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HUMAN SLAUGHTERHOUSE

MASS HANGINGS AND EXTERMINATION AT SAYDNAYA PRISON,
SYRIA

AMNESTY
INTERNATIONAL



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1. EXECUTIVE SUMMARY

“Saydnaya is the end of life – the end of humanity.”

“Abu Muhammed”, former guard at Saydnaya

Saydnaya Military Prison is where the Syrian state quietly slaughters its own people. The victims are overwhelmingly ordinary civilians who are thought to oppose the government. Since 2011, thousands of people have been extrajudicially executed in mass hangings, carried out at night and in the utmost secrecy. Many other detainees at Saydnaya Military Prison have been killed after being repeatedly tortured and systematically deprived of food, water, medicine and medical care. The bodies of those who are killed at Saydnaya are buried in mass graves. It is inconceivable that these large-scale and systematic practices have not been authorized at the highest levels of the Syrian government.

From December 2015 to December 2016, Amnesty International researched the patterns, sequence and scale of violations carried out at Saydnaya Military Prison (Saydnaya). In the course of this investigation, the organization interviewed 31 men who were detained at Saydnaya, four prison officials or guards who previously worked at Saydnaya, three former Syrian judges, three doctors who worked at Tishreen Military Hospital, four Syrian lawyers, 17 international and national experts on detention in Syria and 22 family members of people who were or still are detained at Saydnaya.

Given that Amnesty International has been barred by the Syrian authorities from entering the country and has consequently not had access to government-controlled areas since 2011, the majority of these interviews were carried out in southern Turkey. The remaining interviews were conducted by telephone or through other remote means with interviewees in Syria, or with individuals based in Lebanon, Jordan, European countries and the USA.

In total, Amnesty International interviewed 84 people for this report. In many cases, two or more interviews were conducted with key witnesses to evaluate the consistency and veracity of the information they provided. In all but two cases, interviews with witnesses were conducted separately. Several interviewees shared their testimonies with Amnesty International at significant personal risk.

Amnesty International has attempted to engage with the Syrian authorities on human rights concerns, including torture and other ill-treatment, enforced disappearances and deaths in custody, though various means since 2011, in particular by submitting to them cases via communications from its Urgent Action network and by sending letters in advance of the release of public reports. On 10 January 2017, Amnesty International sent a letter to the Syrian authorities requesting clarifications regarding the allegations raised in this report and reiterated Amnesty International's request for access to persons deprived of their liberty in Syria. Amnesty International has received no response to this letter or to its other requests for information.

The Syrian government has used torture and enforced disappearance as a means to crush dissent for decades. As early as 1987, Amnesty International documented the government's systematic use of 35 torture techniques in its prisons. Since 2011, however, the Syrian government's violations against detainees have increased drastically in magnitude and severity. According to the Human Rights Data Analysis Group, at least 17,723 people were killed in government custody between March 2011 and December 2015, an average of 300 deaths each month. The people at greatest risk of arrest, torture and death at Saydnaya and in other government-run prisons are those who are perceived to oppose the government in some way. They

come from all sectors of Syrian society. Many are demonstrators, long-time political dissidents, human rights defenders, journalists, doctors, humanitarian aid workers and students.

Such has been the inhuman treatment of detainees held at Saydnaya that Amnesty International has concluded that they and detainees held in other government-run detention centres have been subjected to “extermination”, defined by the Rome Statute of the International Criminal Court as the “intentional infliction of conditions of life, inter alia the deprivation of access to food and medicine, calculated to bring about the destruction of part of a population”.

Based on its investigation, Amnesty International’s assessment is that the murder, torture, enforced disappearances and extermination carried out at Saydnaya since 2011 have been perpetrated as part of an attack against the civilian population that has been widespread, as well as systematic, and carried out in furtherance of state policy. It therefore concludes that the Syrian authorities’ violations at Saydnaya amount to crimes against humanity.

MASS HANGINGS

There are two detention centres at Saydnaya Military Prison, which may hold between 10,000 and 20,000 people. In the “red building”, the majority of detainees are civilians who have been arrested since the beginning of the crisis in 2011. In the “white building”, the majority of detainees are officers and soldiers in the Syrian military who have also been arrested since 2011.

Thousands of people detained in the red building have been killed in secret extrajudicial executions, after being held in conditions amounting to enforced disappearance. The killings have taken the form of mass hangings. Before they are hanged, the victims are condemned to death in “trials” at the Military Field Court located in the al-Qaboun neighbourhood of Damascus, which last between one and three minutes. On the day the prison authorities carry out the hangings, which they refer to as “the party”, they collect the victims from their cells in the afternoon. The listed detainees are told that they will be transferred to a civilian prison. Instead, they are brought to a cell in the basement of the red building, where they are severely beaten over the course of two or three hours. In the middle of the night, they are blindfolded and transferred in delivery trucks or minibuses to the white building. There, they are taken into a room in the basement and hanged. This takes place once or twice a week, and on each occasion between 20 and 50 people are hanged to death.

Throughout this process, the victims remain blindfolded. They are only told that they have been sentenced to death minutes before the executions are carried out; they are never told when their execution will be carried out; and they do not know how they will die until the nooses are placed around their necks.

After the execution is carried out, the victims’ bodies are loaded into a truck, transferred to Tishreen Hospital for registration and buried in mass graves. These graves are located on military land near Damascus, including in Najha, a village on the main road between Sweida and Damascus, and in Qatana, a small town in the western suburbs of Damascus.

On the basis of evidence from people who worked within the prison authorities at Saydnaya and witness testimony from detainees, Amnesty International estimates that between 5,000 and 13,000 people were extrajudicially executed at Saydnaya between September 2011 and December 2015. Amnesty International does not have evidence of executions after December 2015. However, detainees are still transferred to Saydnaya, “trials” at the Military Field Court in al-Qaboun have continued, and there is no reason to believe that executions have stopped. Therefore, since December 2015, thousands more people are likely to have been executed.

The execution process at Saydnaya is secret and only known to the guards and officials who are directly involved, as well as high-level Syrian officials. Even the guards who oversee the collection process and beatings at the red building are usually unaware of what happens to the detainees after they are transferred to the white building in the middle of the night.

The process of the hangings is authorized by officials at the highest levels of government. Death sentences are approved by the Grand Mufti of Syria and by either the Minister of Defence or the Chief of Staff of the Army, who are deputized to act on behalf of President Bashar al-Assad. The sentences are also signed by the head and the Military Prosecutor of the Military Field Court and a representative of the security forces. The hangings are physically overseen by an execution panel, which includes military officers, as well as prison and medical officials.

Amnesty International has collected information on the members of the execution panel as well as other officers and officials who it believes, based on its research, should be investigated for their involvement in crimes at Saydnaya. Amnesty International has also been provided with the names of 36 detainees who have been extrajudicially executed at Saydnaya since 2011, which will not be released publicly due to privacy and security concerns. The organization has shared this information on alleged perpetrators and victims with bodies capable of undertaking credible investigations into crimes committed at Saydnaya.

EXTERMINATION POLICIES

Detainees held in the red building at Saydnaya are subjected to an established programme of abuse. They are regularly tortured, usually through severe beatings and sexual violence. They are denied adequate food, water, medicine, medical care and sanitation, which has led to the rampant spread of infection and disease. Silence is enforced, even during torture sessions. Many detainees develop serious mental illnesses such as psychosis.

The authorities' treatment of detainees in Saydnaya seems designed to inflict maximal physical and psychological suffering. Their apparent goal is to humiliate, degrade, dehumanize and to destroy any sense of dignity or hope. Omar, a high-school student when he was arrested, told Amnesty International, "You will struggle to find a former Saydnaya prisoner who will tell you what really happened there, because it is so humiliating." He shared one of his experiences:

I don't even know what term to use to describe what I saw. The guard would ask everyone to take off all their clothes and go to the bathroom one by one. As we walked to the bathroom, they would select one of the boys, someone petite or young or fair. They would ask him to stand with his face to the door and close his eyes. They would then ask a bigger prisoner to rape him... No one will admit this happened to them, but it happened so often... Sometimes psychological pain is worse than physical pain, and the people who were forced to do this were never the same again.

Former detainee "Sameer" described one of the beatings he received at Saydnaya:

The beating was so intense. It was as if you had a nail, and you were trying again and again to beat it into a rock. It was impossible, but they just kept going. I was wishing they would just cut off my legs instead of beating them any more.

These extermination policies, which have been inflicted on detainees at Saydnaya since 2011, have resulted in the deaths of hundreds – probably thousands – of detainees. Procedures have been developed to deal with such high death rates. The bodies of deceased detainees are collected from the cells in the morning and taken to Tishreen Military Hospital. There the deaths are registered in medical reports and death certificates stipulating the cause of death as heart or respiratory failure. The bodies are then transported by truck to mass graves on military land near Damascus, including in the locations mentioned above.

RECOMMENDATIONS

Amnesty International demands that the Syrian authorities immediately cease extrajudicial executions and torture and inhuman treatment at Saydnaya Military Prison and in all other government-run detention centres across Syria. It further demands that they grant international monitors unhindered access to all persons deprived of their liberty and to all places of detention in Syria. The Syrian authorities must inform families of the whereabouts and legal status of all detainees in their custody. They must also inform families of the fate of those who have died in their custody.

Amnesty International urgently calls for an independent and impartial investigation into extrajudicial executions and extermination policies at Saydnaya Military Prison. To this end, the UN Human Rights Council should require the UN-mandated Independent International Commission of Inquiry on the Syrian Arab Republic to undertake such an investigation without delay.

Amnesty International calls on the members of the International Syria Support Group and the UN Special Envoy for Syria to raise the issue of extrajudicial executions and torture in detention in discussions with the Syrian authorities and with states that support the Syrian government, most notably Russia and Iran.

The families of the tens of thousands of prisoners who have been forcibly disappeared, tortured and killed in the custody of the Syrian authorities have a right to know the fate of their loved ones. Those responsible for these crimes against humanity and war crimes must be brought to justice. Accountability for these crimes is also required to prevent renewed cycles of violence: only an end to impunity for mass atrocities can foster

the conditions for a just and sustainable end to the bloodshed in Syria. A new mechanism established by the UN General Assembly on 21 December 2016 provides an opportunity for the collection and analysis of evidence of violations of international humanitarian law and human rights law, which could facilitate and expedite fair and independent criminal proceedings against those responsible. Amnesty International calls on the international community to ensure the mechanism is set up promptly with international co-operation, support and adequate resources, both financial and human, and has the necessary safeguards to establish its legitimacy, independence and transparency, in order to gain the trust of Syrians as well as the civil society organizations that have been documenting grave violations since the outset of the conflict. It further calls on the international community to accept the shared responsibility to investigate and prosecute extrajudicial executions, torture, enforced disappearance and other crimes under international law committed in Syria since 2011, in particular by exercising universal jurisdiction and other applicable domestic legislation to bring suspected perpetrators to justice.

2. METHODOLOGY

The research for this report took place between December 2015 and December 2016. Amnesty International interviewed 31 men who were detained at Saydnaya (also spelt Sednaya) between 2011 and 2015.¹ Of these, 20 were detained in the prison's "red building": five who were part of the Syrian military at the time of their arrest and 15 who were civilians. The remaining 11 were detained in the prison's "white building", including nine who were part of the Syrian military at the time of arrest and two who were civilians. As explained below, the majority of those detained in the red building of Saydnaya since 2011 are civilians, and the majority of those detained in the white building are soldiers or officers in the Syrian military.²

Amnesty International also interviewed four prison officials or guards who previously worked at Saydnaya; three former judges, one of whom served in the Military Court in the al-Mezzeh neighbourhood of Damascus;³ three doctors who worked at Tishreen Military Hospital; four Syrian lawyers; 17 international and national experts on detention in Syria, such as investigators, analysts and monitors; and 22 family members of people who were or still are believed to be detained at Saydnaya. The majority of these interviews took place in person in southern Turkey. The remaining interviews were conducted by telephone or through other remote means with interviewees still in Syria, or with individuals based in Lebanon, Jordan, European countries and the USA.

In total, Amnesty International interviewed 84 people for this report. In many cases, two or more interviews were conducted with key witnesses to evaluate the consistency and veracity of the information they provided. In all but two cases, interviews with witnesses were conducted separately. Several interviewees shared their testimonies with Amnesty International at significant personal risk.

For this report, Amnesty International reviewed reports from UN agencies, international NGOs, local monitoring groups and the media. Amnesty International also co-operated with individual activists and Syrian monitoring groups to establish contact with former detainees as well as with the families of persons who have been detained by the Syrian authorities. These groups include Urnammu for Justice and Human Rights, the Syrian Network for Human Rights, and the Syrian Institute for Justice and Accountability. Finally, Amnesty International liaised with the Commission for International Justice and Accountability to corroborate some of the identities of detainees at Saydnaya and several relevant Syrian officials.

Most of the interviewees in this report are referred to by their first name only, following requests by the interviewees. Several asked for their names to be withheld completely, either to protect their own safety or the safety of family members living in Syria. In these cases, Amnesty International has included their testimonies but their names have been changed. These names appear in quotation marks.

Despite repeated requests by Amnesty International for access to Syria, and specifically for access to detention facilities operated by the Syrian authorities, Amnesty International has been barred by the Syrian authorities from carrying out research in the country and consequently has not had access to areas controlled by the Syrian government since the crisis began in 2011. Other independent human rights monitoring groups have faced similar obstacles.

Amnesty International has attempted to engage with the Syrian authorities on human rights concerns, including torture and other ill-treatment, enforced disappearances and deaths in custody, though various

¹ Former prison authorities at Saydnaya, as well as experts consulted by Amnesty International, reported that only men have been detained at Saydnaya since 2011.

² See Section 4.1 for more details on the red and white buildings at Saydnaya.

³ The Military Court is a branch of the Syrian judiciary, under the Ministry of Defence, which tries crimes committed by members of the military as well as crimes related to the military.

means since 2011, in particular by submitting to them cases via communications from its Urgent Action network and by sending letters in advance of the release of public reports. On 6 January 2017, Amnesty International sent a letter to the Syrian authorities requesting clarifications regarding the allegations raised in this report and reiterated Amnesty International's request for access to all persons deprived of their liberty in Syria. At the time of the publication of this report, Amnesty International has received no response to this letter or to its other requests for information. If the organization receives such a response in the future, it will reflect the government's observations in subsequent publications.

3. BACKGROUND

3.1 DETENTION-RELATED VIOLATIONS BY THE SYRIAN AUTHORITIES

Syrian government security forces have arbitrarily arrested, forcibly disappeared and tortured detainees in their custody for decades. Between 1980 and 2000, the government of former President Hafez al-Assad was responsible for the enforced disappearance of an estimated 17,000 individuals in Syria.⁴ Its forces are also suspected of forcibly disappearing Lebanese, Palestinians and other Arab nationals during its military presence in Lebanon, hundreds of whom are still missing.⁵ A 1987 Amnesty International report documented arbitrary arrests, deaths in custody and the systematic use of 35 methods of torture carried out by the Syrian authorities. The goal of these long-standing practices is clear: to crush dissent. According to Amnesty International's 1987 report, "Anyone who opposes the government is at risk."⁶

Indeed, the government's treatment of detainees in its custody was one of the factors that sparked the first demonstrations of the Syrian crisis in 2011. When the Syrian authorities arrested and tortured 15 students who spray-painted anti-government slogans on a school wall in Deraa in March 2011, their families, friends, and neighbours gathered in protests demanding their release. After government forces opened fire on these protests, demonstrations spread across the country in spring and summer 2011.⁷

As the crisis in Syria escalated, the Syrian authorities' violations against detainees increased dramatically in scope and scale.⁸ Since 2011, the Syrian government has systematically arrested and detained tens of thousands of its citizens through neighbourhood raids, at checkpoints, and in their workplaces, universities and homes.⁹ As was the case before the crisis, the people at greatest risk of arrest and detention have been those who are perceived to oppose the government, including peaceful opponents of the government such as demonstrators, human rights defenders and political dissidents; individuals considered to be disloyal to the government such as journalists, doctors who treated demonstrators and members of the military; and family members of wanted individuals. The arrests have been largely carried out by Syria's four intelligence agencies, namely Air Force Intelligence, Military Intelligence, Political Security and General Intelligence (sometimes referred to as State Security).¹⁰

⁴ Human Rights Watch, *A wasted decade: Human rights in Syria during Bashar al-Assad's first ten years in power*, 16 July 2010, available at www.hrw.org/report/2010/07/16/wasted-decade/human-rights-syria-during-bashar-al-asads-first-ten-years-power

⁵ For more details, see Amnesty International, *Never forgotten: Lebanon's missing people* (Index: MDE 18/001/2011).

⁶ Amnesty International, *Syria: Torture by the security forces* (Index: MDE 24/009/1987).

⁷ BBC, "Syria: The story of the conflict", 11 March 2016, available at www.bbc.com/news/world-middle-east-26116868; *The New York Times*, "A faceless teenage Refugee who helped ignite the Syrian conflict", 8 February 2013, available at www.nytimes.com/2013/02/09/world/middleeast/a-faceless-teenage-refugee-who-helped-ignite-syrias-war.html?_r=0

⁸ For more details, see Amnesty International, *'I wanted to die': Syria's torture survivors speak out* (Index: MDE 24/016/2012) and Amnesty International, *'It breaks the human': Torture, disease and death in Syria's prisons* (Index: MDE 24/4508/2016) (Amnesty International, *'It breaks the human'*).

⁹ Independent International Commission of Inquiry on the Syrian Arab Republic, *Out of sight, out of mind: Deaths in detention in the Syrian Arab Republic*, February 2016, available at www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/A-HRC-31-CRP1_en.pdf (UN Commission of Inquiry, *Out of sight, out of mind*).

¹⁰ Independent International Commission of Inquiry on the Syrian Arab Republic, *Without a trace: Enforced disappearances in Syria*, December 2013, available at

Those arrested by the Syrian authorities descend into a network of detention centres scattered across Syria. Throughout their detention, the vast majority of detainees are subjected to enforced disappearance – cut off from their family, friends and the outside world.¹¹ Their families are never told where they are held or whether they are still alive. Detainees are tortured beginning from the moment of their arrest, during their “welcome parties” – a term commonly used by Syrian detainees and guards to refer to the severe beatings received upon arrival at a detention facility – and throughout their interrogations. During interrogation, the Syrian authorities use torture to extract false “confessions” from detainees, which the authorities then use to determine sentences in flagrantly unfair and shambolic “trials”. Common methods of torture include severe beating, the use of electric shocks, sexual violence including rape and stress positions. These methods are often used in combination during multiple sessions over the course of days, weeks or months.¹²

As the backdrop to this, detainees are held in subhuman conditions and systematically denied their basic needs, including food, water, medicine, medical care and sanitation. They are packed into filthy, overcrowded cells without access to fresh air, sunlight or ventilation. In these conditions, scabies, lice, infections and diseases run rampant, and many detainees develop serious mental illnesses such as psychosis.¹³

As a result of the torture and conditions they are forced to endure, detainees in government custody are dying on a massive scale. According to the Human Rights Data Analysis Group, a non-governmental organization that uses scientific methods to analyse human rights violations, at least 17,723 people were killed in government custody between March 2011 and December 2015, an average of 300 deaths each month.¹⁴ Both HRDAG and Amnesty International believe that this is a conservative estimate and that the actual total is much higher.

Compelling evidence of these mass deaths was captured by a photographer from the government’s Military Police, codenamed “Caesar”, who smuggled out thousands of images of detainees who had died in the custody of the Syrian authorities since 2011.¹⁵ In a report released in December 2015, the international monitoring group Human Rights Watch found these photos to be authentic and cited the most common causes of death as gastrointestinal infection, involving severe diarrhoea and dehydration; skin disease leading to infection; torture; mental distress that led detainees to refuse to eat and drink; and chronic diseases for which detainees did not receive the necessary medication or treatment.¹⁶

Based on the interviews conducted for this report and its prior research, as well as the documentation of other international and national monitoring groups, Amnesty International considers that the torture and other ill-treatment, enforced disappearances and extrajudicial executions carried out by the Syrian government since 2011 have been perpetrated as part of an attack against the civilian population, pursuant to a state policy that has been widespread as well as systematic, and therefore amount to crimes against humanity.

3.2 DETENTION-RELATED ABUSES BY NON-STATE ARMED GROUPS

Since the beginning of the Syrian crisis, non-state armed groups active in Syria have carried out human rights abuses and violations of international humanitarian law against individuals in their custody, including torture and other ill-treatment and summary killings. Since 2011, Amnesty International has documented serious abuses by armed opposition groups, as well as by the armed group calling itself Islamic State (IS)

www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/ThematicPaperEDInSyria.pdf (UN Commission of Inquiry, *Without a trace*).

¹¹ Amnesty International, *‘Between prison and the grave’: Enforced disappearances in Syria* (Index: MDE 24/2579/2015).

¹² Amnesty International, *‘It breaks the human’*, p. 6.

¹³ Amnesty International, *‘It breaks the human’*, p. 41.

¹⁴ For more information, see Human Rights Data Analysis Group, *Technical memo for Amnesty International report on deaths in detention*, August 2016, available at hrdag.org/wp-content/uploads/2016/07/HRDAG-AI-memo.pdf

¹⁵ See *The New Yorker*, “The Assad Files”, 18 April 2016, available at www.newyorker.com/magazine/2016/04/18/bashar-al-assads-war-crimes-exposed and *Vanity Fair*, “Documenting Evil: Inside Assad’s Hospitals of Horror”, 1 June 2015, available at www.vanityfair.com/news/2015/06/assad-war-crimes-syria-torture-caesar-hospital

¹⁶ Human Rights Watch, *If the dead could speak: Mass deaths and torture in Syria’s detention facilities*, December 2015, available at www.hrw.org/report/2015/12/16/if-dead-could-speak/mass-deaths-and-torture-syrias-detention-facilities (Human Rights Watch, *If the dead could speak*).

and by Jabhat Fateh al-Sham (formerly known as Jabhat al-Nusra), and found that some of these violations amount to war crimes. These abuses were documented most recently in Amnesty International's 2016 report *'Torture was my punishment': Abductions, torture and summary killings under armed group rule in Aleppo and Idlib, Syria*.¹⁷ The UN-mandated Independent International Commission of Inquiry on the Syrian Arab Republic (UN Commission of Inquiry) has also found that, in the context of detention, Jabhat Fateh al-Sham and other non-state armed groups have committed the war crimes of murder and torture and other ill-treatment, while IS has committed the crimes against humanity of murder and torture.¹⁸ While these represent very serious concerns, Amnesty International's assessment is that the vast majority of detention-related violations since 2011 have been carried out by the Syrian authorities.

¹⁷ Amnesty International, *'Torture was my punishment': Abductions, torture and summary killings under armed group rule in Aleppo and Idlib, Syria* (Index: MDE 24/4227/2016). For more information on violations carried out by non-state armed groups, see Amnesty International, *Rule of fear: ISIS abuses in detention in northern Syria* (Index: MDE 24/063/2013) and Amnesty International, *Syria: Summary killings and other abuses by armed groups* (Index: MDE 24/008/2013).

¹⁸ UN Commission of Inquiry, *Out of sight, out of mind*; Independent International Commission of Inquiry on the Syrian Arab Republic, *They came to destroy: ISIS crimes against the Yezidis*, June 2016, available at www.ohchr.org/EN/HRBodies/HRC/IICISyria/Pages/IndependentInternationalCommission.aspx

4. HANGINGS AND EXTERMINATION AT SAYDNAYA PRISON

“Our brains started developing in a very strange way in Saydnaya. We didn’t think about what we were doing – we just reached the state of barbarity, and entered it, not even thinking. Everything we did was part of the battle of survival. It’s a real war, and, in the end, if you refuse to fight it, you will die.”¹⁹

“Wael”, detained in Saydnaya from 2012 to 2014

4.1 INTRODUCTION

Between December 2015 and December 2016, Amnesty International conducted research on violations of human rights and international humanitarian law taking place at Saydnaya Military Prison. It has found that, since 2011, thousands of detainees held in Saydnaya’s red building have been killed in extrajudicial executions. Under international law, extrajudicial executions are unlawful and deliberate killings carried out by order of a government or with its complicity or acquiescence. The organization’s findings address when, how and where the executions are carried out; Syrian government officials’ involvement in and knowledge of these executions; and the scale of executions at Saydnaya since 2011.

In the course of its investigation, Amnesty International has also documented the torture and inhuman treatment of detainees held in Saydnaya’s red building. It has found that they and other detainees in government-run detention centres have been subjected to the crime against humanity of “extermination”, defined by the Rome Statute of the International Criminal Court as the “intentional infliction of conditions of life, inter alia the deprivation of access to food and medicine, calculated to bring about the destruction of part of a population”.²⁰ According to our findings, since 2011, the Syrian government has purposefully inflicted inhuman conditions on detainees in its custody in a calculated effort to kill them. The UN

¹⁹ Interview with Amnesty International researchers on 27 February 2016.

²⁰ See the Rome Statute of the International Criminal Court, 1998, available at www.icc-cpi.int/nr/rdonlyres/ea9aef7-5752-4f84-be94-0a655eb30e16/0/rome_statute_english.pdf

Commission of Inquiry for Syria reached the same conclusion in 2016.²¹ Amnesty International's 2016 report, *'It breaks the human': Torture, disease and death in Syria's prisons*, documented the treatment of detainees in government-run prisons across Syria, including Saydnaya. Our latest investigation into Saydnaya, however, revealed new evidence related to the systematic programme of abuse, torture and inhuman treatment inflicted on Saydnaya detainees; the mass deaths caused by this treatment; and the standard procedures for dealing with the bodies of those who die as a result of this treatment.

Saydnaya Military Prison is located around 30km north of Damascus. The prison is under the jurisdiction of the Ministry of Defence and is operated by the Military Police. Since the beginning of the crisis in Syria in 2011, detainees have been transferred to Saydnaya after being arrested and interrogated by the various Syrian intelligence agencies or security forces. According to former officials and guards at Saydnaya, as well as experts consulted by Amnesty International, women have not been detained there since 2011.²²

On the grounds of the prison, there are two detention facilities: the "white building", which is white and has an L-shaped floor plan, and the "red building", which is red and has the architectural design of a central, circular hub with three long, straight corridors protruding from this hub. Its unusual, three-pronged shape has led former guards and detainees to describe it as "the Mercedes wheel".²³ Between 10,000 and 20,000 people are detained in the two facilities, according to experts on detention in Syria.²⁴

The majority of detainees held in the white building are military officers and soldiers who were suspected of being disloyal to the Syrian government after the crisis in Syria began in 2011.²⁵ A limited number of officers and soldiers who are accused of having committed crimes unrelated to the conflict, including theft and rape, are also detained in this building.²⁶ Detainees held in the white building generally face grossly unfair trials at the Anti-Terrorism Court or at one of the Military Courts located in al-Mezzeh, Damascus.²⁷

Prior to 2011, the majority of prisoners detained in the red building at Saydnaya were members or alleged members of Islamist groups.²⁸ According to former guards and officials at Saydnaya, these detainees were either released or transferred to civilian prisons at the beginning of the crisis.²⁹ By May 2011, the red building was completely empty and, in July 2011, the first group of detainees arrested for their involvement in the unfolding crisis in Syria arrived.³⁰ What distinguished these and all detainees who have been held in the red building since July 2011 is that, during their interrogation in the branches of the intelligence agencies, they "confessed" under torture to the most serious crimes, such as killing a member of the Syrian military. As a result of their high-level confessions, those held in the red building are usually subjected to a "trial" at one of the two so-called Military Field Courts located in the Military Police headquarters in the al-Qaboun neighbourhood of Damascus. Former judges and lawyers as well as detainees who had been tried at the Military Field Court told Amnesty International that these trials last one to three minutes and that detainees are not given access to a lawyer or any information about their sentences. These trials cannot therefore be considered to be judicial proceedings.³¹

²¹ See UN Commission of Inquiry, *Out of sight, out of mind*, p. 17.

²² Interviews with Amnesty International researchers on 15 May and 16 May 2016.

²³ Amnesty International's joint initiative with Forensic Architecture presented a virtual model of the red building at Saydnaya. See Amnesty International and Forensic Architecture, *Explore Saydnaya: Inside a Syrian torture prison*, August 2016, available at saydnaya.amnesty.org/

²⁴ Interview with former prison official on 26 April 2016 and with Syrian expert on detention on 11 November 2016. Because the Syrian authorities have released no information on the people detained in Saydnaya, it is difficult to estimate the number of people held there more precisely.

²⁵ Prior to 2011, as well, civilians were generally not held in the white building. Interview with a former prison official at Saydnaya on 26 April 2016.

²⁶ Email correspondence with a Syrian legal expert on 12 October 2016 and interview with former official at Saydnaya on 26 April 2016.

²⁷ Until the emergency law was revoked and replaced with the Anti-Terrorism law in 2012, detainees in the white building faced trial in the State Security Court or the Military Court.

²⁸ Human Rights Watch, *Syria: Investigate Sednaya Prison Deaths*, July 2008, available at www.hrw.org/news/2008/07/21/syria-investigate-sednaya-prison-deaths; Spiegel Online, "Former Prisoners Fight in Syrian Insurgency", October 2013, available at www.spiegel.de/international/world/former-prisoners-fight-in-syrian-insurgency-a-927158.html

²⁹ Interviews conducted by Amnesty International researchers with a former guard from Saydnaya on 17 May 2016 and a former prison official from Saydnaya on 6 October 2016.

³⁰ Interview conducted by Amnesty International researchers with former prison officials from Saydnaya on 25 April and 17 May 2016.

³¹ For more details on the Syrian government's historical use of secret trails and the execution of political prisoners, see Amnesty International, *Syrian Arab Republic: Briefing to the Human Rights Committee – 71st session* (AI Index: MDE 24/001/2001), March 2001, available at www.amnesty.org/download/Documents/132000/mde240012001en.pdf; see also Human Rights Watch, "Syria: Political detainees tortured, killed", October 2013, available at www.hrw.org/news/2013/10/03/syria-political

The majority of the people detained in the red building since 2011 are civilians perceived by the Syrian authorities to oppose them, according to former prison authorities and former detainees.³² They come from all sectors of Syrian society, and some of their most common profiles include demonstrators, long-time political dissidents, human rights defenders, journalists, doctors, humanitarian aid workers and students. According to a former official at Saydnaya, after 2011, the red building became the “main political prison in Syria”. He explained, “The people in the red building are doctors, engineers, protesters – their best description is ‘revolutionaries’, only this. They were somehow understood to be linked to the revolution. Saydnaya is the place to finish the revolutionaries. It’s the end for them.”³³ A former guard at Saydnaya added that the detainees held in the red building are “the detainees of the revolution”.³⁴

Detainees are rarely released from Saydnaya, and release from the red building is even less common than from the white building. The majority of the former detainees interviewed by Amnesty International, some of whom were held in the red building and some in the white building, reported that they were released as part of a presidential amnesty or through a prisoner exchange. However, in the majority of these cases, their families or friends were also compelled to pay a bribe. For instance, former detainee “Adnan”,³⁵ a Syrian military officer when he was arrested, described his release: “After the elections for Assad, my father was in touch with a lawyer. She was really an intermediary. All of the families [of the people arrested] from our original case – nine families in total – paid money, and so they included us all in the amnesty.”³⁶ Some detainees told Amnesty International that just before they were released, they were forced to sign a document stating that they were treated fairly and humanely during their detention. “Nader”,³⁷ a businessman from Damascus, explained: “They gave me a paper to sign. It had my name, and it was a statement. It said, ‘Nader was held in Saydnaya, and he didn’t face beating, humiliation or cursing in our wing. He was given medicine, and he was never harmed.’ Of course I signed it, even though every single word was a lie, and I put my fingerprint on it.”³⁸

4.2 MASS HANGINGS

“I could see them walking from the gate... They walked in the ‘train’, so they had their heads down, and were trying to catch the shirt of the person in front of them. The first time I saw them, I was horrified. They were being taken to the slaughterhouse.”³⁹

“Hamid”, detained in Saydnaya from 2012 to 2013

4.2.1 OVERVIEW

Through the testimonies of former prison officials and former detainees, Amnesty International has built up a detailed picture indicating that the Syrian authorities have extrajudicially executed thousands of people held in the red building at Saydnaya since 2011. The killings have taken the form of mass hangings. Before they are hanged, the victims are condemned to death in a “trial” lasting one to three minutes at one of the two Military Field Courts located at the Military Police headquarters in the al-Qaboun neighbourhood of Damascus. On the day the prison authorities carry out the hangings, which they refer to as “the party”, they collect those who will be executed from their cells in the afternoon. The authorities inform the detainees that those who are selected will be transferred to one of the civilian prisons inside of Syria. They are instead brought to a cell in the basement of the red building, where they are severely beaten. Between 12am and 3am, they are transferred to the white building, another detention facility on the grounds of Saydnaya. There, they are brought into a room in the basement and hanged. Their bodies are then loaded into a truck,

detainees-tortured-killed. For more details on international legal provisions related to extrajudicial execution, see Amnesty International, *Fair trial manual: Second edition*, April 2014 (Index: POL 30/002/2014).

³² Interviews conducted by Amnesty International researchers with a former prison official from Saydnaya on 6 October 2016, with a former prison guard from Saydnaya on 8 October 2016, and with several former detainees held in the red building, including on 22 February and 28 April 2016.

³³ Interview with Amnesty International researchers on 6 October 2016.

³⁴ Interview with Amnesty International researchers on 8 October 2016.

³⁵ Real name withheld.

³⁶ Interview with Amnesty International researchers on 15 May 2016. “Adnan” was detained at Saydnaya from 2011 to 2014.

³⁷ Real name withheld.

³⁸ Interview with Amnesty International researchers on 28 April 2016. “Nader” was detained at Saydnaya from 2014 to 2015.

³⁹ Interview with Amnesty International researchers on 21 April 2016.

transferred to Tishreen Hospital for registration, and finally brought to mass graves located on military land near Damascus. Since 2011, executions at Saydnaya have been carried out in secret and are known only to the guards and officials who are directly involved, as well as high-level Syrian officials. Most of those hanged and secretly buried had been subjected to enforced disappearance in Saydnaya. Their families still have no information about their fate.

People who worked within the prison authorities at Saydnaya told Amnesty International that extrajudicial executions related to the crisis in Syria first began in September 2011. Since that time, the frequency with which they have been carried out has varied and increased. For the first four months, it was usual for between seven and 20 people to be executed every 10-15 days. For the following 11 months, between 20 and 50 people were executed once a week, usually on Monday nights. For the subsequent six months, groups of between 20 and 50 people were executed once or twice a week, usually on Monday and/or Wednesday nights. Witness testimony from detainees suggests that the executions were conducted at a similar – or even higher – rate at least until December 2015. Assuming that the death rate remained the same as the preceding period, Amnesty International estimates that between 5,000 and 13,000 people were extrajudicially executed at Saydnaya between September 2011 and December 2015.⁴⁰ Amnesty International does not have evidence of executions after December 2015. However, detainees are still being transferred to Saydnaya, “trials” at the Military Field Court have continued, and there is no reason to believe that such extrajudicial executions have stopped.⁴¹ Since December 2015, therefore, thousands more detainees are likely to have been hanged.

According to a former prison official and detainees who witnessed the executions, the number of people killed by hanging at Saydnaya increased during the weeks prior to and after the presidential amnesties for detainees issued after September 2011, which were on 10 January 2012, 23 October 2012, 16 April 2013, 30 October 2013 and 9 June 2014.⁴²

4.2.2 PROCEDURES FOR EXECUTIONS

‘TRIAL’ AT THE MILITARY FIELD COURT

Detainees who are extrajudicially executed at Saydnaya first undergo a “trial” before a Military Field Court, whose rules and proceedings are so summary and arbitrary that they cannot be considered to constitute an actual judicial process. Military Field Courts were established in Syria through Legislative Decree no. 109 of 1968.⁴³ According to Article 1 of the Decree, they have jurisdiction over crimes committed “during wartime or military operations” and are generally operated by military personnel (Article 3). They are not required to operate within existing legislation (Article 5) and, once a sentence is issued, there is no possibility of appeal (Article 6). However, the sentences they issue are subject to the approval of the head of state and the Minister of Defence, who have the right to reduce or suspend the sentence (Article 8).⁴⁴

Detainees held in the red building at Saydnaya are almost always tried and sentenced by one of the two Military Field Courts located in the Military Police headquarters in the al-Qaboun neighbourhood of Damascus.⁴⁵ There is no jurisdictional difference between these two courts; rather, a second court was

⁴⁰ These estimates were based on the following calculations. If between seven and 20 were killed every 10-15 days from September to December 2011, the total figure would be between 56 people and 240 people for that period. If between 20 and 50 were killed every week between January and November 2012, the total figure would be between 880 and 2,200 for that period. If between 20 and 50 people were killed in 222 execution sessions (assuming the executions were carried out twice a week twice a month and once a week once a month) between December 2012 and December 2015, the total figure would be between 4,400 and 11,100 for that period. These calculations produce a minimum figure of 5,336, rounded down to the nearest thousand as 5,000, and 13,540, rounded down to the nearest thousand as 13,000.

⁴¹ Amnesty International was informed by a Syrian lawyer based in Damascus as well as experts on detention in Syria that referrals to Saydnaya and trials at the Military Field Court in al-Qaboun continued after December 2015. Interview with experts on detention in Syria on 1 November 2016 and with a Syrian lawyer on 11 November 2016.

⁴² Amnesty International interviews with a former prison official on 27 April 2016 and with detainees held in the white building on 21 July and 10 October 2016. The dates of the presidential amnesties were provided to Amnesty International by the Chairman of the Syrian Network for Human Rights in an email correspondence on 27 November 2016.

⁴³ The text of Legislative Decree no. 109 of 1968, entitled “Act Establishing the Military Field Court”, is available at www.cdf-sy.org/low/midan.htm

⁴⁴ Amnesty International, *Syrian Arab Republic briefing to the Human Rights Committee – 71st session*, March 2001, available at www.amnesty.org/download/Documents/132000/mde240012001en.pdf

⁴⁵ Information in this section is based on interviews conducted by Amnesty International researchers with former Syrian judges on 13, 14 and 15 May; with a former prison official on 27 April 2016; with several former Saydnaya

established to process the increasing number of detainees who were sent to the Military Field Court after 2011.⁴⁶ Detainees are transported to and from the court in white delivery trucks known to prison authorities and detainees as “meat fridges” or in white minibuses. They are usually blindfolded and handcuffed throughout their journey to and from the court, though their blindfolds are sometimes temporarily removed when they are brought in front of the judge. Their “trials” usually last between one and three minutes. The judge uses the forced “confession” provided by the detainee under torture to determine his sentence. The sentences issued by the court vary and include life imprisonment and the death sentence. Detainees tried by the Military Field Court are not informed of their sentence or given access to a lawyer.

A former official from Saydnaya described the procedures and role of the Military Field Court after 2011:

If the confession is heavy, then you are sent to the Field Court... For everybody – without exception – the confession was given under torture. Of course they torture people so that they confess to a higher charge... If the [intelligence agency] branch thinks the person should be executed, they send him to the Field Court. If they think the person should stay in prison a long time, they send them to the Anti-Terrorism Court⁴⁷... The trial would usually take between one and two minutes... [T]he Field Court is nothing really, it's a sham.⁴⁸

A former Syrian judge from the Military Court described the Military Field Court:

This is the court where they send the people who they see as posing a real risk to the regime. The people [tried] there are charged with crimes against the state. You can be sent there even if there is no evidence against you... The Field Court is the most dangerous for detainees. Even if there is no evidence against you, or just a confession from an intelligence branch, they can execute you according to that confession... [The Military Field Court is] not obligated to follow the Syrian legal system at all. It's outside of the rules... The detainees spend a very short time there – one or two minutes – and then they are sent out. The judge will ask the name of the detainee and whether he committed the crime. Whether the answer is yes or no, he will be convicted... This court has no relation with the rule of law. This is not a court.⁴⁹

Former detainees from Saydnaya who were tried by the Military Field Court expressed frustration and anger about the experience. For instance, “Ziyad”,⁵⁰ an IT specialist from Baba Amr, Homs, said, “Of course [the trial] wasn't fair, not at all. Anything about justice or fairness was not present. You are blindfolded and handcuffed, so you don't know who the judge is, or what you signed. Of course this isn't justice.”⁵¹ “Nader” agreed: “I spent one minute in front of the judge and a guard from the military police... I went in with 45 other detainees, and they had finished everyone's cases in one hour. They don't tell you your charges. You don't have a right to a lawyer or to speak on the phone. You have no rights.”⁵²

“Hassan”,⁵³ a farmer from Latakia, described his experience at the Military Field Court:

They took us to the branch of Military Police in al-Qaboun. A friend spent two minutes inside an office, and he told me, “That was it – I saw the judge.” Then I arrived at the door of the office, and they pushed my blindfold up onto my forehead. There was a Colonel, in a uniform, and then a few other guys wearing civilian clothes. Later I understood that this was the Field Court. He asked me what I had been doing before I was arrested... He was talking in a very sharp way, and finally he said, “The people from [your village] are very bad – you have a black history, and you are all from the Muslim Brotherhood”... Then he sent me away.⁵⁴

detainees, including on 26 February, 27 February, 21 April and 26 April 2016; and on an email correspondence with a former Syrian lawyer on 12 October 2016.

⁴⁶ According to a former official from Saydnaya, “The two courts do the same work. They just have two courts because the number of cases increased. They are both located in one building in al-Qaboun” (interview with Amnesty International researchers on 27 April 2016). A former military judge confirmed this in an interview with Amnesty International researchers on 13 May 2016.

⁴⁷ For more details on the Anti-terrorism Court, see Amnesty International, ‘It breaks the human’, p. 17.

⁴⁸ Interviews with Amnesty International researchers on 26 April, 15 May and 6 October 2016.

⁴⁹ Interview with Amnesty International researchers on 13 May 2016.

⁵⁰ Real name withheld.

⁵¹ Interview with Amnesty International researchers on 4 October 2016. “Ziyad” was detained at Saydnaya from 2012 to 2013.

⁵² Interview with Amnesty International researchers on 28 April 2016.

⁵³ Real name withheld.

⁵⁴ Interview with Amnesty International researchers on 26 February 2016. “Hassan” was detained at Saydnaya from 2013 to 2014.

“Yahya”⁵⁵ was 16 years old when he was tried at the Military Field Court. He explained that when he was brought in front of the judge, he was first shown a photo of someone he had never seen before and asked to identify him as one of the co-conspirators to the crime with which he had been charged. “I said I didn’t know who it was, and that I confessed under torture,” he told Amnesty International. “Then the judge told me, ‘You carried the weapon.’ I told him no, I could not – I was under age. I was 14 or 15 years old at that time. He told me, ‘Come and put your fingerprint.’ I didn’t know what the papers that I stamped said.”⁵⁶

DEATH SENTENCE APPROVAL

Death sentences issued by the Military Field Court are authorized by various high-level officials before they are carried out.⁵⁷ Shortly after his trial, the detainee’s death sentence is included in a larger judgement, which includes a description of his purported crime, lists all of those involved in committing the crime and states that those who perpetrated the crime are to be put to death. This judgement may include the sentence for one or several people, depending on the nature and circumstances of the alleged crime.

This judgement is signed by the head of the Military Field Court and a representative of the security forces, usually from Military Intelligence. The judge who tried the detainee at the Military Field Court, referred to as the Military Prosecutor, also signs and then approves this sentence. The judgement is sent by military post to the Grand Mufti of Syria and to either the Minister of Defence or the Chief of Staff of the Army, who are deputized to sign for Syrian President Bashar al-Assad and who specify the date of the execution.

The judgement is then sent back to the Military Field Court in al-Qaboun, where it is kept on file. One or two days before the execution is scheduled to take place, a copy of the judgement is sent to the administrative office at Saydnaya. Once the judgement arrives at Saydnaya, the execution of all those named in the particular judgement is usually carried out in one session. The process takes at least two months from the issuing of a detainee’s death sentence at the Military Field Court to his execution at Saydnaya.

COLLECTION FROM THE RED BUILDING FOR ‘TRANSFER’

The process of execution at Saydnaya begins around 3pm in the afternoon.⁵⁸ The officers’ assistants and guards in the red building are first given a list that includes the names of all those who will be executed that day.⁵⁹ They then move from cell to cell in the red building, rounding up those on the list. This collection usually takes one or two hours, depending on the number of people to be executed that day. The listed detainees, along with their cell mates, are told that they will be transferred to one of Syria’s civilian prisons, such as Adra Prison or Aleppo Central Prison. This is encouraging news for detainees, as the treatment they receive in the civilian prisons is generally much better than in the intelligence agency branches or at Saydnaya. A former prison official explained the logic for this deception: “This way the people left behind will feel that we are just shifting them to a new place. And if someone is released from Saydnaya, they will just think that the people who have been transferred are in a civilian prison somewhere.”⁶⁰

The listed detainees are put into the “train” position – the usual mode in which detainees are transferred between locations at Saydnaya – in the hallway outside of their cells. In the “train”, the detainees form a line, and each takes hold of the T-shirt or waist of the detainee in front of him and ducks his head down to waist level. The detainees are then taken to the “collection room”, a 3.5m by 5m room located in the B wing of the red building, underground, on the same floor as the solitary cells. There, detainees are often subjected to severe beating, which usually takes place between 10pm and 12am. Between 12am and 3am, the detainees are handcuffed, blindfolded with their hands behind their backs, and led into vehicles just outside of the red building. Five or six guards from the red building oversee this process.⁶¹

⁵⁵ Real name withheld.

⁵⁶ Interview with Amnesty International researchers on 21 July 2016. “Yahya” was detained at Saydnaya for two months in 2015.

⁵⁷ The information in this section is based on interviews conducted by Amnesty International researchers with a former prison official on 26 April and 30 November 2016 and with a former judge on 13 May 2016.

⁵⁸ Interviews conducted by Amnesty International researchers with a former prison official on 26 April 2016, a former prison guard on 16 May 2016, another former prison guard on 17 July 2016 and with several detainees held in the red building, for example, on 4 and 5 October 2016.

⁵⁹ In Syria, officers’ assistants have the rank of first, second or third class “warrant officer”.

⁶⁰ Interview with Amnesty International researchers on 27 April 2016.

⁶¹ Interview with Amnesty International researchers on 26 April 2016.

A former prison official explained the reasons why the detainees are first collected in the afternoon and then held in the basement of the red building until they are transferred:

They need to collect [the victims] from all the wings and, if they collect them first, they can move them in one group from the red [building] to the white [building]. Also at night, the steel doors at the end of the wings would make even more sound, and it would scare the detainees, so they do it in the day instead. If they collected the detainees [from their cells] in the night, there would be a lot of sound, and it would create more fear.⁶²

Amnesty International interviewed two former guards at the red building who were involved in this collection process. The first explained his role:

The list would come to us – this included the people who should be executed... They would take the people after lunch. They took them to a cell in the basement, with the other solitary cells. Even if there were 100 people, they would put them in that one cell. There was a lot of beating in that cell. They would take off their clothes and then they would give them a blue uniform... I would stand at the door of the red building while they brought them out to the car. In the beginning I would go with them to the white building. Then they started having only the Alawites do this job. In the last period [of my time at Saydnaya], I didn't do it because I am Sunni. They were afraid I would tell the prisoners, and they would riot.⁶³

The second guard was directly involved in the collection process. He recalled the steps involved:

We go to collect the prisoners, and the officer's assistant comes with us. He has a list with all the names of the people. Then we open the door of the group room. Automatically the detainees are kneeling, facing the wall and covering their eyes. We call a detainee's name, and he pulls his T-shirt over his face. We go inside and bring him out. We put them in a row and they move in the "train" position... We collect them this way, and we take them to the room downstairs. It's a room just for collecting people. It's forbidden for them to sit down – they stay standing. And we start shouting at them. We say whatever we want. We start beating them. Whoever comes can beat them, until the officer arrives. We already know they will die anyway, so we do whatever we want with them. They don't know where they are going. I remember [one man] was happy – he thought he was going to be released... We would keep them until early morning... I'm not sure where exactly they were taking them. Our mission was finished when we delivered them to the front of the red building.⁶⁴

Detainees who were held in the red building told Amnesty International they also recalled this collection process, which they usually refer to as the "transfers". "Hosam",⁶⁵ a government soldier in Latakia when he was arrested in 2011, explained: "They came on Monday afternoon. They would open the doors to the wing, and the guards would start calling the names. We could hear the names, and we could hear them walking outside. The guards told them to put their T-shirts over their heads."⁶⁶

"Ali",⁶⁷ a military officer when he was arrested in 2012, described the collection process:

At 4pm or 5pm, they opened the door of the wing, and there would be a call to "take them". They would put them in a "train" in the hallway. There was a small slide window, and I looked out of it once, so I saw the "train"... Usually there would be around five to 10 people taken from our wing, according to the names I heard called. They opened the vent of the room, and they would call, "so-and-so: get ready". Then they would start taking them. They would take them in a good way. We thought they would release them. We were asking in the rooms, whispering, "Who's being taken?"⁶⁸

"Jamal",⁶⁹ a trader from Damascus, told Amnesty what he remembered about the transfer:

The guards made them calm and told them that they were taking them to a good place. They are good with the people when they transfer them. We didn't know where they went. But that's normal

⁶² Interview with Amnesty International researchers on 27 April 2016.

⁶³ Interview with Amnesty International researchers on 16 May 2016.

⁶⁴ Interview with Amnesty International researchers on 17 July 2016.

⁶⁵ Real name withheld.

⁶⁶ Interview with Amnesty International researchers on 5 October 2016. "Hosam" was detained at Saydnaya from 2011 to 2014.

⁶⁷ Real name withheld.

⁶⁸ Interview with Amnesty International researchers on 19 July 2016. "Ali" was detained at Saydnaya from 2012 to 2013.

⁶⁹ Real name withheld.

– nobody knows where you are going and why at Saydnaya... There is a saying in the prisons: “The prisoners are stupid.” We believe whatever the guards tell us.”⁷⁰

Several detainees also heard the sound of severe beating, usually late at night, on the same day of the transfer. According to former detainee “Nader”: “[W]e would hear a huge sound. From 10pm until 12am, or from 11pm until 1am we would hear screaming and yelling, coming from below us... This is a very important point. If you keep silent, you will get less beating at Saydnaya. But these people were screaming like they had lost their minds... It wasn’t a normal sound – it was not ordinary. It sounded like they were skinning them alive.”⁷¹

Omar, a high-school student when he was arrested, told Amnesty International that he also heard the sound of beating in the middle of the night, on the same day that detainees were collected from the cell:

[A]t night, we could hear them beating them again with the tank belt [an improvised tool made out of tyre tread, which is attached to a wooden handle], and the green pipe. We knew the sounds that each made. First we were thinking the people were being released or taken to the civilian prisons. But at midnight, we heard the sound of torture again, and we thought they were dying, because the sound of the torture was so strong. They were beating them in a monstrous way.”⁷²

On the day of the collection process, detainees held in the red building also heard the voices of guards, the sounds of detainees being loaded into vehicles outside of the red building and the vehicles leaving. Former detainee “Hosam” told Amnesty International:

On the day [the detainees] were taken, the order to sleep was later. Normally the order was at 10pm, but on the day they were taken it was later. They would tell us to go to sleep, and we would wake up to sounds outside of the prison. We could hear them call the names. There were usually not less than 30 or 40 names. They would come early, early in the morning – before the sunrise – and they would be told to go to the vehicles. We could hear one or two vehicles driving away. This would happen once a week or more.”⁷³

Shappal, a human rights activist from Qamishli, recalled what he heard: “From 12am to 1am, we heard the sound of trucks moving outside the prison... We could also hear smacking, and the sounds of the beating. It was 50 people, I think, but that’s just my best guess. We were estimating based on the sounds that we heard.”⁷⁴ “Hassan” felt particularly concerned about the timing of these sounds. “We always wondered where they were taking people at this time of the day,” he said. “We were very scared, because why else would they take them at 3am? That made me scared and I always try to forget it. But we cannot forget it; it’s in our bones.”⁷⁵

TRANSPORT FROM THE RED BUILDING TO THE WHITE BUILDING

The vehicles used to transport detainees from the red building to the white building have varied since 2011.⁷⁶ In the first months after the hangings started in September 2011, the prison authorities used an ambulance. As the number of people to be executed at Saydnaya increased, the prison authorities began using white delivery trucks known as “meat fridges”, as well as white, 24-seat minibuses. The number of vehicles, as well as the number of trips these vehicles took between the red building and the white building, varied depending on the number of people executed that day.

“Abu Muhammed”,⁷⁷ who worked in the telecommunications room at Saydnaya, saw the vehicles pass by his office, which was located near the white building. He explained:

At 3am, before the fajr [one of the five daily prayers performed by practising Muslims, which takes place between the beginning of dawn and sunrise], they arrived, and [the victims] started going

⁷⁰ Interview with Amnesty International researchers on 21 April 2016. “Jamal” was detained at Saydnaya from 2012 to 2014.

⁷¹ Interviews with Amnesty International researchers on 28 April and 14 July 2016.

⁷² Interview with Amnesty International researchers on 22 April 2016. Omar was detained at Saydnaya from 2014 to 2015.

⁷³ Interview with Amnesty International researchers on 5 October 2016.

⁷⁴ Interview with Amnesty International researchers on 22 April 2016. Shappal was detained at Saydnaya from 2012 to 2013.

⁷⁵ Interview with Amnesty International researchers on 22 April 2016.

⁷⁶ The information in this section is based on interviews with a former guard at Saydnaya on 16 May 2016, a former staff member at Saydnaya on 8 October 2016, a former prison official on 27 April 2016 and several interviews with former detainees, including on 14 May and 21 July 2016.

⁷⁷ Real name withheld.

inside the white building... They would bring buses from the red building and drive them to the "execution room" in the white building... They used the regular minibuses from inside Saydnaya for this. The number of buses and the number of trips they took depended on the number of people they were going to execute – it could be two, five, or 10 vehicles.⁷⁸

ARRIVAL OF THE EXECUTION PANEL

Around 3am, the members of the execution panel arrive from outside of Saydnaya Prison to be present for the executions.⁷⁹ The execution panel members who regularly attend the executions include the Director of Saydnaya, the Military Prosecutor of the Military Field Court, a representative from the intelligence agencies – usually Military Intelligence, the Brigade Commander of the Southern Front, an officer from the Military Medical Services at Tishreen Hospital, and the head doctor at Saydnaya. Most members of the panel are usually accompanied by one or two assistants or bodyguards.

"Abu Muhammed", who worked in the telecommunications room, was tasked with alerting those inside the prison when the members of the panel arrived. He described his usual duties on the nights that executions were carried out:

Around 11pm or 12am, the officer on the shift would call us and say that when the director arrived, we should call him. Then we immediately knew there were going to be executions [that night], because the director came into the prison only for an emergency or for the executions... A lot of guards and soldiers didn't even know it was the night of execution... Each official would come with his car and his guards. There were usually at least four or five cars for the members of the [execution] panel... The officer would call us two hours before to tell us the [execution] panel would be arriving. He would say, "Take care. Today the delegation is coming. Don't fall asleep and miss the call!"... They would arrive at 3am. Then they would call me from the main gate. They would say, "Call the officer. Tell him the leader of the Southern Front arrived." Also someone from the Field Court would come. That's what I remember, but there were others. The representatives from the security force branches would come sometimes, especially from Military Intelligence. Of course the Director [of Saydnaya] would be there. He is in charge of the executions.⁸⁰

⁷⁸ Interview with Amnesty International researchers on 8 October 2016.

⁷⁹ The information in this section is based on interviews conducted by Amnesty International researchers with a former official on 27 April 2016, a former guard on 16 May 2016 and another former staff member from Saydnaya on 8 October 2016. All had entered the room and witnessed the executions since 2011; the former prison official had entered the room on multiple occasions.

⁸⁰ Interview with Amnesty International researchers on 8 October 2016.

ARRIVAL AT THE WHITE BUILDING AND ENTRY INTO THE 'EXECUTION ROOM'

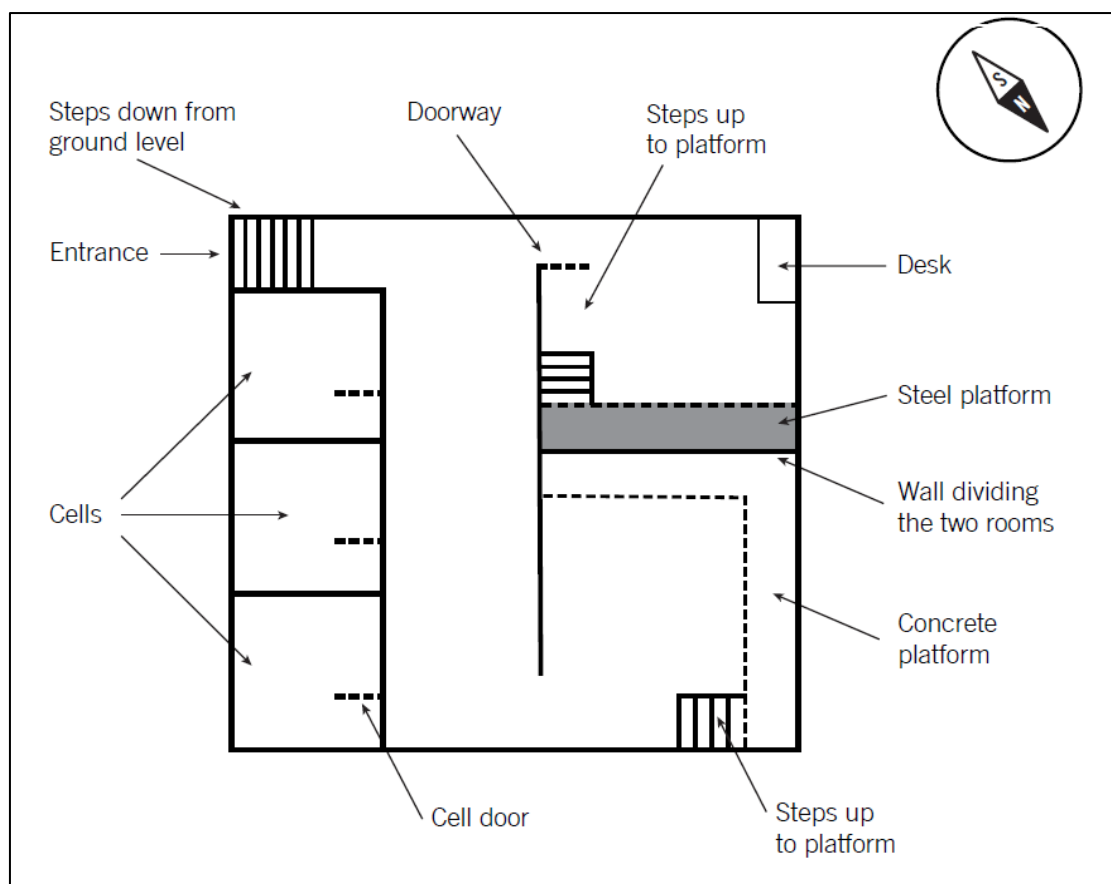


Satellite image of Saydnaya Military Prison. Coordinates 33.6648°, 36.3288°, Google Earth © 2016 DigitalGlobe

The following information is based on information from individuals who have witnessed hangings at Saydnaya since 2011.⁸¹ According to these witnesses, the vehicles depart the red building and enter the perimeter of the white building, usually between 12am and 3am. The vehicles drive around the corner of the white building and stop in front of the “execution room” which is located in the south-east corner of the building. The “execution room” is located in the basement level, under the room on the ground floor where the family visits are conducted for detainees held in the white building. The room is accessed from an external door made of steel, which is below the ground level and preceded by a stairway. The white building is situated on a slope, and at the highest point, the street level is 1m below the ceiling of the room.

⁸¹ The information in this section is based on interviews conducted by Amnesty International researchers with a former judge from the Military Court on 13 May 2016, a former prison official from Saydnaya on 15 May 2016, a former guard from Saydnaya on 17 May 2016, and another guard from Saydnaya on 8 October 2016.

FLOOR PLAN OF “EXECUTION ROOM”



The size of the “execution room” was expanded after June 2012, so that more people could be executed at once. What is commonly described by guards and officials as the “execution room” in fact comprises an open area containing three cells and two smaller rooms, each of which is used for executions. Upon entry into the room, there is an open area of 8m by 4m, which contains three cells to the immediate right, on the south-east wall. To the left is a room of 3m by 3m. This room contains 10 nooses made of beige-coloured rope, which line the north-east wall. There is also a small table in the back left-hand corner of this room, where the detainees are ordered to stamp a statement documenting their execution and last wishes. The nooses in this room are tied to a metal pipe that hangs, horizontally, from the ceiling. The platform on which the victims stand is made of steel, and it has concrete stairs leading up to it. The platform is 1m high, and its top, a steel plate, is fixed in place with a lock and pin. When the order of execution is given, the pin is removed, which causes the platform to swing down toward the front and the victims to fall downward.

The second room is 5m by 3m. Lining the north-west and south-west walls of this room are 20 nooses, again made of beige-coloured rope. The platform on which the victims stand is 1m high. The platform is made of concrete, and the stairs leading up to the platform are also concrete. The nooses are attached to a pipe that hangs horizontally from the ceiling, which is placed in front of the platform and the victim. When the order of execution is given, the victims standing on these platforms are pushed from behind so that they move forward and down from the platform.

Present in the “execution room” are the members of the execution panel, who are listed above.⁸² The bodyguards of the panel members, who usually wear civilian clothes, are not allowed in the execution room and so usually stay just outside the white building. Also present in the room are five staff members from the Military Medical Services at Tishreen Hospital, two officers’ assistants from Saydnaya and four or five guards from Saydnaya.

⁸² See p. 22

When a detainee is brought into the “execution room”, at this point he is still unaware of what is about to happen. However, on entering the room, detainees are ordered to form a queue up to the small desk in the corner of the room on the left. Here, an instruction is given that each detainee must express his last wishes and place a fingerprint on a statement documenting his death. That instruction is the first moment that the detainees know they will be put to death. Even so, they are still unaware of how this will be carried out. At no point is this explained to the detainees. For this entire period, they remain blindfolded.

According to a former prison official, “Some of them were silent after they put their fingerprint on the paper, and some of them just fainted right there. But they didn’t know when it would happen or how it was going to happen – by hanging, shooting or some other way.” He added that the signing of the document was perfunctory. “They would first take the last wishes, but this was just nonsense,” he explained. “It didn’t really lead to anything or mean anything. [The form] includes the name, mother’s name, where they are from, their ID number, and their last wish.”⁸³

After this, the detainees are led on to the platforms, still blindfolded. This process of the hanging was described by the former prison official: “They would line them up and get them ready for the execution. They would wait until all of the spaces were full before they put the nooses on. Then they would put the nooses on and push them or drop them immediately, so they didn’t know what was happening until the very last moment.”⁸⁴

After the victims are dropped or pushed, they usually hang for around 15 minutes. At this point, the doctor in the room indicates which detainees have not yet died. These victims are pulled downward by the officers’ assistants, which causes the victims’ necks to break. A former judge from the Military Court recalled this stage of the execution: “They kept them there for 10 to 15 minutes. Some didn’t die because they are light. For the young ones, their weight wouldn’t kill them. The officers’ assistants would pull them down and break their necks. Two officers’ assistants were in charge of this.”⁸⁵

Detainees held in the white building in the floors above the “execution room” reported that they sometimes heard the sounds of these hangings. For instance, “Hamid”,⁸⁶ a former military officer when he was arrested in 2012, recalled the sounds he heard at night during an execution:

*There was a sound of something being pulled out – like a piece of wood, I’m not sure – and then you would hear the sound of them being strangled... If you put your ears on the floor, you could hear the sound of a kind of gurgling. This would last around 10 minutes... We were sleeping on top of the sound of people choking to death. This was normal for me then.*⁸⁷

Other detainees held in the white building were able to hear or see the victims’ arrival to the white building. “Hussein”,⁸⁸ a doctor in the military when he was arrested in 2011, told Amnesty International about what he would hear on a typical night of executions: “First there was the sound of the meat refrigerator truck or the minibus... I can recognize it – I thought ‘OK, here is the bus’... Then they would take [the detainees] out in batches... I heard the sound of the handcuffs, or the sound of the chain, which linked them together”.⁸⁹

“Hussein” was also able to see the arrival of the vehicles from the window of his cell. He explained:

*I saw the “meat fridge” outside the prison... [They used] a “meat fridge”, or a minibus... The truck was all white. The minibus was white, and the windows were painted over with white... [The people we saw outside] were wearing civilian clothes, and they were not from the white building. If they were from the red one, they would have been wearing a uniform. They were wearing only black civilian clothes... The room where they are doing the executions is under the visiting room. When they took us to the court, they brought us by the door. It was not a regular door – you had to go down some stairs to get to it from the street. I saw it when I went to the court. When the trucks came, they would stop there.*⁹⁰

“Hamid” recalled what he heard and saw when the executions were carried out:

⁸³ Interview with Amnesty International researchers on 15 May 2016.

⁸⁴ Interview with Amnesty International researchers on 15 May 2016.

⁸⁵ Interview with Amnesty International researchers on 13 May 2016.

⁸⁶ Real name withheld.

⁸⁷ Interviews with Amnesty International researchers on 21 April and 26 February 2016. “Hamid” was detained at Saydnaya from 2012 to 2013.

⁸⁸ Real name withheld.

⁸⁹ Interview with Amnesty International researchers on 21 July 2016. “Hussein” was detained at Saydnaya from 2011 to 2014.

⁹⁰ Interview with Amnesty International researchers on 21 July 2016.

It would happen after they told us to sleep, so we could hear everything... I started to stand up on the toilet to see what was going on, during the time I was supposed to be sleeping. I saw the "meat fridge" outside the prison. It was white, very big... They would take them inside, and then we didn't see anything. After 15 or 30 minutes, they would bring in another batch.⁹¹

He also said that while the victims would usually exit from the vehicles just in front of the "execution room", on two occasions, he saw them enter the gate at the perimeter of the white building by foot. He explained:

I saw them walking from the main door of the white building. They were walking in the "train", so they would have their heads down, and they could catch the shirt of the person in front of them. The first time I saw them, I was horrified. They were being brought to the slaughterhouse. I saw them, and I immediately went back to my spot to sleep. But then I also felt happiness – they were coming to be killed, and I felt happy that their suffering would come to an end. Often if we heard that someone had died in the red building, we would feel happy. It was a gift to be killed. Even in the white building, we were wishing to die. We weren't sad to die actually, because that is what we were doing in the prison. We were dying every day, slowly.⁹²

LOADING THE BODIES INTO TRUCKS

Between 2am and 6am, the bodies of the victims are transferred from the execution room into large Hyundai diesel trucks.⁹³ The Hyundai trucks are sent to Saydnaya from Tishreen Hospital, and they are usually light green in colour, with a separate front cab and canvas material covering the back cabin. Depending on the number of bodies to be taken away, one or two trucks are sent into Saydnaya to collect the bodies. Former prison guards and a former prison official told Amnesty International that in the early hours of the morning, no other vehicles enter the perimeter of Saydnaya prison, and no other processes, other than the executions, are carried out in the white building.⁹⁴

The bodies are dealt with in different ways, depending on the number of victims and the supplies at hand: they are either put into the truck in wooden boxes, in translucent bags or just in their clothing. A former prison official described the loading process: "There is usually enough room to put all of the people who are executed at once into one truck. Fifty people can fit into one truck. If the number is smaller, they use wooden coffins. The trucks are big – four- or five-ton – so they can take a large number of bodies."⁹⁵

"Abu Muhammed", who worked in the telecommunications room at Saydnaya, recalled his role in this stage of the process:

They used to choose two or three soldiers to load the bodies... They would finish by 6am. The truck would leave with two guard cars from the branch. We would not stop this vehicle or check it; we would just open the gate and let it go through. It was a Hyundai diesel truck. The members of the execution panel left around the time the Hyundai did... This Hyundai came into the prison only for the executions.⁹⁶

Amnesty International interviewed seven people detained in the white building between September 2011 and December 2015 who witnessed the loading process. These detainees witnessed elements of the process by sight, sound, or a combination of the two. For instance, "Hussein" was able to see the process through a small window in his cell. He explained:

There was a sink, and we had to climb on top of the sink to get to the window, because the windows were really high. I could only do this every two weeks or so... They would load them [the bodies] into a Hyundai pick-up with a cover in the back. There would be four trucks at the maximum, but there was normally just one or two. I could see the truck from the side. The vehicles have military [licence] plates... I saw the coffins with my own eyes. The door is narrow, and there were two soldiers carrying the coffins, one on each end. They would get the end into the truck, and then they would push it forward. You could hear the sound of the wood pushing on the bottom of the truck. It wasn't very loud, but because it's so quiet in this prison, it sounded loud. You could also hear the guards whispering to each other... While they were loading the coffins, sometimes

⁹¹ Interview with Amnesty International researchers on 21 April 2016.

⁹² Interview with Amnesty International researchers on 21 April 2016.

⁹³ The information in this section is based on interviews by Amnesty International researchers with former guards and officials from Saydnaya on 27 April, 15 May and 8 October 2016.

⁹⁴ Interviews by Amnesty International researchers with former guards and officials from Saydnaya on 27 April, 15 May and 8 October 2016.

⁹⁵ Interview with Amnesty International researchers on 6 October 2016.

⁹⁶ Interview with Amnesty International researchers on 8 October 2016.

*they would start the engines to cover up the sound of the coffins... It would usually start after 3am. Usually they would finish before sunrise, while it was still dark.*⁹⁷

“Abu Osama”,⁹⁸ a former military officer from Hama, also saw the loading of the bodies from the window of his cell. He explained what he saw and heard:

*I was able to look out the window – there is a small window near the toilet, and we would turn off the light in the room. I would act like I had to use the toilet, and then I would start looking through the window. We would be killed if they found out... They arrived around 4am and left around 6am. I didn't see the “execution room”, but I knew it was under me... Then they would bring the coffins – they were wooden – there were 30 or 40 coffins. They would take them and load them. They left with the sun rising. They used the diesel Hyundai truck, the green one. After they left, we could see the slippers [outside the window of the cell]. If there were 30 slippers, then we knew that 15 people had been executed. There were usually between 30 and 80 slippers outside. The criminal prisoners [those arrested for ordinary crimes] would clean them up.*⁹⁹

Several former detainees told Amnesty International that they had not been able to look outside the prison, but they were still able to hear sounds that corresponded with the loading process. According to “Tarek”,¹⁰⁰ a former soldier who was arrested from his post in al-Zabadani:

*Most of the nights I was “sleeping”, I was actually awake, praying. We would hear the sounds exactly one hour before the morning prayer. The cars would come, and then we could hear a big sound... We didn't know what it was – it sounded like an assembly line... We would always hear the noise of something hitting steel... We could hear voices... Sometimes I think they were talking about boxes. They would say: “Take it from here – over there – no, take it over here.” It sounded like they were taking something heavy from the building to a vehicle... There were windows in our cell, but we couldn't go to them. We would be investigated, and sent to the branch again if we did something like that. Speaking was forbidden in our cells, so we would say to each other, in whispers and motions – “The sounds, at 3am, 4am – what was that? What was going on?”... At night, we couldn't go to the toilet or make any movement. They said if they saw us go to the toilet, we would really be punished. That's why we were so quiet, and could hear everything so well.*¹⁰¹

“Mohammed”,¹⁰² a university student from Aleppo, told Amnesty International that he also heard similar sounds in the night, and like “Tarek”, he was unsure of their origin. He explained:

*Two or three vehicles would arrive – we didn't know exactly how many. They stopped under our room exactly... It was between 2am and 4am. [The people we heard] exchanged greetings. They sounded like they all knew each other. We could hear the voice of the chief of our wing. We were really wondering what they were bringing in or taking out. They would say “move it up, throw it – over there” like they were arranging food on a plate or something. We always heard the same kind of things – “hurry up – over there” [or] “hey guys, help me on the right – take your side”... [or] “to the right, to the left” – and you could hear the heavy sound of wood or steel boxes. Sometimes wood on steel... It sounded very urgent, what they were doing. It was something we needed to know – we wanted to understand. We were analysing – if they were loading, it would finish. So they must have been bringing something that moment and then taking it away... We thought they were [loading] food boxes, or heaters. I thought it was maybe ammunition.*¹⁰³

Amnesty International interviewed three other detainees held in the white building, who offered accounts that were consistent with the timing as well as with the sequence and nature of sounds described above. Former detainee “Mustafa”¹⁰⁴ spoke of hearing the sounds of loading and unloading outside, in the very early hours of the morning.¹⁰⁵ “Hamid” told Amnesty International that he saw the loading of wooden coffins from the window of his cell and said he heard a “scraping” sound. “There was something like thick cardboard, or a

⁹⁷ Interview with Amnesty International on 18 May and 21 July 2016.

⁹⁸ Real name withheld.

⁹⁹ Interview with Amnesty International on 19 July 2016. “Abu Osama” was detained at Saydnaya from 2013 to 2014.

¹⁰⁰ Real name withheld.

¹⁰¹ Interviews with Amnesty International researchers on 16 May and 20 July 2016. “Tarek” was detained in Saydnaya from 2013 to 2014.

¹⁰² Real name withheld.

¹⁰³ Interviews with Amnesty International researchers on 16 May and 13 July 2016. “Mohammed” was detained at Saydnaya from 2013 to 2015.

¹⁰⁴ Real name withheld.

¹⁰⁵ Interview with Amnesty International researchers on 16 May 2016. “Mustafa” was detained at Saydnaya from 2013 to 2015.

metal box, and they were throwing it. [There was] a hit and a scrape,” he explained.¹⁰⁶ Former detainee “Khaled”¹⁰⁷ said that he heard sounds, in the middle of the night, of “them throwing something into trucks – like meat on metal – for around 15 minutes” before hearing the trucks drive away. He noted that based on the echoes he heard, the trucks sounded “very big” and that he often heard the guards saying “push it right” or “put it over here”.¹⁰⁸

REGISTRATION AT TISHREEN HOSPITAL AND TRANSPORT TO MASS GRAVES

The bodies of the victims are then taken from Saydnaya to Tishreen Military Hospital, where they are registered by hospital officials there.¹⁰⁹ Amnesty International has not been able to confirm the precise details of this process. However, according to former prison authorities from Saydnaya, the bodies are not photographed at this stage by the Military Police, because it is not necessary for the authorities to confirm or register their cause of death.¹¹⁰ Just as in the cases of those who die as a result of torture and other ill-treatment at Saydnaya, the family members of execution victims are not given the remains of the victims and are never informed of their death. Unlike the victims of torture, however, the victims of execution are not recorded in death certificates. Instead, documentation recording the victim’s death is retained by the Syrian authorities. None of these records is accessible to the public. Accordingly, families are given no information about those who are executed.

The bodies of the victims are transported from Tishreen Hospital to mass graves located on military land near Damascus. According to two former prison officials from Saydnaya, the bodies are most often taken to Najha, a small village on the main road between Sweida and Damascus. In Najha, the bodies are often buried in a cemetery that existed prior to 2011, which is sometimes referred to as the “dirty grave”. The former officials also stated that bodies were being deposited in a mass grave in Qatana, a small town in the western suburbs of Damascus, inside the military base for Division 10. Not having access to Syria, Amnesty International has been unable to independently verify these statements.

¹⁰⁶ Interview with Amnesty International researchers on 14 May 2016.

¹⁰⁷ Real name withheld.

¹⁰⁸ Interview with Amnesty International researchers on 25 April 2016. “Khaled” was detained at Saydnaya from 2013 to 2014.

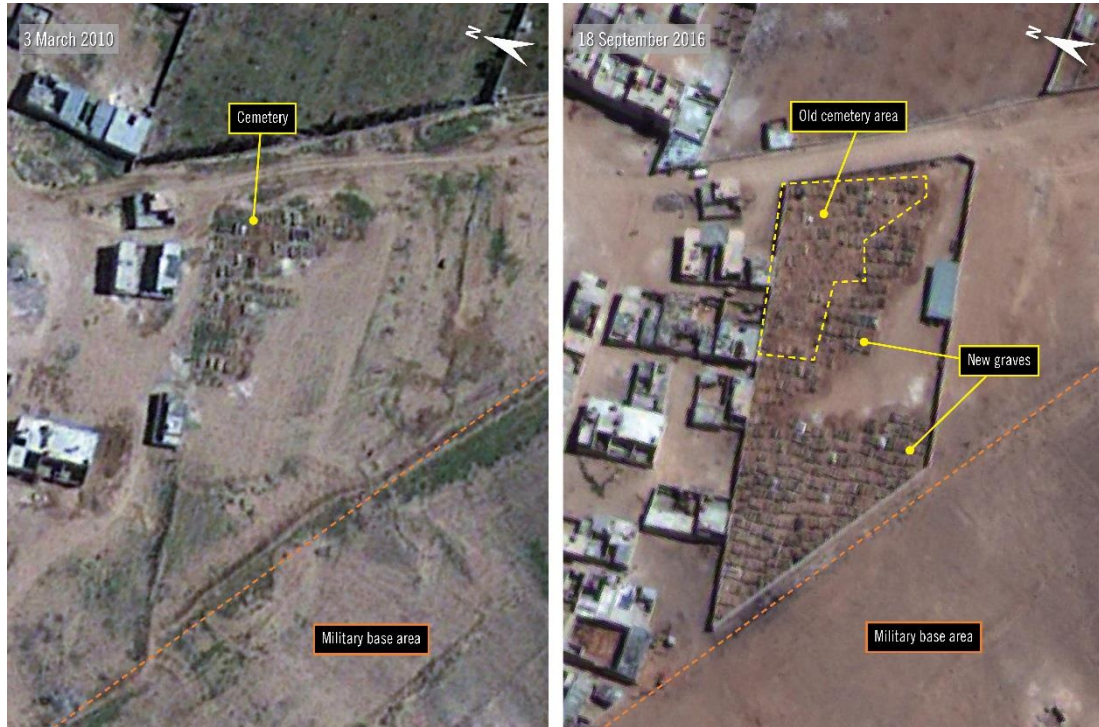
¹⁰⁹ The information in this section is based on interviews conducted by Amnesty International researchers with a former prison official from Saydnaya on 26 April and 6 October 2016, a former judge from the Military Court on 13 May 2016, and a doctor who worked at Tishreen Hospital on 8 October 2016.

¹¹⁰ Accordingly, these victims would not be among those in the photographs smuggled out by “Caesar”. See Section 3.1 for more details.

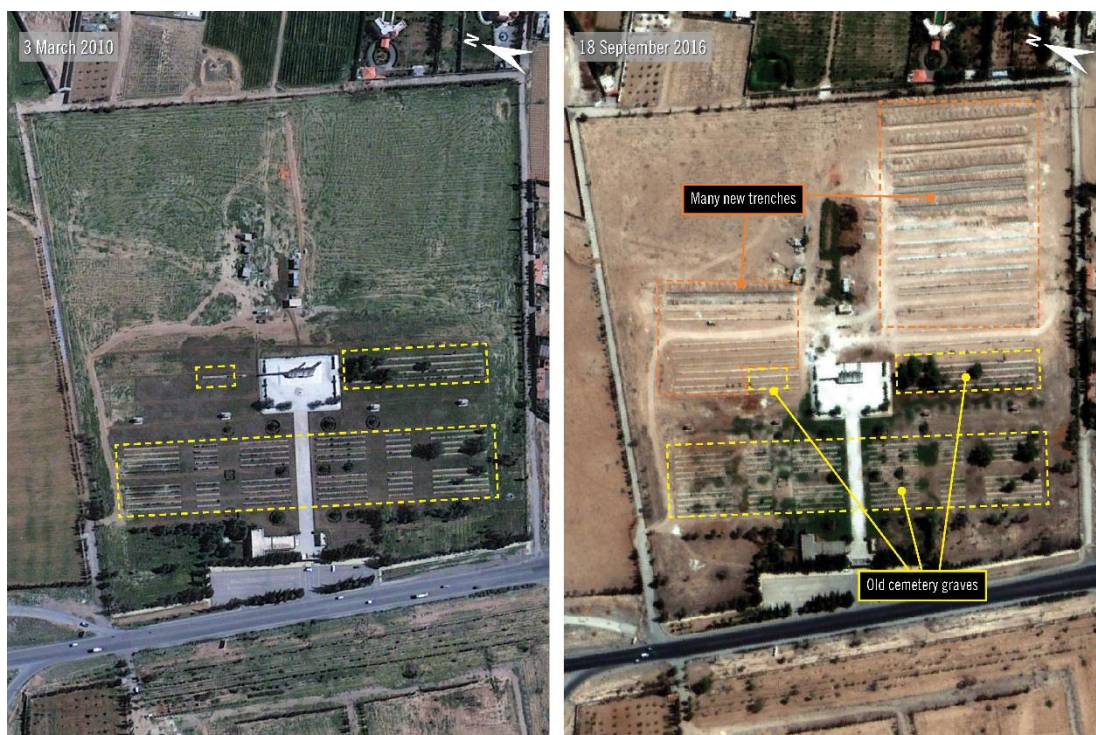
SATELLITE IMAGES OF MASS GRAVES AT NAJHA, SYRIA



Najha cemetery: Only 300 metres east of buildings in Najha, a small cemetery is visible from imagery from 6 August 2009. The cemetery does not expand significantly until 2014. On 3 June 2014, one vehicle can be seen next to newly dug graves in the image. On 18 September 2016, approximately 125 new graves are visible since 2010. A new earthen berm is also visible, possibly constructed to better secure the town. Coordinates 33.3844°, 36.3824°. Left and middle images: Google Earth © 2016 DigitalGlobe, right image: © 2016 DigitalGlobe, Inc.



On 3 March 2010, imagery shows a small cemetery approximately 500 metres north of Najha, adjacent to a military base. In 2011, walls were erected around the cemetery though the number of graves only began to increase significantly, according to available imagery, after August 2013. On 18 September 2016, imagery shows the graves in the cemetery have more than doubled. Coordinates 33.3927°, 36.3685°. Left image: Google Earth © 2016 DigitalGlobe, right image: © 2016 DigitalGlobe, Inc.



The Martyrs Cemetery is located south of Damascus, along the road to Najha. In 2010, imagery shows cemetery with graves in a strategic layout with carefully designed columns and rows. In 2013, new 90 metre long trenches begin to appear over the course of the year continuing into 2014. By 18 September 2016, imagery shows the grave area has more than doubled in size with additional 90 metre long trenches.

Coordinates 33.4114°, 36.3697°. Left image: Google Earth © 2016 DigitalGlobe, right image: © 2016 DigitalGlobe, Inc.

4.2.3 ALLEGED PERPETRATORS AND THE FATE OF ‘TRANSFERRED’ DETAINEES

Former detainees from the red building at Saydnaya provided Amnesty International with the names of 59 individuals who they witnessed being taken from their cells in the afternoon, being told that they were being transferred to civilian prisons in Syria. The evidence contained in this report strongly suggests that in fact, these individuals were extrajudicially executed. Given the security concerns of Syrians who are still inside the country and the dispersion of Syrian refugees outside of the country, it is difficult to identify and contact victims’ family members. However, Amnesty International was able to locate the family members of 17 of these 59 individuals. Of these, 13 were civilians at the time of their arrest, and four were members of the Syrian military. None were members of non-state armed groups. In all cases, the family members had not received any news on the fate or whereabouts of their loved one.

Former prison guards and a former prison official from Saydnaya also provided Amnesty International with the names of 36 detainees who had been extrajudicially executed in Saydnaya since 2011.¹¹¹ Out of respect for the privacy and security of the family members of these detainees, Amnesty International is not publicly disclosing their names. However, these names have been shared with bodies undertaking credible investigations into the international crimes committed in Syria.

Amnesty International has collected information on the members of the execution panel as well as other officers and officials who it believes, based on its research, should be investigated for their involvement in crimes at Saydnaya. Amnesty International has also obtained the names of 87 officials and guards who worked at Saydnaya between 2011 and 2016, which were provided by former guards and officials from Saydnaya as well as by former detainees. In most cases, the full names were obtained; in the remaining

¹¹¹ These names are on file with Amnesty International.

cases, the first or last name or the individual's nickname was provided. This information has been provided to bodies capable of conducting credible investigations into the crimes committed at Saydnaya.¹¹²

4.3 EXTERMINATION POLICIES

“How can I explain it – at each stage you reach, you discover that the previous stage was actually better, and you start worrying about the next stage.”¹¹³

“Sameer”, detained at Saydnaya from 2013 to 2014

4.3.1 OVERVIEW

Those who survive their detention in Saydnaya's red building describe a series of fixed procedures, rules and punishments that have been inflicted on detainees since 2011. Their testimonies – chilling in their consistency – evoke a world carefully designed to humiliate, degrade, sicken, starve and ultimately kill those trapped inside.

Detainees in the red building are subjected to an established programme of abuse. Upon their arrival at Saydnaya, they undergo a brutal session of beating, which is sometimes lethal. The detainees who survive this are moved to small underground cells, where they are crammed, naked, into the small shower area at the back of their cells. After several days or weeks, they are transferred upstairs, to larger rooms, where they continue to endure daily torture and appalling conditions, including the regular denial of food, water, medicine and medical care.

Many detainees die as a result of this treatment. In fact, such has been the inhuman treatment of detainees held at Saydnaya that Amnesty International has concluded that they and detainees held in other government-run detention centres have been subjected to “extermination”, defined by the Rome Statute of the International Criminal Court as the “intentional infliction of conditions of life, inter alia the deprivation of access to food and medicine, calculated to bring about the destruction of part of a population”.¹¹⁴

When detainees are killed by the Syrian authorities' extermination policies, their bodies are collected from the cells in the morning, transferred in trucks and minibuses to Tishreen Military Hospital and registered in medical reports and death certificates as having died as a result of heart failure or respiratory failure. From there, they are transferred by truck to mass graves on military land near Damascus.

4.3.2 TORTURE AND INHUMAN TREATMENT OF DETAINEES

PROGRAMME OF ABUSE

Former detainees told Amnesty International that they were transferred from the various branches of the security forces to Saydnaya in white delivery trucks known as “meat fridges”. Upon their arrival at the prison, detainees are immediately subjected to severe beatings, widely known as a “welcome party”. Former detainees reported that these beatings were often directed toward the head and sometimes led to the death of their fellow detainees.¹¹⁵

A former official from Saydnaya confirmed this practice by the prison authorities:

The white truck came, and inside there were usually between 50 and 60 prisoners. Of course they are blindfolded. Two guards would go up to the car... They would start to throw them from the

¹¹² According to its long-standing policy, Amnesty International does not publicly share the names of suspected perpetrators as a matter of course, but rather shares such names and information with investigations based on a fair and transparent process.

¹¹³ Interview with Amnesty International researchers on 21 April 2016.

¹¹⁴ See the Rome Statute of the International Criminal Court, 1998, available at www.icc-cpi.int/nr/rdonlyres/ea9aeff7-5752-4f84-be94-0a655eb30e16/0/rome_statute_english.pdf

¹¹⁵ Interviews with Amnesty International researchers on 13 and 15 December 2015, 25 and 26 April 2016, and 15 May 2016.

*truck... They would take their rings, watches, anything. While registering their names, they would start kicking and beating them. We had to show them that detainees have no rights in Saydnaya.*¹¹⁶

Salam, a lawyer from Aleppo who was detained in Saydnaya from 2012 to 2014, described this stage of his detention:

*The soldiers will practise their “hospitality” with each new group of detainees during the “welcome party”... You are thrown to the ground and they use different instruments for the beatings: electric cables with exposed copper wire ends – they have little hooks so they take a part of your skin – normal electric cables, plastic water pipes of different sizes and metal bars. Also they have created what they call the “tank belt”, which is made out of tyre that has been cut into strips... They make a very specific sound; it sounds like a small explosion. I was blindfolded the whole time, but I would try to see somehow. All you see is blood: your own blood, the blood of others. After one hit, you lose your sense of what is happening. You’re in shock. But then the pain comes.*¹¹⁷

The detainees are then taken in groups of between five and 15 people to small underground cells, referred to by guards and detainees as “the solitaires”. Once detainees reach these cells, they are usually ordered to strip naked and crowd into the small shower area of the cell. Detainees are forced to stay in the shower area either for a few hours or days, or for the duration of their detention in the underground cells, which generally lasts between a few days and one month.¹¹⁸

A former guard from Saydnaya explained the logic behind this practice: “We put them in the solitaires, to make them fear us, right from the beginning. We started doing this after the revolution... We needed to make them understand that now they were prisoners. Now they were under our shoes.”¹¹⁹

After their detention in these underground cells, prisoners are transferred in groups of between 30 and 35 people to larger, above-ground cells, which are referred to by detainees and prison authorities as the “group rooms”. There, they are ordered to select the *shawish* [leader of the cell], who is tasked with designating which of his cell mates should be tortured by the guards on a given day. If he fails to do so, he must endure the torture himself. “Jamal” explained: “The *shawish* would be told that he would have to choose five from the cell who had broken the penalty of not talking. If he didn’t bring the five, then he would be tortured himself, very badly, maybe even until death.”¹²⁰ Omar added: “The guard would put a spoon on the head of one person in the cell, and he would say ‘You are the pimp of the room’... Because the *shawish* took a lot of beating, that person would die every week or two, and we would need a new one. The guard would put the spoon on the head of a new detainee, and then we would have a new *shawish*.”¹²¹

Other than those already identified above, which tend to happen in the first days or months after the detainee’s arrival, detainees are subjected to an unrelenting catalogue of torture and other ill-treatment during their detention in Saydnaya.

TORTURE

In Saydnaya, torture is not used to force a detainee to “confess”, as it is in branches of the security forces, but instead as a method of punishment and degradation.¹²² The most common form of torture used at Saydnaya is regular and brutal beatings. Detainees told Amnesty International that the beatings they endured were sometimes so severe that they caused life-long damage and disability or death. According to “Sameer”,¹²³ who was arrested when he was a student at a military academy in Homs: “The beating was so intense. It was as if you had a nail, and you were trying again and again to beat it into a rock. It was impossible, but they just kept going. I was wishing they would just cut off my legs instead of beating them any more.”¹²⁴

¹¹⁶ Interview with Amnesty International researchers on 27 April 2016.

¹¹⁷ Interview with Amnesty International researchers on 26 April 2016.

¹¹⁸ Amnesty International gathered this information during interviews with multiple people who were detained in the red building, including interviews on 22 February, 26 February, 27 February, 21 April, 22 April and 21 July 2016.

¹¹⁹ Interview with Amnesty International researchers on 17 May 2016.

¹²⁰ Interview with Amnesty International researchers on 22 February 2016.

¹²¹ Interview with Amnesty International researchers on 28 April 2016.

¹²² See Amnesty International, ‘It breaks the human’, p. 49.

¹²³ Real name withheld.

¹²⁴ Interview with Amnesty International researchers on 26 February 2016. “Sameer” was detained at Saydnaya from 2013 to 2014.

The systematic use of beating was confirmed by a former guard at Saydnaya. He explained: “Every breakfast and lunch, we would enter the cell and put the food out. The prisoners should kneel and face the wall. Four or five lay on their stomachs. They were beaten on the feet, and beaten everywhere.”¹²⁵

Former detainees told Amnesty International that they were also subjected to sexual violence at Saydnaya, including rape. According to former detainee “Hassan”: “They were making people take their clothes off, and touch each other in sensitive places, and rape each other too. I went through this only one time, but I heard about it happening so much.”¹²⁶

Omar told Amnesty International:

*I don't even know what term to use to describe what I saw. The guard would ask everyone to take off all their clothes and go to the bathroom one by one. As we walked to the bathroom, they would select one of the boys, someone petite or young or fair. They would ask him to stand with his face to the door and close his eyes. They would then ask a bigger prisoner to rape him... No one will admit this happened to them, but it happened so often... I know all about it, I lived it... Sometimes psychological pain is worse than physical pain, and the people who were forced to do this were never the same again. I know some who died because they became so depressed they just stopped eating the little food they were offered... If the larger prisoner would refuse to carry out the rape, he would then get beaten very badly. Once [when a man refused] they inserted something into his anus as punishment.*¹²⁷

DEPRIVATION OF FOOD AND WATER

Throughout their detention in Saydnaya, detainees are denied adequate food, which leads to malnutrition and starvation and leaves them vulnerable to contracting serious illnesses such as tuberculosis. At least three former detainees reported to Amnesty International that they had lost half their body weight, or even more, during their detention in Saydnaya.

“Hassan” described his experience of this:

*In January 2013, they began to kill us. We started losing more and more weight. I had trousers with belt loops on them, and I had to use a rag that I cut from my T-shirt to close the belt. Our T-shirts became so big that we looked like children wearing our fathers' clothes. Our shapes were changing in front of our eyes. The bones started to come out. You could see our collarbones, our shoulder bones. We were turning into new people – starving people.*¹²⁸

“Jamal” added:

*What you saw in Madaya [a town in Syria whose residents have been besieged since June 2015] is nothing compared to what is going on in Saydnaya. I was 50kg [down from 90kg when arrested]. All of us had skin diseases, and we were suffering from hunger, and almost all of us were anaemic. Almost all of us had diarrhoea, too, which was more severe than any diarrhoea I have seen... I remember we were lying down and looking to the ceiling, for hours and hours. There was one piece of ceiling that fell, and one of our cell mates ran to it. He started eating it. He thought it was bread. He had been one of the most refined, educated men in Damascus. He had a lot of money, and he had barely struggled in his whole life. And this was his fate in Saydnaya.*¹²⁹

“Kareem”,¹³⁰ a physical therapist from Damascus, explained how his and his cell mates' hunger drove them to eat the food they were given, no matter the form it came in:

On the floor, we have the scabs and puss of the scabies, hair from our bodies, blood from the lice. All of this is on the floor. But the floor is where they put the food. When the time of “feeding” starts, we go to the wall and close our eyes. Then we hear the sound of the bowl for the food being shoved into the cell, and it tips over. The food spreads out all over ground. Tomatoes, courgettes, bulgur, eggs, everywhere. On the first day, we don't eat it. We eat only the bread. Then the second day, the third day. We need to survive. We need to survive – we need the protein from the eggs, the

¹²⁵ Interview with Amnesty International researchers on 17 May 2016.

¹²⁶ Interview with Amnesty International researchers on 26 February 2016.

¹²⁷ Interview with Amnesty International researchers on 15 December 2015.

¹²⁸ Interview with Amnesty International researchers on 26 February 2016.

¹²⁹ Interviews with Amnesty International researchers on 22 and 27 February 2016.

¹³⁰ Real name withheld.

carbohydrates from the bulgur. We need all of these nutrients to stay alive. In the end, of course, we eat it. We take the wiper from the shower, and we scrape it all into a pile, and we eat it.¹³¹

SAYDNAYA DETAINEES BEFORE AND AFTER THEIR DETENTION



Former detainee Anas Hamido on the day before his arrest and soon after his release from Saydnaya © Private

Former detainee Omar al-Shogre before his arrest and shortly after his release from Saydnaya © Private



Former detainee Mounir al-Fakir before his arrest and shortly after his release from Saydnaya © Private

Detainees in Saydnaya are also regularly subjected to the prolonged denial of water. Omar described his experience of this:

Then the water stopped... The thirst was indescribable. It was the summer, we would sometimes pour a bucket of water mixed with cleaning chemicals into the cell to control the bad smell. After the drinking water stopped we would wait by the little window in the door which they usually poured this cleaning water through and try to drink it. We would lick the condensation from the wall

¹³¹ Interview with Amnesty International researchers on 25 April 2016. "Kareem" was detained at Saydnaya for five months in 2014.

*and ceilings. By the ninth day, people started drinking their own urine. Can you imagine that? Can you imagine how thirsty and broken a human needs to be in order to do that?*¹³²

“Hosam” added:

*Their most common punishment was to cut off the water. We went five days with no water – no water to drink, no water to clean, no water to flush the toilet... Sometimes, there was a big quantity of food, but they cut off the water, so we couldn't use the bathroom. So they were forcing us to eat and to create waste that we couldn't get rid of, which would create a horrible smell. We used to sometimes throw the food from the vent so that we wouldn't be forced to live with our waste.*¹³³

INADEQUATE ACCESS TO SHELTER AND SANITATION

Prison authorities at Saydnaya regularly expose detainees to extremely cold temperatures, especially during the winter months. “Adnan” spoke about his experience of this:

*In the first winter, we had clothes and blankets. In the second winter, the snow came, and they opened all of the windows and the external doors. They took our clothes and blankets, and they kept us only in our underwear. When they came to give us food, they threw water on us... In that winter, 19 people died in my wing from the cold. In my room, four of us died.*¹³⁴

Detainees are also denied access to showers and adequate sanitation, which has led to the spread of infections and diseases such as scabies. As “Sameer” explained, “Almost all of us had scabies, lice, and diarrhoea. You couldn't even touch yourself because you could give yourself an infection.”¹³⁵ Diab, a human rights activist from Damascus, described his experience: “Scabies was the biggest problem. We were covered in red sores... If you got them on your butt, you couldn't even sit down. They would be full of puss, and then when the puss exploded out, it would leave a hole behind that you can't get rid of. It took me two years after I was released to get rid of these holes.”¹³⁶

Anas, a farmer from northern Syria, described the infections that he and his cell mates experienced at Saydnaya:

*A terrible smell came from the toilet. But still, it was better than the smell coming from people with scabies. My cellmate had been beaten on his toes, and had got some wounds from that, and they became infected in his toes and leg. The wounds were becoming black – he developed gangrene. The whole hallway could smell it. The guards stopped coming because of the smell. The doctor couldn't even look at it. He said the legs would have to be amputated... He died on 17 April 2014, in front of me.*¹³⁷

Former detainees reported that the conditions in which they were held were so unsanitary that guards and doctors often wore protective clothing or masks. According to “Adnan”: “The guards would usually wear surgical masks over their mouths, so that they wouldn't get sick.”¹³⁸ A former guard at Saydnaya confirmed this practice, saying, “The guards would wear surgical masks to stop them from getting diseases. You could get terrible diseases from the prisoners.”¹³⁹

DENIAL OF MEDICINE AND MEDICAL CARE

Detainees in Saydnaya are routinely denied medicine and medical care, and in fact are often tortured if they make requests for either. “Jamal” explained:

There was no health care or medical treatment. When the doctors came, they would torture the detainees instead of helping them. If a patient had some kind of pain, they would just beat him

¹³² Interview with Amnesty International researchers on 15 December 2015.

¹³³ Interview with Amnesty International researchers on 5 October 2016.

¹³⁴ Interview with Amnesty International researchers on 15 May 2016.

¹³⁵ Interview with Amnesty International researchers on 26 February 2016.

¹³⁶ Interview with Amnesty International researchers on 22 February 2016. Diab was detained at Saydnaya from 2006 to 2011.

¹³⁷ Interview with Amnesty International researchers on 22 February 2016. Anas was detained at Saydnaya from 2013 to 2014.

¹³⁸ Interview with Amnesty International researchers on 15 May 2016.

¹³⁹ Interview with Amnesty International researchers on 17 May 2016.

*harder. After we saw that happened, we stopped telling the doctors where we had pain, because we knew he would just focus the beating on that spot.*¹⁴⁰

Omar added: “There was a doctor in Saydnaya. He came every morning at 8am, but it was pointless. Every day before the doctor came, the guard would warn that if any of the heads of cells said they have an ill person in their cell, that ill person would leave the cell as a corpse. So when the doctor came and asked, of course no one replied.”¹⁴¹

SAYDNAYA PRISON RULES

In addition to the types of torture and other ill-treatment discussed above, Saydnaya has its own rules of operation, many of which are unique and different from those imposed in the detention centres run by the security forces. For instance, according to former guards, officers and detainees from Saydnaya, detainees must maintain silence at all times; they are not allowed to speak or even whisper. Former detainee “Hassan” described the environment this rule created: “In the prison, there is complete silence, the absence of all sound. If you throw a needle, you will hear it... It is a kind of silence you can’t conceive.”¹⁴²

“Sameer” explained that this rule held even during torture:

*The guards told us that we couldn’t make any sounds, as the release of pain from the body is forbidden. So if you are brave, you might just whisper a noise, but that would bring more beating. One of the prisoners was begging “please God”, and two soldiers attacked him. They took him aside and started beating him separately. He was like the example for us, to show us how they would deal with us if we let any sound leave our mouths.*¹⁴³

“Wael”,¹⁴⁴ a factory owner from Damascus, added: “Not yelling when you were beaten was completely impossible at the beginning. If you don’t scream or yell, it’s like all of the negative energy of the hit will go inside of you. You scream to share your pain with the world.”¹⁴⁵

Detainees are also ordered to assume a certain position whenever the guards passed by or entered the cells. Ahmed explained, “When [the guards] came, we had to be on our knees, facing the wall, and covering our eyes with the palms of our hands.”¹⁴⁶ “Kareem” described his experience of this rule:

*There was one time that I had diarrhoea, and I couldn’t stand because it was so bad. The guard came, and everyone ran to the wall. I pulled up my trousers, and I ran to the wall and put my hands on my eyes. I was shaking, and the guard asked me why I was shaking. I said I was on the toilet. He kicked me, and said that was the last time I would ever use the toilet... [T]he beating and kicking was coming from every direction. My breathing stopped, and I fell down. I had no muscles to protect myself – I was just skin and bones. I thought then that this was my end.*¹⁴⁷

Detainees told Amnesty International that, in addition to these rules, they were forbidden from looking at the guards, as any glimpse of a guard was punished by death; that food must not be touched unless authorized by the guards; and that blankets must be used only at night, regardless of how cold it was in the cell.¹⁴⁸

A former guard confirmed the implementation of many of these practices and rules at Saydnaya:

We don’t give them medicine, not at all. And every day, they would get very little food. Sometimes just one piece of an olive... Every day they would be beaten. We would use the tyre of a tractor – a big one. We would cut it, and made it into a tool for hitting... [The detainees] were not allowed to speak at all – they made no sound. Praying was forbidden... Door by door, the guard would go inside [the cell]. When he opened the door, all of the faces had to turn to the wall. We would ask them who needed to go to the hospital. Most of them wouldn’t ask for this, because if they did ask, we beat them... Our orders came from [one of the high-ranking officials at Saydnaya]. He said,

¹⁴⁰ Interview with Amnesty International researchers on 22 February 2016. For more details on the denial of medical care and torture carried out by medical professionals in government-run detention centres and hospitals, see Amnesty International, ‘It breaks the human’, p. 39.

¹⁴¹ Interview with Amnesty International researchers on 15 December 2015.

¹⁴² Interview with Amnesty International researchers on 10 October 2016.

¹⁴³ Interview with Amnesty International researchers on 21 April 2016.

¹⁴⁴ Real name withheld.

¹⁴⁵ Interview with Amnesty International researchers on 27 February 2016. “Wael” was detained at Saydnaya from 2012 to 2014.

¹⁴⁶ Interview with Amnesty International researchers on 21 April 2016.

¹⁴⁷ Interview with Amnesty International researchers on 25 April 2016.

¹⁴⁸ For more details, see Amnesty International, ‘It breaks the human’, p. 54.

“Show them that you are the guards”... Then [the officer’s assistant] would come, and he would say that we should do more. He told us that even if they died, it wasn’t a problem.”¹⁴⁹

Former detainees told Amnesty International that their treatment, along with the near-constant cycle of death that resulted from it, created an atmosphere of debilitating fear. According to Anas, “We were always afraid. Actually the best time in the prison was when we were sleeping. When you are sleeping, at least you are not afraid.”¹⁵⁰ “Nader”,¹⁵¹ a businessman from Damascus, added, “When they opened the door, we were in shock. You pee on yourself. You don’t know who they will chose to die that day.”¹⁵²

4.3.3 PROCEDURES FOR DEATHS

In the same way that there are systems and rules to govern the torture and inhuman treatment carried out at Saydnaya, there are also standard procedures for dealing with those who die as a result of such treatment. According to former detainees, deaths occurred in their cells or wings on a weekly and sometimes daily basis.

COLLECTION FROM GROUP CELLS

According to former officials, guards and detainees at Saydnaya, when a detainee in a group cell dies, his cell mates are asked to put his body in a blanket and hand it over to the guards. The body is usually picked up in the morning, when the guards visit the cells and ask whether each cell has a “carcass” to provide to them. A former official at Saydnaya confirmed these procedures: “Every day they took bodies out of the cell, between 9am and 10am usually. If anyone died after that time, he would stay there in the cell until the next day... Then the body would be put at the door, and the guards would take it from there.”¹⁵³

Former detainee “Kareem” explained the process:

During that period [between February and June 2014], one person from the cell would die each day. We would put the body in a blanket by the door. The guard would come in the morning. The shawish [prisoner in charge of the cell] would have to say “ready, sir”. The guard would always say, “Do you have a carcass?” And then the shawish would just say, again, “ready, sir”. Then they would take away the body.”¹⁵⁴

“Nader” added:

In the morning, the guard would come to the wing and ask for the “carcasses”. Every day there would be two or three dead people in our wing... I remember the guards would ask how many we had. He would say, “Room number one – how many? Room number two – how many?” and on and on... There was one time that nobody died for three days [in our wing], and the guards came to us, room by room, and beat us on the head, chest and neck. Thirteen people from our wing died that day.”¹⁵⁵

TRANSPORT TO TISHREEN HOSPITAL

After being collected from the cells, the bodies of dead detainees are transported to Tishreen Military Hospital in Damascus in white delivery trucks known as “meat fridges” or white minibuses. Often, the bodies are transported in the same vehicles as other prisoners who were sent from the red or white buildings at Saydnaya to Tishreen Hospital or to the courts located in Damascus.

Former detainee “Mohammed” described his experience of this: “One time when I went to the court there were bodies with me in the truck. They were dead bodies, and they were still beating them when they put them in the truck... One of the guys had broken handcuffs, and he was able to put these bodies in rows. At least we could do this.”¹⁵⁶ “Khaled” added: “On my way to the court, we passed by Tishreen Hospital, and

¹⁴⁹ Interviews with Amnesty International researchers on 16 and 17 May 2016.

¹⁵⁰ Interview with Amnesty International researchers on 25 February 2016.

¹⁵¹ Real name withheld.

¹⁵² Interview with Amnesty International researchers on 15 July 2016.

¹⁵³ Interview with Amnesty International researchers on 15 May 2016.

¹⁵⁴ Interview with Amnesty International researchers on 25 April 2016.

¹⁵⁵ Interview with Amnesty International researchers on 28 April 2016.

¹⁵⁶ Interview with Amnesty International researchers on 16 May 2016.

there were bodies in piles there, in the backyard of the hospital. We dropped the bodies off in that courtyard. The person at the hospital told the driver, 'You can move the goods.' He meant that he should drop the bodies off there."¹⁵⁷

A former official from Saydnaya clarified the procedures after they collected the corpses of detainees from the cells:

They would put the bodies in the hexagon [in the centre of the red building], in a small room in front of Wing C, which was 2.5m by 3m – and then into a truck from there... The bodies would usually be in a vehicle alone, but it could be with the people who are sent to the court. The prisoners are blindfolded, so it wouldn't matter if the bodies were in the same vehicle. They might put the bodies in the seats at the back – [the other detainees] are blindfolded, so they wouldn't know."¹⁵⁸

REGISTRATION AT TISHREEN HOSPITAL

Three doctors who worked at Tishreen Hospital told Amnesty International that, starting in 2011, they received the bodies of detainees who died at Saydnaya on a regular basis. They reported receiving the bodies of detainees who died in the security force branches as well, and they noted that all deceased detainees were dealt with in the manner described below.

When the doctors receive the bodies, they fill out a medical report stating the detainee's cause of death, as well as his ID number and the branch where he was last detained, which is usually marked in pen on the deceased detainee's arm and forehead. The medical report is then sent to the forensics department at Tishreen Hospital. There, the body is photographed by a member of the Military Police and a death certificate is drawn up based on the medical report.¹⁵⁹

According to former prison authorities at Saydnaya and doctors who worked at Tishreen Hospital, these medical reports and death certificates list only two causes of death: heart failure or respiratory failure.¹⁶⁰ A former official at Saydnaya confirmed this practice, saying, "They issue a death certificate if the person dies from the conditions or torture. They do this to cover up the real cause of death. And they are clever, because the two causes they say on the certificates are technically true. In the end, your breathing stops or your heart stops. For everyone who dies in the world, this is true."¹⁶¹

According to "Yaman",¹⁶² a former doctor at Tishreen Hospital:

Lots of dead bodies would come to us from Saydnaya... We had to write a medical report. We are allowed to write only two causes of death – either "the heart stopped" or "the breathing stopped"... The officer from the security forces said we could only write these two reasons... They were dying from a huge amount of torture, lack of food, lack of health care, and a lot of people died from infections. They don't have antibiotics, so they go into shock. That is what will happen naturally when there is no medical care."¹⁶³

"Atlas",¹⁶⁴ a doctor who also worked at Tishreen Hospital, offered a similar account:

They were sending us dead bodies from all of the prisons, including Saydnaya... Medically I had to check them and see they were dead. I filled out a medical report – for example, this person, this ID number, died because of a sudden heart attack. The doctor's report goes to the forensics unit, and then they make the death certificate based on that. They have us do this because they are not idiots – they want to look better in the eyes of the international community. So they produce documents saying the heart or breathing stopped, and they made us sign or stamp the medical report. Thousands of people died in the prisons, and they have certificates of death that say their heart or breathing stopped. The real cause of death is really hard to tell because the bodies were destroyed. At the beginning, they had wounds from electricity, burning, beating. They had broken

¹⁵⁷ Interview with Amnesty International researchers on 25 April 2016.

¹⁵⁸ Interviews with Amnesty International researchers on 15 May and 6 October 2016.

¹⁵⁹ Accordingly, those who die as a result of torture and other ill-treatment at Saydnaya may be included in the photos smuggled out of Syria by "Caesar". See Section 3.1 of this report for more details on these photos.

¹⁶⁰ These patterns were discussed in Amnesty International, *'It breaks the human'*. Similar findings have been made by Human Rights Watch. See Human Rights Watch, *If the dead could speak*, p. 82.

¹⁶¹ Interview with Amnesty International researchers on 6 October 2016.

¹⁶² Real name withheld.

¹⁶³ Interview with Amnesty International researchers on 8 October 2016.

¹⁶⁴ Real name withheld.

legs and arms. Then we started to receive huge numbers of deaths caused by diarrhoea and skin diseases. They were dying from scabies and tuberculosis.¹⁶⁵

According to Alaa, another doctor who worked at Tishreen Hospital, even the rudimentary procedures described above are not always followed. “Sometimes they would just bring us the bodies of the prisoners. They didn’t even let us make a real check if they were alive or dead,” he explained. “We just had to look into the truck and see if anyone was alive... [T]hey used to pile the bodies on top of one another. We had to poke them. If they didn’t make a sound, then they were dead. If they did make a sound, they were alive.”¹⁶⁶

“Atlas” added: “They used pick-ups, trucks, all kinds of cars [to bring the bodies of deceased detainees]. On the road from one of the entrances to the hospital, there are a lot of speed bumps. The trucks would come with stacked bodies, and the bodies would fall out when the truck hit a speed bump. It was as if the trucks were bringing meat. They brought the bodies as if they were dead animals, dead sheep.”¹⁶⁷

TRANSPORT TO MASS GRAVES

After the death of the detainee is registered at Tishreen Hospital, the detainees’ corpses are sent to the morgue at Tishreen, and from there on to mass graves in Syria. The locations of these mass graves are discussed above, in Section 4.2.2.

The doctors interviewed by Amnesty International reported that in the majority of cases, family members of deceased detainees from Saydnaya are never informed of their relative’s death. However, in some cases, on an ad hoc basis, the authorities have given family members a death certificate for a deceased detainee. According to a former official at Saydnaya, “The death certificate is not issued to all of the families of the prisoners – just to some. Sometimes they gave it, sometimes they didn’t. At the beginning they did it more.”¹⁶⁸ Former Saydnaya authorities and doctors noted that, as a matter of policy, families are not given the remains of a detainee who died as a result of torture and other ill-treatment at Saydnaya.¹⁶⁹

Amnesty International has been provided with copies of eight death certificates that were obtained by family members of people who were detained at Saydnaya. Each of these documents lists the cause of death as heart failure or respiratory failure. None of these families received the remains of their relative.

The image shows a handwritten death certificate in Arabic. The document is titled 'شهادة وفاة' (Death Certificate) and is issued by the 'الجمهوريّة العربيّة السوريّة - وزارة الداخلية - الشؤون المدنية' (Syrian Arab Republic - Ministry of Interior - Civil Affairs). It contains fields for the deceased's name, date of birth, date of death, and cause of death. The cause of death is listed as 'فشل القلب والجهاز التنفسي' (Heart and respiratory failure). The certificate is signed by a doctor and has a red stamp.

Certificate of death for detainee who was held at Saydnaya Military Prison. The cause of death on the certificate is heart and respiratory failure. © Private

¹⁶⁵ Interview with Amnesty International researchers on 7 October 2016.

¹⁶⁶ Interview with Amnesty International researchers on 8 October 2016.

¹⁶⁷ Interview with Amnesty International researchers on 7 October 2016.

¹⁶⁸ Interview with Amnesty International researchers on 18 July 2016.

¹⁶⁹ Amnesty International has found that these practices are consistent for detainees who die in other government-run detention centres as well. See Amnesty International, 'It breaks the human', p. 62.

4.3.4 DOCUMENTED DEATHS

Amnesty International's research, along with the research of the UN Commission of Inquiry, the UN Office of the High Commissioner for Human Rights and Human Rights Watch, suggests that tens of thousands of detainees have died in Saydnaya and other government-run detention centres since 2011 as a result of the extermination policies discussed above. Because the Syrian authorities have withheld information on the names and whereabouts of the individuals they have in their custody as well as the names of those who have died in the detention centres it operates, the exact number of deaths in Saydnaya is impossible to specify. However, the Syrian Network for Human Rights has verified and shared with Amnesty International the names of 375 individuals who have died in Saydnaya as a result of torture and other ill-treatment between March 2011 and October 2016. Of these, 317 were civilians at the time of their arrest, 39 were members of the Syrian military and 19 were members of non-state armed groups.¹⁷⁰ In the course of the research for this report, Amnesty International obtained the names of 36 additional individuals who died as a result of torture and other ill-treatment in Saydnaya. These names were provided to Amnesty International by former detainees who witnessed the deaths in their cells.¹⁷¹

¹⁷⁰ Email correspondence with Chairman of the Syrian Network for Human Rights on 25 November 2016.

¹⁷¹ These names are on file with Amnesty International.

5. APPLICATION OF INTERNATIONAL LAW

The acts documented in this report, which have been committed by the Syrian government against detainees in its custody, represent violations of international human rights law, international humanitarian law and international criminal law.

INTERNATIONAL HUMAN RIGHTS LAW

The findings of this report suggest that the Syrian government has committed multiple violations of international human rights law. International human rights law, including civil, cultural, economic, political and social rights, applies both in peacetime and during armed conflict and is legally binding on states, their armed forces and other agents. It establishes the right of victims of serious human rights violations to remedy, including justice, truth and reparation. Syria is a party to some of the major international human rights treaties, including the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Convention on the Rights of the Child (CRC). Syria is legally bound by its obligations under these international treaties, as well as by relevant customary international law. The International Court of Justice, as well as the UN Human Rights Committee, has affirmed that international human rights law applies in times of armed conflict as well as peacetime. Of particular relevance to this report are Syria's international human rights law obligations related to the right to health;¹⁷² the right to life; the prohibition of torture and other ill-treatment; the right to liberty and security of person; and the prohibition of enforced disappearance.¹⁷³

INTERNATIONAL HUMANITARIAN LAW

The findings of this report also suggest that the Syrian government has committed serious violations of international humanitarian law. International humanitarian law, which applies only in situations of armed conflict, provides fundamental guarantees for civilians as well as fighters or combatants who are captured, injured or otherwise rendered unable to fight (*hors de combat*). Between them, Common Article 3 of the 1949 Geneva Conventions and customary international humanitarian law include the following rules: murder (for example, the killing of detainees) is prohibited; humane treatment is required; discrimination in the application of the protections of international humanitarian law is prohibited; torture, cruel or inhuman treatment and outrages on personal dignity – particularly humiliating and degrading treatment – are prohibited, as are enforced disappearances, the taking of hostages, and arbitrary detention. No one may be convicted or sentenced except pursuant to a fair trial affording all essential judicial guarantees. Depending on the particular rule in question, many or all acts that violate these rules will also constitute war crimes.¹⁷⁴

¹⁷² ICESCR, Article 12.

¹⁷³ ICCPR Articles, 6, 7, 9, 10, 14.

¹⁷⁴ ICRC Customary International Humanitarian Law Study, Rule 156, pp. 590-603.

INTERNATIONAL CRIMINAL LAW

Article 8 of the Rome Statute of the International Criminal Court defines war crimes during an armed conflict not of an international character to include violations of Common Article 3 of the four Geneva Conventions (acts against people taking no active part in the hostilities, including violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture).

As this report has shown, government forces should be investigated for war crimes committed at Saydnaya Military Prison. These include, inter alia, extrajudicial executions, torture and cruel treatment, murder, rape and other sexual violence.

According to Article 7 of the Rome Statute of the International Criminal Court, certain acts, if directed against a civilian population as part of a widespread or systematic attack, pursuant to a state or organizational policy, amount to crimes against humanity. Some of the violations by the Syrian government that are documented in this report constitute crimes against humanity, including murder, torture, enforced disappearance and extermination.

Torture and enforced disappearance are, in themselves, crimes under international law regardless of whether they are committed as part of a widespread or systematic attack on the civilian population (crimes against humanity) or as war crimes.¹⁷⁵

All states have an obligation to investigate and, where enough admissible evidence is gathered, prosecute crimes against humanity and war crimes, as well as other crimes under international law, such as torture and enforced disappearance, including by exercising universal jurisdiction and other applicable domestic legislation over these crimes.

Individuals, whether civilians or military and regardless of rank, can be held criminally responsible for serious violations of international humanitarian law. Commanders may be responsible for crimes under international law under a number of modes of liability, including committing, planning, ordering, aiding and abetting, as well as command responsibility. Command responsibility is a mode of individual criminal responsibility under customary international law where a military commander or a civilian superior may be responsible for the acts of his or her subordinates if he or she is aware of the crimes, or should have been aware of them, and fails to prevent or punish them.¹⁷⁶

¹⁷⁵ See Amnesty International, *'Between prison and the grave': Enforced disappearances in Syria* (Index: MDE 24/2579/2015) and Amnesty International, *'I wanted to die': Syria's torture survivors speak out* (Index: MDE 24/016/2012) for an explanation of enforced disappearances and torture as crimes under international law.

¹⁷⁶ Command responsibility is part of customary international law and conventional international law, and has been included as a mode of responsibility both in ad hoc tribunals and in the International Criminal Court. See, for example, the Statute of the International Criminal Tribunal for the Former Yugoslavia (Article 7(3)) and the Rome Statute of the International Criminal Court. See Amnesty International, *International Criminal Court: Updated Checklist for Effective Implementation*, 6 May 2010 (Index: IOR 53/009/2010).

6. CONCLUSIONS AND RECOMMENDATIONS

As this report demonstrates, Saydnaya Military Prison is a human slaughterhouse. The bodies of Saydnaya's victims are taken away by the truckload. Many are hanged, secretly, in the middle of the night. Others die as a result of torture, and many are killed slowly through the systematic deprivation of food, water, medicine and medical care. It is inconceivable that this is not authorized by the highest levels of the Syrian political leadership.

Over the course of 12 months, Amnesty International conducted extensive investigations into these crimes, and interviewed a wide range of witnesses. It has found that these practices have been perpetrated as an attack against the civilian population, pursuant to a state policy, that has been widespread as well as systematic. These crimes therefore amount to crimes against humanity.

The international community, notably the UN Security Council, must act immediately to end the crimes taking place in Saydnaya and other detention centres and ensure that investigations are conducted into who is responsible and that the perpetrators are brought to justice in fair trials.

Any delay will have lethal consequences. When asked whether the executions are still ongoing, a former prison official from Saydnaya responded: "Of course there are executions. It will not stop. If people are still going into the prison, there is still torture. If there is still torture, there are confessions. And if there are still confessions, there are executions."¹⁷⁷

The former official also said that executions had been carried out in other detention centres in Syria, including at the headquarters of Air Force Intelligence in al-Mezzeh, Damascus. He explained that he had seen the execution room there in late 2012, which was created to "reduce the pressure in Saydnaya, because there were too many executions going on there". He told Amnesty International that he and his colleagues gave Air Force Intelligence officials advice on how to tie the nooses, since by then they were "experts in that".¹⁷⁸

The international community has repeatedly failed to stop the severe and persistent violations of international law in Syria. What will it take for the international community to act? The world has witnessed the relentless bombing of civilian areas, mass disappearances, starvation sieges and systematic torture. This report has documented extrajudicial executions on a mass scale and a policy of extermination of detainees. Inaction would be unconscionable. What is happening at Saydnaya is a betrayal of the most basic principles of the Geneva Conventions.

It is therefore of the utmost importance that the members of the UN Security Council take immediate action. The Syrian state's backers, in particular Russia, with its permanent seat on the Security Council, and Iran, must condemn the extrajudicial executions and extermination policies of the Syrian state and do what is in their power to bring them to an end. They must ensure that there is an independent, international investigation into what is happening at Saydnaya. The UN Special Envoy for Syria must undertake intensive efforts on this issue until there is clear evidence that the Syrian government has brought such practices to an end. There can be no "business as usual" without it being addressed.

¹⁷⁷ Interview with Amnesty International researchers on 6 October 2016.

¹⁷⁸ Interview with Amnesty International researchers on 6 October 2016.

Looking ahead, the UN Security Council must ensure there is rigorous and effective monitoring, reporting and investigation of human rights abuses, violations of international humanitarian law, war crimes and crimes against humanity committed inside Syria. In order to fulfil its obligations to the Syrian people, the UN must be able and willing to investigate, uncover, document and report on mass crimes such as those committed at Saydnaya and to identify the perpetrators of these crimes. A recent resolution passed by the UN General Assembly provides a belated opportunity for the UN to do so. Resolution 71/248, adopted on 21 December 2016, decided to establish an international, impartial and independent mechanism to collect and analyse evidence of violations of international humanitarian law and human rights violations and abuses in Syria with the goal of facilitating future international criminal proceedings.

The Syrian government has quietly and methodically organized the deaths of thousands of defenceless people in its custody. Those responsible must be held to account and tried for war crimes and crimes against humanity. A political process that fails to effectively address atrocity crimes such as those committed in Saydnaya cannot be the basis for a just and sustainable peace.

Amnesty International makes the following recommendations, which concern the situation in Saydnaya and in all government-run detention centres across Syria:

To the UN Human Rights Council:

Amnesty International calls on the UN Human Rights Council to:

- Require the UN-mandated Independent International Commission of Inquiry on the Syrian Arab Republic to immediately undertake a special investigation into extrajudicial executions and extermination policies at Saydnaya Military Prison.

To the UN Security Council:

Amnesty International calls on the UN Security Council to:

- Demand that the Syrian authorities grant unhindered access to independent international monitors, such as the UN Commission of Inquiry, the Office for the High Commissioner of Human Rights or United Nations humanitarian agencies, to all places of detention in order to investigate and monitor conditions;
- Ensure that all parties to the conflict in Syria effectively implement the human rights and humanitarian provisions of Security Council resolution 2139, including by ending the practice of extrajudicial executions, torture and other ill-treatment and enforced disappearance; and impose targeted sanctions, including asset freezes, on Syrian officials responsible for these crimes under international law;
- Refer the situation in Syria to the Prosecutor of the International Criminal Court.

To the UN General Assembly:

Amnesty International calls on the UN General Assembly to:

- Ensure that the UN Commission of Inquiry and the Office of the High Commissioner for Human Rights are given adequate resources to ensure their ability to properly document human rights abuses and violations of international humanitarian law committed in Syria, including by systematically recording disappearances and deaths in custody;
- Ensure that the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Those Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 is established promptly with international co-operation, support and adequate resources to carry out the mandate established by General Assembly Resolution 71/248 of 21 December 2016, namely “to collect, consolidate, preserve and analyse evidence of violations of international humanitarian law and human rights violations and abuses and to prepare files in order to facilitate and expedite fair and independent criminal proceedings, in accordance with international law standards, in national, regional or international courts or tribunals that have or may in the future have jurisdiction over these crimes, in accordance with international law”.

To the members of the International Syria Support Group and the UN Special Envoy for Syria:

In light of their role in talks with the warring parties in Syria, members of the International Syria Support Group and the UN Special Envoy for Syria must urgently act to address the widespread, as well as systematic, practice of extrajudicial executions, torture and enforced disappearance in Syria. Amnesty International urges these states, and the Special Envoy to:

- Demand that the Syrian government immediately halt extrajudicial executions;
- Prioritize the issue of extrajudicial executions and torture and other ill-treatment in detention in discussions with the Syrian authorities and states that support the Syrian government, especially Russia, Iran and China;
- Call on the Syrian government to guarantee that detainees will be protected from extrajudicial execution as well as torture and other ill-treatment and ensure they have regular access to their family and lawyers, to reveal the fate and whereabouts of all detainees who have been subjected to enforced disappearance and to publish the names of all those detained by Syrian government force
- Call on all parties to provide immediate and unhindered access for recognized international detention monitors to all persons deprived of their liberty;
- Call on all parties to the conflict to immediately and unconditionally release all those who are currently arbitrarily detained as a result of their peaceful activism, promotion and protection of human rights, and humanitarian and media work.

To the international community more broadly:

Amnesty International calls on all governments to:

- Accept the shared responsibility to investigate and prosecute extrajudicial executions, torture, enforced disappearance and other crimes under international law committed in Syria, in particular by seeking to exercise universal jurisdiction and other domestic legislation to bring suspected perpetrators to justice;
- Ensure that mechanisms are integrated into national asylum procedures to identify survivors of torture among refugees and asylum-seekers and ensure that they receive the medical and psychological treatment as well as the social support necessary for their rehabilitation;
- Support and build the capacity of Syrian human rights organizations that are documenting violations of international human rights and humanitarian law in the Syrian conflict to gather and share objective and impartial information, and encourage the UN and other international actors to ensure that such support and training is made available to them.

To the Syrian authorities:

The Syrian government is well aware of the action it needs to take to stop the crimes against humanity being carried out by its officials, prison personnel and security forces. Amnesty International reiterates the calls it has repeatedly made on the Syrian government to undertake the following:

- End extrajudicial executions, enforced disappearance, arbitrary arrests, and torture and other ill-treatment and make clear to all government forces and militias that such violations will not be tolerated;
- Ensure that all persons deprived of their liberty are protected from torture and other ill-treatment and are treated humanely in accordance with international standards, including the UN Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules) and the UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules);
- Grant independent international monitors, such as the UN-mandated Independent International Commission of Inquiry on the Syrian Arab Republic, unhindered access to all persons deprived of

their liberty and allow them to carry out unannounced inspection visits to all detention facilities to investigate and monitor conditions;

- End the use of unfair trials and the practice of trying civilians in military courts, abolish Military Field Courts and reform the Anti-Terrorism Court in line with international fair trial standards in law and in practice;
- Ensure that all those detained are registered, have access to a lawyer, can challenge the legality of their detention before an independent court, are provided access to medical care, are held in recognized places of detention and are allowed regular visits by their families;
- Immediately and unconditionally release all prisoners of conscience, persons imprisoned solely for peacefully exercising their human rights, or because of their identity;
- Inform families of the fate, whereabouts and legal status of all persons in their custody and respond to all outstanding requests;
- Inform families of the fate of those who have died in their custody;
- Ensure that all reports of torture and other ill-treatment are investigated, that those suspected of responsibility are prosecuted in civilian courts in proceedings that conform to international fair trial standards and that victims receive full reparation;
- Become a party to the Optional Protocol to the Convention against Torture, and the International Convention for the Protection of All Persons from Enforced Disappearance;
- Accede to the Rome Statute of the International Criminal Court and issue a declaration accepting the International Criminal Court's jurisdiction since 1 July 2002;
- Pending full abolition of the death penalty, halt the implementation of any death sentences and commute all death sentences.

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HUMAN SLAUGHTERHOUSE

MASS HANGINGS AND EXTERMINATION AT SAYDNAYA PRISON, SYRIA

At Saydnaya Military Prison, the Syrian authorities have quietly and methodically organized the killing of thousands of people in their custody. The victims are overwhelmingly ordinary civilians who are thought to oppose the government. Many have been extrajudicially executed in mass hangings, carried out in the middle of the night and in the utmost secrecy. Others have been killed by extermination policies, including routine torture and the systematic deprivation of food, water, medicine and medical care. The bodies of Saydnaya's victims are taken away by the truckload and buried in mass graves.

Amnesty International's research shows that the murder, torture, enforced disappearance and extermination carried out at Saydnaya since 2011 have been perpetrated as part of an attack against the civilian population that has been widespread, as well as systematic, and carried out in furtherance of state policy. We therefore conclude that the Syrian authorities' violations at Saydnaya amount to crimes against humanity.

Amnesty International urgently calls for an independent and impartial investigation into crimes committed at Saydnaya. The Syrian authorities should grant international monitors unhindered access to all places of detention in Syria. UN Security Council members, including Syria's ally Russia, should act immediately to make this happen.