desire to obtain a confession for a crime or information regarding it...”<sup>24</sup> Syrian legislation also sets out the investigatory procedures which the judicial authorities should follow, in general, when the general prosecutor, who is responsible for overseeing prisons and detention centres, learns of offences committed in or out of custody.<sup>25</sup> However, as far as Amnesty International is aware, it does not contain provisions relating specifically to procedures to be followed in the case of deaths in custody.

International human rights law and standards set out how states should investigate reports of torture and deaths in custody. The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to which Syria is a state party, obliges states parties to conduct prompt and impartial investigations into all complaints and credible reports of torture or other ill-treatment.<sup>26</sup> The UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment calls for an investigation to be held whenever a prisoner dies or a former prisoner dies shortly after release.<sup>27</sup>

Despite these requirements and despite repeated and consistent allegations of torture, research by Amnesty International and others has shown that reports of torture, other ill-treatment and deaths in custody are rarely investigated and those alleged to be responsible are generally not brought to justice. Furthermore, Syrian legislation effectively grants immunity from prosecution to members of security forces. Since 1950 members of Military Intelligence and Air Force Intelligence have been granted immunity from prosecution for crimes committed in the course of exercising their duties except in cases where a warrant is issued by “the general leadership of the army and military forces”.<sup>28</sup> In 1969 immunity was granted to members of State Security for crimes committed while exercising their duties except in cases where its director issues a warrant.<sup>29</sup> In 2008 immunity similar to that granted to members of the Military Intelligence and Air Force Intelligence was given to Political Security, police and customs officials, with the same exception for cases where the “general leadership of the army and military forces” issues a warrant.<sup>30</sup> In other words, no

cases can be brought against members of the security services except where special permission is given by their own or military leaders.

Human rights defenders who raise concerns over deaths in custody also risk punishment or reprisal. Lawyer Anwar al-Bunni was sentenced on 24 April 2007, following an unfair trial, to five years' imprisonment on the charge of "spreading false information harmful to the state" based on a statement he made in April 2006 concerning the death in custody of Mohamed Shaher Haysa, apparently as a result of ill-treatment possibly amounting to torture.<sup>31</sup>

The ability of human rights defenders to support relatives of victims of reported deaths in custody during recent months has also been severely affected by the general climate of repression. A number of human rights defenders have been arrested; others have been forced into hiding out of fear for their safety.<sup>32</sup>

## 5. CONCLUSIONS AND RECOMMENDATIONS

Countrywide popular protests calling for significant political reforms have led to a very heavy-handed response from the Syrian regime. In many places the authorities appear to have ordered or at least condoned the use of bullets, tanks and torture against those who dare challenge them. Syria's already appalling human rights record has deteriorated further.

To an extent, the level of reported abuse is not unsurprising. The prevailing situation in Syria has been one in which widespread torture and other ill-treatment are reported in Syria's interrogation and detention centres and members of security forces effectively benefit from immunity from prosecution. The combination of this and the threat which the relentless popular upheaval appears to pose to the interests of the political, security and economic elites has created a recipe for atrocities.

Due to the challenges of independently verifying ongoing violations of human rights in Syria, the information that Amnesty International has been able to gather about reported deaths in custody since the beginning of the protests is incomplete. However, it is clear that there has been a spike in the number of reported deaths in custody: the number for four and a half months in 2011 is already many times higher than the yearly average over recent years. Furthermore, what Amnesty International has documented is sufficient to conclude that there is a pattern of deaths in custody of suspected opponents of the regime occurring in circumstances that suggest that torture and other ill-treatment, including possibly denial of medical care, have been factors in the deaths. It is incumbent on the Syrian authorities to ensure that effective, independent and impartial investigations are carried out into the 88 deaths reported to have taken place.

Amnesty International considers that the crimes behind the high number of reported deaths in custody identified in this report, taken in the context of other crimes and human rights violations committed against civilians elsewhere in Syria, amount to crimes against humanity. They appear to be part of a widespread, as well as systematic, attack against the civilian population in an organized manner and pursuant to a state policy to commit such an attack. A range of conduct highlighted in this report, including torture, murder, arbitrary detention and other severe deprivation of liberty, sexual violence, and other inhumane acts committed intentionally to cause great suffering or serious damage to mental or physical health, some of which have been documented elsewhere by Amnesty International,<sup>33</sup> would fall within the definition of crimes against humanity set out in the Rome Statute of the International Criminal Court. If such crimes were committed by reason of the victims' opposition to the regime, they would, as well, amount to persecution as a crime against humanity also defined in the Rome Statute. Furthermore, while castration and mutilation of sexual organs are part of torture as a crime against humanity, they may also qualify as a crime against humanity of enforced sterilization, if they are committed as part of a widespread or systematic attack against the civilian population and result in the deprivation of the victims' biological reproductive capacity.

Since this wave of protests began, Amnesty International has been documenting crimes and human rights violations and has urged the Syrian authorities to conduct thorough, prompt and impartial investigations into them. However, the Syrian authorities have failed and appear unwilling to do so. The responsibility now falls on the international community to ensure that there will be independent and impartial investigations into what Amnesty International considers to be crimes against humanity and that victims and their families see justice done and receive reparation.

## RECOMMENDATIONS TO ALL GOVERNMENTS

- Accept a shared responsibility to investigate and prosecute crimes against humanity and other crimes under international law committed in Syria or anywhere in the world. In particular, seek to exercise universal jurisdiction over these crimes before national courts in fair trials and without recourse to the death penalty.

## RECOMMENDATIONS TO THE UN SECURITY COUNCIL

- Refer the situation in Syria to the Prosecutor of the International Criminal Court to investigate reported crimes against humanity.
- Impose a complete arms embargo on Syria preventing the transfer of all weaponry, munitions and related equipment and the provision of personnel.
- Implement an asset freeze against President Bashar al-Assad and others who may be involved in ordering or perpetrating serious human rights abuses.

## RECOMMENDATIONS TO THE GOVERNMENT OF SYRIA

In the light of concerns of the gravest nature, the Syrian authorities must completely change their approach and take a series of urgent measures to prevent future crimes and other human rights violations and refrain from any deprivation of people's fundamental rights on account of their political opposition to the regime. In particular, Amnesty International calls on the Syrian authorities to do the following:

### REGARDING NATIONAL INVESTIGATIONS

- Set up an independent commission. The commission should conduct thorough, prompt and impartial investigations into all reported deaths in custody and ensure that such investigations are in full compliance with the UN Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions.
- Ensure that complaints and reports of torture or other ill-treatment, including those committed against children below the age of 18, are promptly and effectively investigated. Investigations should be in full compliance with the UN Principles on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Even in the absence of complaints, given the strong evidence that torture or other ill-treatment has occurred, investigators, who must be independent of the suspected perpetrators and the agency they serve, must have access to, or be empowered to commission, investigations by impartial medical or other experts.

- Bring to justice, in fair trials and without recourse to the death penalty, persons reasonably suspected of committing unlawful killings, torture, and other serious human rights violations.

#### REGARDING DETAINEES

- Release all persons arbitrarily arrested and those detained for taking part in peaceful demonstrations or expressing views of dissent. Pending release ensure that they are permitted to receive regular visits from their families and lawyers.
- Immediately and unconditionally release all children detained for the peaceful exercise of their human rights. Ensure that children are only imprisoned as a measure of last resort and for the shortest appropriate period of time; and, pending release, separate children in detention from adults unless it is considered in the child's best interest not to do so.
- Provide immediate medical attention to all wounded detainees and treat them humanely. Investigate and prosecute cases where health professionals have deliberately inflicted cruel, inhuman or degrading treatment, including by denying necessary and urgent health care.
- Ensure that any detainees suspected of an internationally recognized criminal offence are charged, permitted regular visits from their family and lawyers, and brought to trial promptly in proceedings which fully comply with international fair trial standards.
- Ensure that statements extracted under torture or other ill-treatment, or other coercion, are not used in proceedings of any kind.

#### REGARDING CO-OPERATION WITH INTERNATIONAL BODIES

- Provide full co-operation and unimpeded access to the UN Office of the High Commissioner for Human Rights team to investigate all alleged violations of international human rights law and crimes committed against civilians.
- Invite and facilitate prompt access to relevant UN Special Procedure mandate holders (such as the UN Special Rapporteur on extrajudicial, summary or arbitrary executions and the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment), in order for them to carry out independent investigations into alleged extrajudicial executions, torture and other serious human rights violations.
- Allow Amnesty International and other international human rights monitors and humanitarian agencies access to Syria.

## APPENDIX: TABLE OF DEATH IN CUSTODY CASES

The information in this table briefly sets out Amnesty International's information on cases of individuals reported to have died in custody in Syria between 1 April and 15 August 2011. For a number of the cases, the table summarizes information which is presented in more detail in the report itself, particularly in Chapter 3.

The first column gives the deceased individual's name along with their age when they died, when this is known. The table is organized alphabetically by first name since it is not always known whether the other names given include a family name or only the father's name. The second column gives the reported place of arrest. For some cases, the name of a town or city is given followed by the governorate in which it is located; for others, only the name of the governorate is known. The third column gives the reported date of arrest and the fourth the reported date when the family received the body of their deceased relative, where these are known.

The fifth column summarizes observations made on the corpse of the person reported to have died in custody, where these are available. They include extracts from observations by forensic pathologists who were sent video images, and in one case a photograph, of the bodies by Amnesty International and provided expert comment on the injuries visible and the possible origin and impact of such injuries (**pathologist video observation / pathologist photo observation**). Where these are not available, they include comments by Amnesty International on injuries visible on the body in the video clips (**AI video observation**) and, if there are details mentioned by witnesses to the filming or narrators speaking on the video itself that relate to injuries not visible in the video images, their comments as well (**witness video observation**). In a few cases where no video images exist, observations made by individuals who claim to have seen the body, including – in two cases – someone who declared himself to be a forensic doctor, are noted (**witness observation**).

| Name (age)                          | Reported place of arrest              | Reported date of arrest | Reported date of delivery of body | Observations on corpse                                                                                                                                                                                                                                                                                                                              |
|-------------------------------------|---------------------------------------|-------------------------|-----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Abd al-Jawaad Barakaat al-Turekmani | Saida, Dera'a governorate             | 29 April                | 16 May                            |                                                                                                                                                                                                                                                                                                                                                     |
| Abd al-Aziz Zayn al-Deen            | al-Moadamyeh, Rif Dimashq governorate | 28 June                 | 2 July                            | <b>AI video observation:</b> Bruising on chest. Dark circular lesion on abdomen.                                                                                                                                                                                                                                                                    |
| Abdallah Jiha (13)                  | al-Rastan, Homs governorate           | 29 May                  | 18 June                           | <b>Pathologist video observation:</b> His hands seem bluish discoloured (probably result of blunt force injury) but difficult to say because the body has not been washed and there is some decomposition. On the left side of the chest there is a distinct rounded lesion with a probable central defect. This might represent an entrance wound. |
| Abdallah al-Sayid                   | al-Dumayr, Rif Dimashq, governorate   |                         | 22 May                            | <b>AI video observation:</b> A symbol is carved on his cheek. Scarring and bruising on face. A circular bleeding lesion on left shoulder, scratches on torso.                                                                                                                                                                                       |
| Abd al-Malik al-Fa'oury (23)        | al-Baydah, Homs governorate           |                         | 1 April                           | <b>AI video observation:</b> Two dark circular lesions on torso. Bruising on back.<br><b>Witness video observation:</b> Two gunshot wounds on torso.                                                                                                                                                                                                |
| Abd al-Rahman Abu Libdeh            | Tell Kalakh, Homs governorate         | 17 May                  | 30 May                            | <b>Pathologist video observation:</b> A number of excoriations on shoulders and in the face as a result of blunt force trauma while the victim was alive.                                                                                                                                                                                           |
| Abd al-Rahman al-Khateeb            | Tell Kalakh, Homs governorate         | Mid-May                 | 31 May                            | <b>AI video observation:</b> Circular lesion on leg and bruising on thighs.<br><b>Witness video observation:</b> Burns on finger tips.                                                                                                                                                                                                              |
| Abdullah Abdul al-Razaq             | Hama governorate                      | 29 May                  | 16 June                           |                                                                                                                                                                                                                                                                                                                                                     |
| Abd al-Razaq Zakariya al-Haloul     | Idleb governorate                     |                         | 15 July                           | <b>AI video observation:</b> Slashes on back and abdomen. Bruising on body and face.                                                                                                                                                                                                                                                                |
| Ahmed al-Masri                      | Qusayr, Homs governorate              | 18 May                  | 25 May                            | <b>Pathologist video observation:</b> Blunt force lesion under left eye. Possible burns on abdomen and legs. There seem to be haemorrhages on heels/feet. No external signs giving indication of cause of death.                                                                                                                                    |

| Name (age)                          | Reported place of arrest           | Reported date of arrest | Reported date of delivery of body | Observations on corpse                                                                                                                                                                                                                                                                                                                                                                                                      |
|-------------------------------------|------------------------------------|-------------------------|-----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ahmed Abu Libdeh                    | Tell Kalakh, Homs governorate      | 17 May                  | 30 May                            | <b>Pathologist photo observation:</b> Traumatic lesions could be present on body.                                                                                                                                                                                                                                                                                                                                           |
| Ahmed Hamsho                        | Tell Kalakh, Homs governorate      | Between 14 and 18 May   | End of May                        | <b>Witness observation:</b> Deep cut to chest area and swelling on head.                                                                                                                                                                                                                                                                                                                                                    |
| Ahmed Hassan al-Aqaab               | Saida, Dera'a governorate          | 29 April                | 16 May                            |                                                                                                                                                                                                                                                                                                                                                                                                                             |
| al-Sami Mohamed al-Muhsin           | Saida, Dera'a governorate          | 29 April                | 16 May                            |                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Amer Rakan al-Qardelee (36)         | Bab Amro, Homs governorate         | 17 April                | 29 May                            | <b>Pathologist video observation:</b> Probable blunt force injury to chest and forehead.                                                                                                                                                                                                                                                                                                                                    |
| Amran Dwaik                         | Homs governorate                   | 20 May                  | 25 May                            |                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Ayman al-Ali                        | Homs governorate                   |                         | 25 July                           |                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Ayman al-Saleh al-Khalidi           | Homs governorate                   |                         | 9 April                           | <b>Pathologist video observation:</b> Evidence of extensive blunt force injury. Discolouration around his eyes suggest either direct trauma to these regions or a fracture on the cranial base. The slashes seem to be patterned blunt force injuries, eg. by whipping. Above the left hip is a patterned haemorrhage (almost circular, probably from contact with an instrument of that shape). His back is badly bruised. |
| Badee' Abu al-Khayr Qasim Ali       | al-Dumayr, Rif Dimashq governorate | 18 May                  | 22 May                            | <b>AI video observation:</b> Bruising on face.                                                                                                                                                                                                                                                                                                                                                                              |
| Basheer Abd al-Rahman al-Zu'bi (17) | Saida, Dera'a governorate          | 29 April                | 21 May                            | <b>AI video observation:</b> Severe bruising on face and body.<br><b>Witness video observation:</b> Broken neck. Burn signs and whipping marks evident on skin.                                                                                                                                                                                                                                                             |
| Fahd Ali Adnan (51)                 | Duma, Rif Dimashq governorate      | 31 July                 | 2 August                          | <b>AI video observation:</b> Red patches on back.                                                                                                                                                                                                                                                                                                                                                                           |
| Faraj Abu Mousa (23)                | Homs governorate                   | 8 April                 | 16 April                          |                                                                                                                                                                                                                                                                                                                                                                                                                             |

| Name (age)                        | Reported place of arrest              | Reported date of arrest | Reported date of delivery of body | Observations on corpse                                                                                                                                                                                                                                                                                          |
|-----------------------------------|---------------------------------------|-------------------------|-----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Fayez al-Wawy                     | al-Moadamyeh, Rif Dimashq governorate |                         | 15 May                            |                                                                                                                                                                                                                                                                                                                 |
| Faysal Khalid al-Najaar (60)      | Khan Shaykhoun, Idleb governorate     | 12 August               | 14 August                         |                                                                                                                                                                                                                                                                                                                 |
| Ghassan al-Rafaa'i                | Qaboun, Damascus governorate          |                         | 5 August                          |                                                                                                                                                                                                                                                                                                                 |
| Hamza Ali al-Khateeb (13)         | Saida, Dera'a governorate             | 29 April                | 24 May                            | <b>Pathologist video observation:</b> Seemingly blunt force injury to face. Lesions on chest and abdomen (right hand side) are bluish discoloured with a central darker area that may well represent entrance wounds.<br><b>Witness video observation:</b> Neck broken, genitals mutilated (unclear in images). |
| Hani Qasim al-Tameery             | al-Dumayr, Rif Dimashq governorate    |                         | 22 May                            |                                                                                                                                                                                                                                                                                                                 |
| Hassan al-Saleh                   | Idleb governorate                     | 13 July                 | 15 July                           | <b>AI video observation:</b> Severe cuts and scars evident on abdomen.                                                                                                                                                                                                                                          |
| Hayder Ali Ez al-Deen (29)        | Duma, Rif Dimashq governorate         | 1 April                 | 1 April                           |                                                                                                                                                                                                                                                                                                                 |
| Hazem Obayd                       | al-Rastan, Homs governorate           | 29 May                  | 28 June                           | <b>Pathologist video observation:</b> Blunt force injury to the chest. Probably also to the face (seems to have a bluish discolouration).<br><b>Witness video observation:</b> Left ear has been cut off (unclear in images).                                                                                   |
| Hussam Abd al-Maneeb al-Sayid Ali | Homs governorate                      | 27 July                 | 13 August                         |                                                                                                                                                                                                                                                                                                                 |
| Hussam Ahmed al-Zu'bi (17)        | Saida, Dera'a governorate             | 29 April                | 21 May                            | <b>AI video observation:</b> Lesions, bruising and swelling all over body and face.                                                                                                                                                                                                                             |
| Hussam Taha (17)                  | Dera'a governorate                    |                         | 20 May                            |                                                                                                                                                                                                                                                                                                                 |

| Name (age)                             | Reported place of arrest           | Reported date of arrest | Reported date of delivery of body | Observations on corpse                                                                                                                                                          |
|----------------------------------------|------------------------------------|-------------------------|-----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ibrahim al-Khateeb al-Rafaa'i          | Homs governorate                   |                         | 15 August                         |                                                                                                                                                                                 |
| Jamal al-Fetwi                         | Homs governorate                   | 2 August                | 14 August                         |                                                                                                                                                                                 |
| Jihad Abara                            | Homs governorate                   | 31 July                 | 9 August                          |                                                                                                                                                                                 |
| Khalid Bashlah (35)                    | al-Nabk, Rif Dimashq governorate   | 15 July                 | 18 July                           | <b>AI video observation:</b> Severe bruising over body and face. Holes on legs and abdomen.                                                                                     |
| Khalid Mohamed al-Mubarak              | Saida, Dera'a governorate          | 29 April                | 16 May                            |                                                                                                                                                                                 |
| Khalid Walid Murad (35)                | Homs governorate                   | 1 August                | 9 August                          | <b>AI video observation:</b> Bruising on face.                                                                                                                                  |
| Kifah Haidar                           | Tell Kalakh, Homs governorate      | 17 May                  | 31 May                            | <b>Witness observation:</b> Skin on right side of the face burnt off and bone is exposed. Bullet wound on chest area.                                                           |
| Louay Abd al-Hakeem al-Amer (29)       | Homs governorate                   | 9 August                | 13 August                         | <b>AI video observation:</b> Bruising on back. A long slash on waist area. Scarring on buttocks.                                                                                |
| Ma'ath al-Fadly                        | al-Kiswah, Rif Dimashq governorate |                         | 8 May                             |                                                                                                                                                                                 |
| Mahmoud Hamdan                         | Homs governorate                   |                         | 15 April                          |                                                                                                                                                                                 |
| Mahmoud Abd al-Rahman al-Zu'bi (72)    | Saida, Dera'a governorate          | 29 April                | 21 May                            | <b>Pathologist video observation:</b> Well circumscribed brownish lesions to different parts of body - might be burns.                                                          |
| Mahmoud Mohamed Abd al-Razzaq Abderbeh | Hamouryeh, Damascus governorate    | 29 April                | 25 May                            | <b>Pathologist video observation:</b> A rounded, well circumscribed lesion on right clavicle.                                                                                   |
| Majd al-Kurdy                          | Tell Kalakh, Homs governorate      | 17 May                  | 29 May                            | <b>Witness observation:</b> Open wound on chest suggest stabbing. Long vertical slashes on thighs. Signs of a gun shot wound on the back of the legs. Face severely disfigured. |
| Malik Sami Khalil Salah al-Masri       | Dera'a governorate                 | 15 July                 | 18 July                           |                                                                                                                                                                                 |

| Name (age)                           | Reported place of arrest      | Reported date of arrest | Reported date of delivery of body | Observations on corpse                                                                                                                                                                                                                                                                                                                              |
|--------------------------------------|-------------------------------|-------------------------|-----------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Marshed Rakan Abazied (18)           | Dera'a governorate            |                         | 25 May                            | <b>Pathologist video observation:</b> Bruising to the left side of the face and some kind of lesion on the right cheek. The lesions on the ankle I cannot interpret.<br><b>Witness video observation:</b> Neck broken. Stitches from recent operation ripped out.                                                                                   |
| Mohamed Adel Halloum                 | Tell Kalakh, Homs governorate | 17 May                  | 31 May                            | <b>Pathologist video observation:</b> Some decomposition. Obvious haemorrhages on chest and abdomen – resulting from blunt force of some kind, in all probability. The elongated, well circumscribed lesion on chest might present a burn.<br><b>Witness observation:</b> Signs of severe burns on skin. Signs of blunt force on chest and abdomen. |
| Mohamed Ahmed al-Ramadan             | Saida, Dera'a governorate     | 29 April                | 22 May                            | <b>AI video observation:</b> Bruising on body. Cut to abdomen area.                                                                                                                                                                                                                                                                                 |
| Mohamed Abd al-Rahman al-Yehyeh      | Saida, Dera'a governorate     | 29 April                | 16 May                            |                                                                                                                                                                                                                                                                                                                                                     |
| Mohamed al-Al'wy al-Saleem al-Kalash | Saida, Dera'a governorate     | 29 April                | 4 July                            |                                                                                                                                                                                                                                                                                                                                                     |
| Mohamed Hussayn al-Ali               | al-Hawla, Homs governorate    |                         | 14 August                         | <b>AI video observation:</b> Severe injuries and bruising on face. Bruising on abdomen and hands.                                                                                                                                                                                                                                                   |
| Mohamed Hussayn al-Zu'bi (68)        | Said, Dera'a governorate      | 29 April                | 19 May                            | <b>Pathologist video observation:</b> Bruising on left shoulder.                                                                                                                                                                                                                                                                                    |
| Mohamed Manhal al-Karaad             | Dera'a governorate            | 7 August                | 8 August                          | <b>AI video observation:</b> Slashes on waist and back.                                                                                                                                                                                                                                                                                             |
| Mohamed Mudher Abd al-Salaam Wahoud  | Homs governorate              | 10 July                 | 11 July                           |                                                                                                                                                                                                                                                                                                                                                     |
| Mohamed Mumtaz Haaloo (29)           | Homs governorate              | 23 July                 | 24 July                           | <b>AI video observation:</b> Blunt force injury to eye area. Bruising on face and body.                                                                                                                                                                                                                                                             |

| Name (age)                              | Reported place of arrest           | Reported date of arrest | Reported date of delivery of body | Observations on corpse                                                                                                                                                                                              |
|-----------------------------------------|------------------------------------|-------------------------|-----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Mohamed al-Rajab                        | Tell Kalakh, Homs governorate      | 17 May                  | 6 June                            | <b>Pathologist video observation:</b> Traumatic lesions could have been present (on his face).                                                                                                                      |
| Mohamed Sulayman Khalif al-Rafaa'i (20) | Saida, Dera'a governorate          | 29 April                | 30 June                           | <b>AI video observation:</b> Bruising and scarring on body and face. Cut on chest area. Circular lesion visible on body.                                                                                            |
| Muhsin Khalid al-Zu'bi Zaghroot         | Dera'a governorate                 |                         | 3 May                             |                                                                                                                                                                                                                     |
| Murhaf Jawdat al-Sayid                  | Homs governorate                   | 3 July                  | 10 August                         | <b>AI video observation:</b> Bruising on face and body.                                                                                                                                                             |
| Nasser al-Sabe' (16)                    | Homs governorate                   |                         | 25 July                           | <b>AI video observation:</b> Severe signs of burns and bruising on face. Blunt force injury to the side of body.                                                                                                    |
| Nazir Abd al-Qadr al-Zu'bi (20)         | Saida, Dera'a governorate          | 29 April                | 18 May                            | <b>Pathologist video observation:</b> Disfigurement of right cheek. Bruising right upper part of chest. Lots of small lesions on left hand [and] right arm, chest. Seem traumatic.                                  |
| Obaida Sa'eed Akram (23)                | Homs governorate                   | 17 June                 | 27 June                           | <b>Pathologist video observation:</b> The most severe injuries seem to be to the neck and face. A tear in the left outer ear. The right wrist has an abrasion but the whole right forearm seems bluish discoloured. |
| Omar Jawkhadar (40)                     | Homs governorate                   | 9 August                | 13 August                         | <b>AI video observation:</b> Vertical stitching on torso may indicate a post-mortem. Possible lesions below right eye.                                                                                              |
| Oqba al-Sha'ar                          | Tell Kalakh, Homs governorate      | 17 May                  | 31 May                            | <b>AI video observation:</b> Bruising on face, chest and abdomen. Dark-coloured circular lesion on chest.                                                                                                           |
| Osama al-Sheikh Nawaf al-Zu'bi (63)     | Dera'a governorate                 | 1 July                  | 28 July                           |                                                                                                                                                                                                                     |
| Osama Hussayn Abd al-Qadr al-Zu'bi (23) | Saida, Dera'a governorate          | 29 April                | 21 May                            | <b>AI video observation:</b> Bruising and swelling on face and chest.                                                                                                                                               |
| Rakan al-Shahreli (25)                  | Homs governorate                   |                         | 28 May                            |                                                                                                                                                                                                                     |
| Redhaa Alwieh (13)                      | al-Kiswah, Rif Dimashq governorate |                         | 24 June                           | <b>Pathologist video observation:</b> Blunt force injury to left side of face/head. Probably severe head injury.                                                                                                    |

| Name (age)                      | Reported place of arrest        | Reported date of arrest | Reported date of delivery of body | Observations on corpse                                                                                                                                                                                                                   |
|---------------------------------|---------------------------------|-------------------------|-----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Rouhi Fayez al-Naddaf           | Arbeen, Rif Dimashq governorate | 7 August                | 9 August                          | <b>AI video observation:</b> Bruising on buttocks, knees, legs and feet. Scratches on thighs. Cuts on wrists. Slash on abdomen. Circular cut on the base of the left foot, skin peeling off cut.                                         |
| Sakher Hallak                   | Aleppo governorate              | 25 May                  | 28 May                            | <b>Witness observation,</b> in this case someone believed to be a forensic doctor: Direct trauma to the head, eyes and genitals mutilated, imprints of boot marks on his skin, handcuff marks on his wrists. Rope marks evident on neck. |
| Saleh Ahmed al-Khateb (14)      | Dera'a governorate              | 20 April                | 24 May                            |                                                                                                                                                                                                                                          |
| Saleh Mohamed al-Muqdad         | Saida, Dera'a governorate       | 29 April                | 16 May                            |                                                                                                                                                                                                                                          |
| Sameer Abd al-Qadr al-Zu'bi     | Saida, Dera'a governorate       | 29 April                | 24 May                            | <b>AI video observation:</b> Severe cuts on the hands, circular lesion on chest.                                                                                                                                                         |
| Sameer Aqoul                    | Homs governorate                | 9 August                | 13 August                         |                                                                                                                                                                                                                                          |
| Sameer Hassan al-Maqsoos (36)   | Hama governorate                | Early April             | 1 July                            |                                                                                                                                                                                                                                          |
| Sami Mohamed Maqbal al-Masalmeh | Dera'a governorate              | 29 April                | 18 May                            |                                                                                                                                                                                                                                          |
| So'dat al-Kurdy                 | Tell Kalakh, Homs governorate   | 17 May                  | 29 May                            | <b>Witness observation:</b> Cut on chest. Long vertical slashes on the thighs. Signs of gunshot wounds on the back of the legs.                                                                                                          |
| Tamer al-Shomry                 | Homs governorate                | 6 August                | 10 August                         |                                                                                                                                                                                                                                          |
| Tamer Mohamed al-Shar'i (15)    | Saida, Dera'a governorate       | 29 April                | 8 June                            | <b>Pathologist video observation:</b> Wound below left knee, seems to be the result of an open tibial fracture. Obvious facial injuries (jaw - especially left side - huge laceration and probable fractures) .                          |
| Tamer Subhy al-Qadaah           | Dera'a governorate              | 29 April                | 22 May                            | <b>AI video observation:</b> Facial swelling and bruising.                                                                                                                                                                               |

| Name (age)                    | Reported place of arrest        | Reported date of arrest | Reported date of delivery of body | Observations on corpse                                                                                                                                                                                                                            |
|-------------------------------|---------------------------------|-------------------------|-----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Tariq Ziad Abd al-Qadr (27)   | Homs governorate                | 29 April                | 16 June                           | <b>Pathologist video observation:</b> Injuries to hands and feet consistent with burns, likewise are the brown, elongated injuries. Some injuries consistent with electrical injury. On left side of chest some well circumscribed, huge defects. |
| Dhiyaa al-Kafry (21)          | Saida, Dera'a governorate       | 29 April                | 29 April                          |                                                                                                                                                                                                                                                   |
| Dhiyaa Yehyeh al-Khateeb (16) | Homs governorate                |                         |                                   |                                                                                                                                                                                                                                                   |
| Yaseen Abd Allah al-Amree     | Homs governorate                |                         | 1 June                            |                                                                                                                                                                                                                                                   |
| Yehyeh Hussayn Bekdash        | Homs governorate                |                         | 25 July                           |                                                                                                                                                                                                                                                   |
| Zaher al-Mabaydh              | Daraya, Rif Dimashq governorate | 28 April                | 1 June                            | <b>Pathologist video observation:</b> Extensive blunt force injuries. Some patterned injuries, possibly from whipping. Obvious extensive facial injury. Left ankle - horizontal injury, possibly suggesting shackling.                            |

# ENDNOTES

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<sup>1</sup> The term “security forces” is used in this report to refer to the police, intelligence agencies with powers of arrest and detention – the main ones being Military Intelligence, Air Force Intelligence, Political Security and General Intelligence, which is usually referred to as State Security – and the armed forces. Amnesty International has, in previous documents, also referred to Military Intelligence and Air Force Intelligence as Military Security and Air Force Security, names by which they are also known.

<sup>2</sup> Amnesty International has compiled the names of 1,841 individuals reported to have been killed between 18 March and 14 August 2011 inclusive.

<sup>3</sup> Amnesty International, *Syrian reform pledges ring hollow as more protesters killed*, 19 April 2011 (<http://www.amnesty.org/en/news-and-updates/syrian-reform-pledges-ring-hollow-more-protesters-killed-2011-04-19>). While Amnesty International and other organizations had called for the lifting of the state of emergency for many years, the measure appears to have had little impact on the ground so far given the situation in the country.

<sup>4</sup> The Political Parties Law was passed on 3 August 2011. Other reforms include the passing of a General Elections Law, also on 3 August 2011, Legislative No. 53 of 21 April 2011, which annulled the State Security Court, and Legislative Decree No. 49 of 7 April 2011, which granted citizenship to thousands of Syrian Kurds previously denied it.

<sup>5</sup> The first was issued on 7 March 2011 and applied to chronically ill prisoners and those convicted of certain criminal offences. See Amnesty International, *Syria must release all prisoners of conscience after human rights lawyer freed*, 8 March 2011 (<http://www.amnesty.org/en/for-media/press-releases/syria-must-release-all-prisoners-conscience-after-human-rights-lawyer-freed>). A second, announced on 31 May 2011, led to the release of several hundred political prisoners. A third, issued on 21 June 2011, applied to chronically ill prisoners as well as those held for some criminal offences, including theft and smuggling. People detained for their involvement in the pro-reform protests were not included. See Amnesty International, *Syrian 'General Amnesty' fails to free hundreds detained after protests*, 21 June 2011 (<http://www.amnesty.org/en/news-and-updates/syria-%E2%80%98general-amnesty%E2%80%99-fails-free-hundreds-detained-after-protests-2011-06-21>).

<sup>6</sup> Amnesty International's Annual Report entries on Syria for the years 2000 to 2010 inclusive record a total of at least 45 deaths in custody.

<sup>7</sup> Deaths in Syrian detention centres in previous years have been documented by Amnesty International in reports and other documents, including *Deaths under Torture in Syria* (Index: MDE 24/000/1976) from 1976, *A Memorandum to the Government of the Syrian Arab Republic* of 1983, *Syria: Torture by the Security Forces* (Index: MDE 24/09/1987) of 1987, *Long-term Detention and Torture of Political Prisoners* (Index: MDE 24/012/1992) of 1992,

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*A Memorandum to the Government of the Syrian Arab Republic* of 1994, *Syria: Torture, despair and dehumanization in Tadmur Military Prison* (Index: MDE 24/014/2001) of 2001, *The European Union and Syria: Reform of Human rights policies as a lead priority* of 2004, *Kurds in the Syrian Arab Republic one year after the March 2004 Events* (Index: MDE 24/002/2005) of 2005, *'Your son is not here': Disappearances from Syria's Saydnaya Military Prison* (Index: MDE 24/012/2010 ) of 2010. The highest number of deaths in custody in a single incident occurred during a notorious operation on 27 June 1980 at Tadmur Military Prison when 600 to 1,000 prisoners were killed. More recently, on 5 July 2008, 17 prisoners, as well as five others, were killed in disturbances at Saydnaya Military Prison, following which the fate of 48 other detainees remain unknown. A further estimated 17,000 people are unaccounted for and believed to be the victims of enforced disappearance after falling into the custody of the Syrian authorities in the 1970s and 1980s.

<sup>8</sup> Amnesty International conducted research on two visits to Lebanon, between 20 May and 8 June and between 28 July and 2 August 2011, and on one visit to Turkey between 11 and 17 June 2011. The research findings of the first visit to Lebanon formed the basis for Amnesty International's report *Crackdown in Syria: Terror in Tell Kalakh* (Index: MDE 24/029/2011), published in July 2011. The report contained details for nine deaths in custody which are referred to again in this document.

<sup>9</sup> The forensic pathologists' observations are noted later in the report and summaries of all of them are provided in the table of cases in the appendix. The pathologists were unable to comment on one of the videos due to the poor quality of the images.

<sup>10</sup> The case is detailed in Amnesty International, *Crackdown in Syria: Terror in Tell Kalakh* (Index: MDE 24/029/2011), July 2011.

<sup>11</sup> The case is reported in Associated Press, "Witness saw teen beaten in Syrian jail", 7 July 2011.

<sup>12</sup> As mentioned above, the forensic pathologists were unable to comment on one of the videos due to the poor quality of the images. Time constraints prevented Amnesty International obtaining comments from forensic pathologists in the other cases where it received video images.

<sup>13</sup> Two other cases of survivors who told Amnesty International that they had been given electric shocks in detention are detailed in Amnesty International, *Crackdown in Syria: Terror in Tell Kalakh* (Index: MDE 24/029/2011).

<sup>14</sup> See Amnesty International, *Crackdown in Syria: Terror in Tell Kalakh* (Index: MDE 24/029/2011).

<sup>15</sup> The *dulab* method is reported in a case detailed in Amnesty International, *Crackdown in Syria: Terror in Tell Kalakh* (Index: MDE 24/029/2011).

<sup>16</sup> Other forms of torture and other ill-treatment reported this year include: being forced to

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maintain other stress positions; being stood on, sat on or stamped on while forced to lie on the ground; having one's wrists tied tightly for long periods; having facial or head hair forcibly cut off or pulled out; having a stick prodded between one's buttocks; being forced to lick one's own blood off the floor; being paraded among apparently loyalist supporters of Bashar al-Assad and insulted, spat at and beaten; being subjected to the sound and/or sight of others being tortured; being threatened that one's relatives are to be killed or that one is to be seriously maltreated including that one's penis is to be severed; being denied access to the toilet (and consequently being forced to urinate or defecate in one's clothes or otherwise); being denied access to clean drinking water (and consequently being forced to drink water from, for example, a toilet); being denied access to food for long periods, sometimes days; being kept in overcrowded and inhumane conditions of detention; being otherwise humiliated, through insults or the denigration of one's religious beliefs.

<sup>17</sup> Amnesty International, *Crackdown in Syria: Terror in Tell Kalakh* (Index: MDE 24/029/2011).

<sup>18</sup> For more details on these nine cases and other reported violations in the context of the security operation in Tell Kalakh in May 2011, see Amnesty International, *Crackdown in Syria: Terror in Tell Kalakh* (Index: MDE 24/029/2011).

<sup>19</sup> Associated Press, "Witness saw teen beaten in Syrian jail", 7 July 2011.

<sup>20</sup> The Coalition describes itself as a group of Syrian activists inside and outside the country who are working towards the overthrow of the Syrian regime and the establishment of a diverse and democratic society through peaceful means, without recourse to violence or sectarianism.

<sup>21</sup> A video posted on Youtube and dated 4 June 2011, the content of which Amnesty International has not been able to verify, shows men in military uniform standing on what is said to be the roof of the Kerak mosque in Dera'a near the prostrate bodies of five plain-clothed people and one of them placing a belt holding bullets beside one of the bodies: [http://www.youtube.com/watch?v=rYKUZFL5qVA&oref=http%3A%2F%2Fwww.facebook.com%2Ff.php%3Fu%3Dhttp%253A%252F%252Fwww.youtube.com%252Fverify\\_age%253Fnext\\_url%253Dhttp%25253A%25252F%25252Fwww.youtube.com%25252Fwatch%25253Fv%25253DrYKUZFL5qVA%2526feature%253Dyoutube\\_gdata\\_player%26h%3D95dac&has\\_verified=1&oref=http%3A%2F%2Fwww.youtube.com%2Fverify\\_age%3Fnext\\_url%3Dhttp%253A%252F%252Fwww.youtube.com%252Fwatch%253Fv%253DrYKUZFL5qVA%26feature%3Dyoutube\\_gdata\\_player](http://www.youtube.com/watch?v=rYKUZFL5qVA&oref=http%3A%2F%2Fwww.facebook.com%2Ff.php%3Fu%3Dhttp%253A%252F%252Fwww.youtube.com%252Fverify_age%253Fnext_url%253Dhttp%25253A%25252F%25252Fwww.youtube.com%25252Fwatch%25253Fv%25253DrYKUZFL5qVA%2526feature%253Dyoutube_gdata_player%26h%3D95dac&has_verified=1&oref=http%3A%2F%2Fwww.youtube.com%2Fverify_age%3Fnext_url%3Dhttp%253A%252F%252Fwww.youtube.com%252Fwatch%253Fv%253DrYKUZFL5qVA%26feature%3Dyoutube_gdata_player)

<sup>22</sup> Such was the case following the deaths in custody, for example, of Sheikh Mohamed Ma'shuq al-Khiznawi in May 2005, Yassir al-Saqa in May 2008, and reportedly at least 17 detainees in Saydnaya military prison in July 2008.

<sup>23</sup> Article 28.

<sup>24</sup> Articles 319 and 391.

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

<sup>26</sup> Articles 12, 13 and 16 of the Convention.

<sup>27</sup> Principle 34.

<sup>28</sup> Legislative Decree No. 61 of 27 February 1950, Article 53.

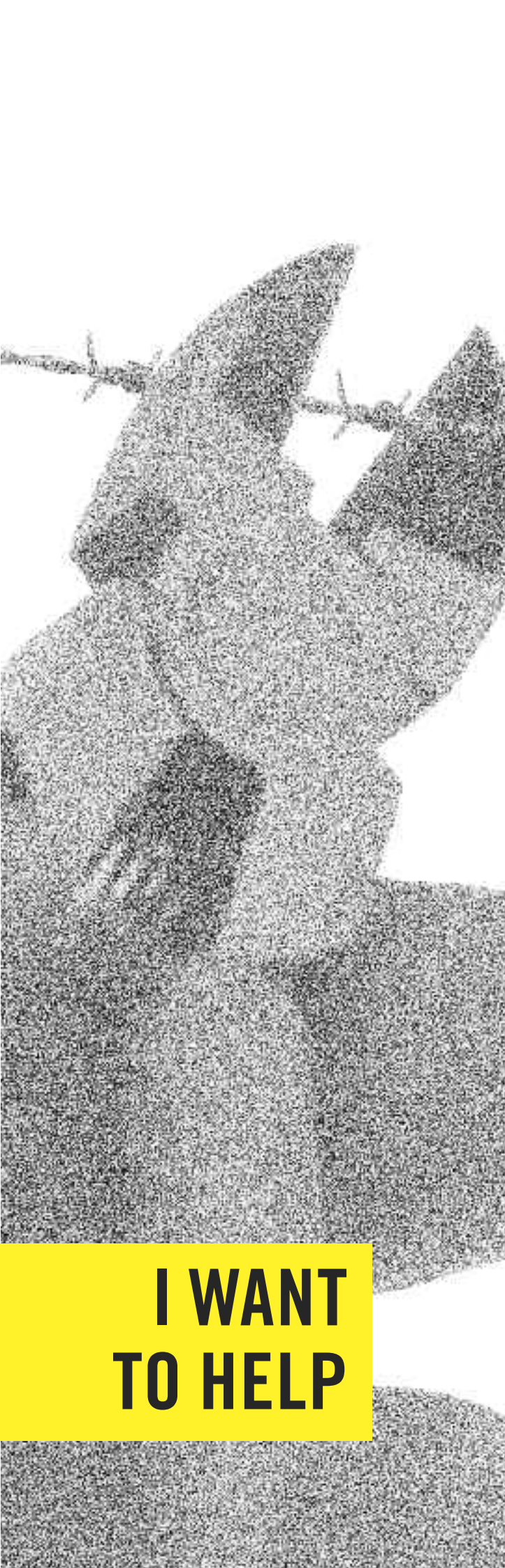
<sup>29</sup> Legislative Decree No. 14 of 25 January 1969, Article 16.

<sup>30</sup> Legislative Decree No. 69 of 30 September 2008, Article 1.

<sup>31</sup> For further details, see Amnesty International, *Annual Report 2008: the state of the world's human rights*, entry on Syria.

<sup>32</sup> For further details, see Amnesty International, *Threats force Syrian activists underground amid nationwide protests*, 6 May 2011 (<http://www.amnesty.org/en/news-and-updates/threats-force-syrian-activists-underground-amid-nationwide-protests-2011-05-06>); Amnesty International, *Syrian activist and his brother detained* (Index: MDE 24/020/2011), 23 May 2011 (<http://www.amnesty.org/en/library/info/MDE24/020/2011/en>); Amnesty International, *Syrian brothers held by intelligence agency* (Index: MDE 24/023/2011), 10 June 2011 (<http://www.amnesty.org/en/library/info/MDE24/023/2011/en>); Amnesty International, *Syrian man released* (Index: MDE 24/040/2011), 11 August 2011 (<http://www.amnesty.org/en/library/info/MDE24/040/2011/en>); Amnesty International, *Travel ban on veteran Syrian campaigner lifted*, 18 July 2011 (<http://www.amnesty.org/en/news-and-updates/travel-ban-veteran-syrian-campaigner-lifted-2011-07-18>).

<sup>33</sup> See for example: Amnesty International, *Syria video points to 'shoot to kill' policy of security forces*, 26 May 2011 ([www.amnesty.org/en/news-and-updates/syria-video-points-shoot-kill-policy-security-forces-2011-05-26](http://www.amnesty.org/en/news-and-updates/syria-video-points-shoot-kill-policy-security-forces-2011-05-26)); *Crackdown in Syria: Terror in Tell Kalakh* (Index: MDE 24/029/2011); Amnesty International, *Is there a scorched earth policy in Syria?*, 14 June 2011 ([livewire.amnesty.org/2011/06/14/is-there-a-scorched-earth-policy-in-syria](http://livewire.amnesty.org/2011/06/14/is-there-a-scorched-earth-policy-in-syria)); and Amnesty International: *Syrians tell of torture in detention amid mass arrests*, 3 May 2011 ([www.amnesty.org/en/news-and-updates/syrians-tell-torture-detention-amid-mass-arrests-2011-05-03](http://www.amnesty.org/en/news-and-updates/syrians-tell-torture-detention-amid-mass-arrests-2011-05-03)).



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## **DEADLY DETENTION**

### **DEATHS IN CUSTODY AMID POPULAR PROTEST IN SYRIA**

Relentless repression has marked Syria since March 2011, as the government continues its efforts to stifle increasing numbers of pro-reform protests. Scores of people – believed to have been detained for their actual or suspected involvement in the protests – are reported to have died in custody. Some were children. However, the Syrian authorities have failed to carry out credible investigations into any of the cases or ensure accountability for the perpetrators.

In more than half of the cases, people filmed the bodies to record and show the world their injuries. Many of them appear to have been tortured. Forensic experts contacted by Amnesty International analyzed the footage to help determine possible causes of death.

Amnesty International concludes that the torture reported here has been committed as part of a widespread, as well as systematic, attack on the civilian population – crimes against humanity. It is calling on the UN Security Council to refer the situation in Syria immediately to the Prosecutor of the International Criminal Court.

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August 2011

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