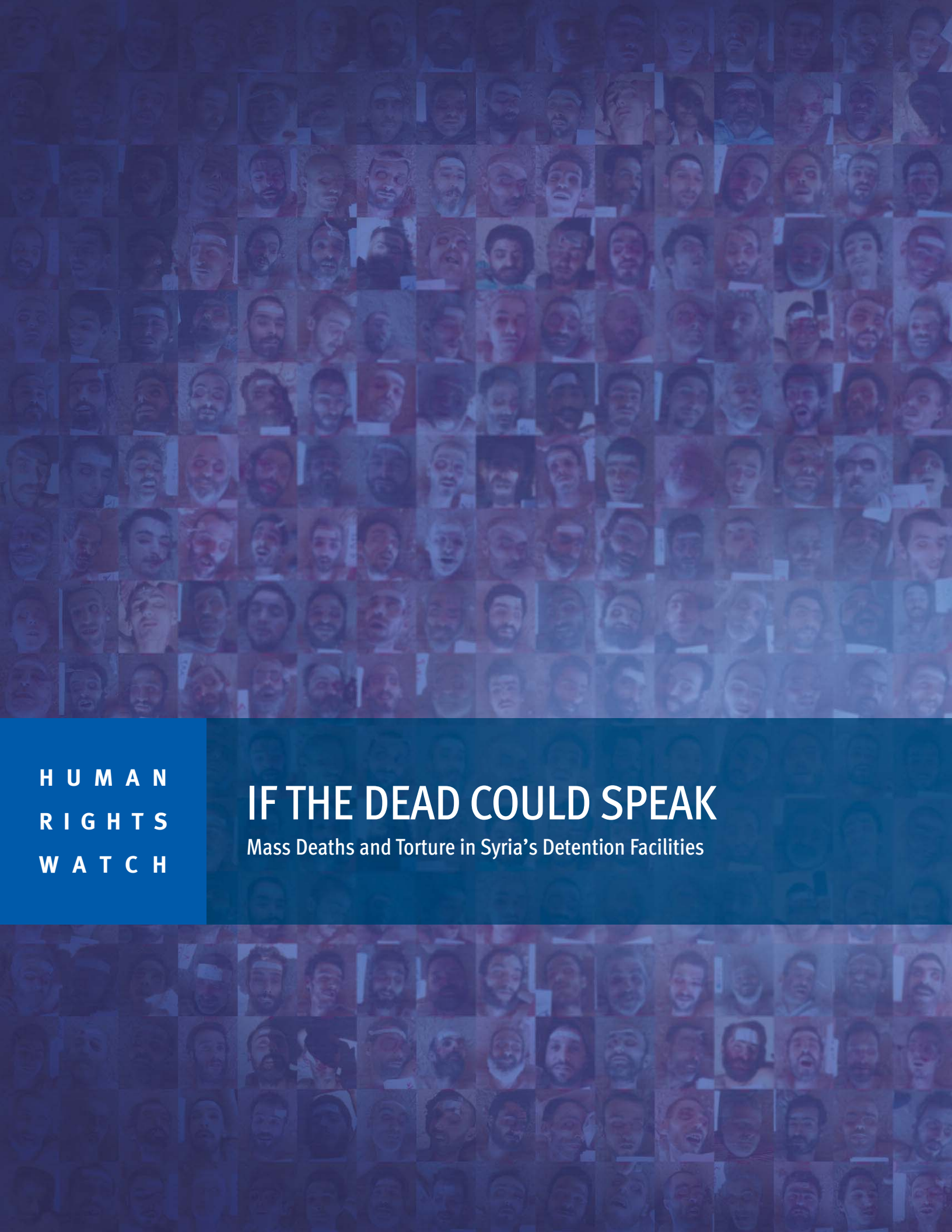

HUMAN RIGHTS WATCH

IF THE DEAD COULD SPEAK

Mass Deaths and Torture in Syria's Detention Facilities

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Mass Deaths and Torture in Syria's Detention Facilities

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Summary

> You can bring photographs from anyone and say this is torture. There is no verification of any of this evidence, so it's all allegations without evidence.
>
> —Syrian President Bashar al-Assad, Interview with Foreign Affairs, January 20, 2015

> I know this place from the photographs stone by stone, brick by brick. I lived there 24 hours a day. I had to carry [the bodies] myself.
>
> —Suleiman Ali (not his real name), former conscript who worked at the 601 Military Hospital

Since the beginning of Syria's uprising in 2011, many have died in detention facilities run by the Syrian government's notorious *mukhabarat* (security agencies). In 2012, Human Rights Watch identified and mapped 27 of these detention centers around the country, many in the capital, Damascus. While accounts by released detainees and defectors consistently indicated that incommunicado detention and torture were rampant and detainees were dying in large numbers in Syria, the scale of abuse and deaths in detention remained unknown.

Then in January 2014, news emerged that a defector had left Syria with tens of thousands of images, many showing the bodies of detainees who died in Syria's detention centers. A team of international lawyers, as well as Syrian activists, interviewed the defector, code-named "Caesar," who stated that, as an official forensic photographer for the Military Police, he had personally photographed bodies of dead detainees and helped to archive thousands more similar photographs.

These photographs were taken apparently as part of a bureaucratic effort by the Syrian security apparatus to maintain a photographic record of the thousands who have died in detention since 2011 as well as of members of security forces who died in attacks by armed opposition groups. The exact purpose of the photographs is not clear. In an interview with a journalist, Caesar himself indicated that he "often wondered" about the reason but that in his view, "the regime documents everything so that it will forget nothing. Therefore, it documents these deaths…If one day the judges have to reopen cases, they'll need them."

In total, according to the international team of experts that prepared the first report on the collection, Caesar smuggled more than 50,000 images out of Syria on discs and thumb drives until he defected.

He entrusted these images to the Syrian National Movement (SNM), an opposition political movement. Members of that group formed the Syrian Association for Missing and Conscience Detainees (SAFMCD), which took custody of the files. In March 2015, the SNM gave 53,275 unique files to Human Rights Watch, stating that these files represented the complete set of data Caesar collected. The group said that the photographs had not been altered except for some resizing that occurred as the photographs were digitally transferred. According to the dates on the files, the photographs were taken between May 2011 and August 2013, the month Caesar defected.

The Caesar Photographs

The Caesar photographs received by Human Rights Watch can be divided into three categories.

The largest category of photographs, 28,707 images, are photographs of people Human Rights Watch understands to have died in government custody, either in one of several detention facilities or after being transferred to a military hospital. What distinguishes this batch of photographs is that all the bodies in them have identification numbers, typically three separate numbers, either written directly on the body or on a paper that is placed on the body or held in the photograph frame. There are multiple photographs of each body, typically four to five but ranging between three to more than twenty. SAFMCD, which reviewed the entire collection and logged the photographs by individual body, found that these 28,707 photographs correspond to at least 6,786 separate dead individuals each with their own unique identification numbers.

The second category of photographs are images of dead army soldiers or members of the security forces. These photographs were also taken in the morgues of military hospitals. However, unlike the first batch, the cards on these photographs include the name of the person who died, and sometimes the date of their death. In many cases, their name is prefaced by the word *shahid*, or martyr, in Arabic, as well as by their military rank. In

addition to the cards, their name, the word *shahid*, and their military rank also often appear in the file name.

The third category of photographs taken by the Syrian Military Police can be described as crime scene photographs taken in the aftermath of attacks and cover several categories of incidents including the aftermath of explosions, assassinations of security officers, fires, and car bombs. The name of the folder in which sets of photographs were saved indicates the type of incident, the date, and sometimes, the name of the victim. Human Rights Watch was able to confirm some of these incidents and killings, which were covered in the Syrian media at the time they occurred and provide further evidence as to the authenticity of the photographs.

This report focuses on analyzing the first category of photographs in greater detail.

Deaths in Custody

All the photographs in the first category of the Caesar images—photographs of the bodies of those Human Rights Watch understands died in detention—were taken inside what appear to be rooms in morgues, or in a courtyard that Caesar identified as a garage of one of the military hospitals. Caesar told both an international team of lawyers investigating the photographs and the U.S. Congress that they were taken at Syrian government military hospitals. “What you see here is the garage of the military hospital,” he told Congress. “We used to use the morgue, but they were bringing way more bodies, so we decided to start using the garage.” Using satellite imagery and geolocation techniques, as well as the evidence of a defector from Military Hospital 601, Human Rights Watch confirmed that the courtyard photographs were taken in the courtyard of Military Hospital 601 in Mezze, Damascus. Folder names in the photograph collection, as well as photographs of medical reports and military judicial system orders included in the collection, indicate that Syrian military police photographers, in coordination with the military’s forensic medical officers, took the photographs at Military Hospital 601 and Tishreen Military Hospital, also in Damascus.

To understand what the identification numbers in the photographs referred to, Human Rights Watch reviewed Caesar’s testimony to the United States Congress, as well as reports compiled by an international team of lawyers who interviewed Caesar for three

days and detailed his description of the numbering system. We also interviewed two defectors from Damascus security branches as well as a former conscript from the 601 Military Hospital and a former nurse from the Tishreen military hospital. Former detainees reported seeing numbers written on the bodies of dead detainees or on cards, before guards removed the bodies from security branches. Finally, Human Rights Watch reviewed leaked documents ordering the photographing and transfer of bodies, both from the Caesar collection and documents passed directly to Human Rights Watch by defectors. Based on the information gathered, Human Rights Watch believes that the three numbers correspond to:

- Branch number: a number assigned to each security branch facility operated by Syrian intelligence services, e.g. Branch 215 (operated by Military Intelligence); Branch 227 (the Area Branch, operated by Military Intelligence)
- Detainee number: a number assigned to each detainee by the security branch that holds him in custody.
- Examination number or death number: a number assigned to each detainee by the forensic doctor of the military hospital, given at the time the doctor registered the death, prepared a medical report on it, and ordered a military photographer (such as Caesar) to photograph the body.

The largest number of photographs in the Caesar collection are from the following five detention facilities, all located in Damascus (Syria's Military Intelligence agency operates four of the five branches):

Security Branch	Number of Caesar Victims Identified with Branch
215: Military Intelligence	3,532
227: Military Intelligence	2,043
ج : Air Force Intelligence (marked with Arabic initial for the name of Air Force)	352
216 "Patrols": Military Intelligence	293
235 "Palestine": Military Intelligence	127

Photographs from several additional security branches including the 248 Branch (known as Investigation Branch, Military Intelligence) and the 220 Branch (a branch of Military

Intelligence in Sa`sa`, a town Southwest of Damascus), the Fourth Brigade detention facility and the military-run Sednaya Prison are also included.

It is important to note that the Caesar photographs do not represent a comprehensive record of deaths in detention in the Damascus area in the period during which the photographs were taken and collected. While many detention facilities sent their dead to Tishreen and 601 military hospital, a defector from Syria's State Security services who worked as a guard at the al-Khatib branch of State Security told Human Rights Watch that those who died in detention at the facility where he worked were transferred to Harasta military hospital in the northeastern suburbs of Damascus and not to Tishreen and 601 military hospitals where Caesar had taken the photographs. Moreover, the photographs are not a random sampling, but represent the photographs Caesar had access to and copied when he felt he could do so with relative safety. Therefore, the number of bodies from detention facilities that appear in the Caesar photographs represent only a part of those who died in detention in Damascus, or even in these particular facilities, during the 27 month period in which the military police and forensic medical authorities produced these photographs. Based on the sequences of the examination or death numbers, the Syrian Association for the Missing and Prisoners of Conscience (SAFMCD) believe that the Caesar photographs indicate at least 11,000 bodies were photographed in two of Damascus' military hospitals between May 2011 and August 2013, when Caesar defected.

Verifying the Photographs: The Stories of the Victims

Human Rights Watch set out to answer three key sets of questions about the photographs of the dead detainees: 1) Are the photographs authentic? Are they really images of dead detainees? 2) If so, what caused so many to die? and 3) How did the bodies end up in military hospitals and what happened to the corpses afterwards?

To verify the photographs, Human Rights Watch conducted in depth investigations into the cases of 27 deaths in detention of people whose bodies appeared in the photographs. The investigations included examination of evidence provided by families of the deceased and fellow detainees. Human Rights Watch also examined photographs of the 27 detainees before their arrest and compared them to the photographs of their dead bodies smuggled out of Syria by Caesar.

The search for relatives of dead detainees whose photographs were included in the Caesar images was facilitated by the fact that in March 2015, several thousand photographs of the dead detainees were posted online by the SAFMCD, published in the Syrian electronic news source Zaman al-Wasl, and picked up by various other Facebook groups dedicated to people disappeared, detained, or killed in Syria. Though media outlets around the world had already covered the story of the Caesar photographs in January 2014, and published redacted or blurred versions showing groups of emaciated bodies, the March 2015 publication was the first time families could search for their relatives among the photographs. Many relatives of detainees, as well as activists and friends, spent days going through the photographs looking for missing relatives. Some of them contacted the SAFMCD directly, and after providing evidence that they were family members of the deceased, received the full set of photographs depicting their relative.

Human Rights Watch was able to verify 27 cases of detainees whose family members' statements regarding their arrest and physical characteristics matched the photographic evidence. The 27 cases included those of a 14-year-old boy and a woman. Both these cases are described in this report. To help identify the 27 victims, Human Rights Watch researchers asked families for identifying characteristics including birthmarks, scars, and tattoos; noted and compared the dates of arrest and the date linked to the victim's photograph; and sought out evidence from former detainees who saw the victim in detention.

In eight cases, former detainees saw the victims in detention, and in four cases, former detainees witnessed their death or saw their body. In some cases documented in this report, families obtained from the SAFMCD photographs showing their relative's full body and were thus able to make positive identifications based on their clothing or other distinguishing marks not visible in the photographs available online. Out of the 27 identified cases, eight families consented to the publication of details of their relatives' stories. These cases are outlined in this report.

In total, this report is based on 27interviews with family members of detainees who died in detention facilities, 37 former detainees, and four defectors who worked in Syrian government detention centers or military hospitals in Damascus.

Syrian civil society groups identified many more victims, in addition to those cases analyzed by Human Rights Watch. The SAFMCD, the group that initially published the

photographs, told Human Rights Watch that more than 700 families got in touch with them saying that they recognized their missing relatives in the photographs of the dead detainees. Only one in ten families were willing to speak about their relative's death publicly, for fear of reprisals against them or their family members that remained in Syria, according to SAFMCD.

Human Rights Watch also sought to verify the photographs through more technical means. While most of the photographs of the detainees lost their metadata when they were copied to be smuggled out of Syria, 271 photographs still had partial metadata indicating the four models of camera the photographs were taken with, as well as some dates. In July 2015, news reports emerged that the U.S. Federal Bureau of Investigations (FBI) analyzed a subset of the Caesar photographs, and found no evidence that they had been manipulated.

Finally, Human Rights Watch researchers also authenticated and reviewed a set of images of medical reports, death certificates, identity cards, and military orders included among the collection Caesar smuggled out of Syria. These documents provided further evidence the photographs originated from Syrian military hospitals, and that they were taken following written orders from Syria's military judicial authority. Military orders confirmed that security branches transferred bodies to the military hospitals for registration and burial.

Causes of Death

Human Rights Watch shared a subset of 72 photographs, representing 19 victims including those profiled in this report, with Physicians for Human Rights for the purpose of forensic analysis. Physicians for Human Rights' team of forensic pathologists reviewed the images for evidence of torture and cause of death. They found evidence of violent blunt force trauma, suffocation, starvation, and in one case due to a gunshot wound to the head. In some of the photographs Human Rights Watch and Physicians for Human Rights reviewed, detainees' bodies showed large open head wounds, gunshot wounds, or dried blood coming from bodily cavities. Many of the photographs show emaciated bodies as well as marks of torture.

A doctor working for the SAFMCD (not a forensic expert) reviewed all 28,707 of the detainee photographs logging characteristics that he saw. According to his analysis, more than 40 percent of the bodies are emaciated, with sharply defined rib cages, prominent

pelvic bones, and sunken faces. One woman and approximately 100 boys, whom the doctor identified by indicators, such as facial and body hair, appear among the images of the dead, according to the SAFMCD's analysis.

To further understand how the detainees from the Caesar photographs may have died, Human Rights Watch investigated the conditions in Damascus security branches, including four of the security branches in which the largest number of photographed victims were held:

- The notorious 215 Branch (operated by Military Intelligence), which many former detainees called the "Branch of Death"
- The 227 or "Area" Branch (Military Intelligence)
- The Air Force Intelligence Branch in Damascus, and
- Branch 235 (Military Intelligence) known as the Palestine Branch.

We interviewed 37 former detainees as well as two former guards from Damascus security branches. To understand what medical treatment was available, how detainees were treated, and what happened to detainees after they died researchers also interviewed two former military officers who served at Harasta and 601 (Mezze) military hospitals, and a former nurse from Tishreen military hospital. In particular, Human Rights Watch interviewed defectors and nurses who had firsthand information about the numbering system used to keep track of detainees.

Authorities held detainees in inhumane conditions, keeping them in filthy, overcrowded cells for months or even years. Detainees said they were provided with such insufficient food that they slowly starved; one former detainee said he lost 35 kilos, nearly half his body weight, in just six months of detention. Two men interviewed for this report, who had been detained in the Palestine Branch, said they could wash two times a week by purchasing soap from their guards; all the others said they spent months without soap and that guards didn't allow them to bathe. All detainees interviewed said they had almost no ventilation in their cells, which stayed overheated and humid. Some detainees said the heat and humidity was so high that their clothes disintegrated after a few weeks in detention.

With detainees weak from lack of food, air, and rest, and living in such cramped conditions, disease spread easily. The trauma of detention, as well as the torture many

detainees underwent, also led to mental distress, including cases of serious mental illness. Former detainees we interviewed for this report, including two detained doctors, said the following causes of death in detention were common:

- Gastrointestinal infections, sometimes involving severe diarrhea and dehydration,
- Skin disease leading to infection,
- Torture,
- Mental distress that led detainees to refuse to eat and drink, and
- Chronic diseases (like hypertension, diabetes, asthma, or kidney disease) for which detainees did not receive the necessary medication or treatment.

Authorities provided detainees with grossly inadequate medical care in detention. Some witnesses said that sick detainees only received paracetamol, an over-the-counter painkiller, and even that only in severe cases. Others said that while doctors were sometimes available in some branches, the doctors also beat and abused detainees to the point that detainees chose not to seek their attention. A defector who spent over seven years as a guard in the al-Khatib branch of State Security in Damascus told Human Rights Watch he had to ask the head of the branch repeatedly to get even a single painkiller for a prisoner. A few detainees Human Rights Watch interviewed said they were transferred to 601 or Tishreen military hospitals for treatment, but described abusive conditions in which guards handcuffed them to hospital beds, beat, and otherwise abused them. Defectors confirmed accounts of such abuses at these facilities.

Former detainees also described various types of torture in security branches including *shabeh* (suspending detainees by their wrists for hours or days); beating detainees on their heads or chests with PVC pipes, whipping with steel cables, electrocution, and burning. Detainees interviewed by Human Rights Watch said that interrogators or guards in their branches beat detainees to death, hung them, or left them to die after severe bouts of torture.

Procedures after Death

After a detainee died, security branch guards transported the body to military hospitals where they would place it in a morgue or, when the number of bodies outstripped a hospital's capacity, in an open-air garage. According to two defectors who served in two

different military hospitals, after their facilities collected a group of detainees' bodies, a forensic doctor would come to the morgue or courtyard and give each corpse a specific "examination number" (which appears along with a detainee's detention facility number and a detainee number assigned by that facility in the Caesar photographs). Then the doctor would write a medical report, allow the body to be photographed by a military forensic photographer, and order conscripts to wrap the body in plastic sheeting. According to Fahed al-Mahmoud, a defector who served in the Harasta military hospital, these medical reports typically cited the cause of death as heart failure. Caesar, according to the international legal team that interviewed him, also said that regardless of actual cause of death medical reports only cited two causes of death: heart failure or respiratory failure. Human Rights Watch reviewed three death certificates that listed one of these two causes, but none that cited other causes of death.

A defector from the 601 Military Hospital, where hundreds of the bodies from the Caesar photographs were taken, told Human Rights Watch he personally witnessed two of these "processing sessions," and helped carry bodies into trucks after they finished. Human Rights Watch also reviewed photographs of written orders from security branches and from military officials requiring military hospitals to examine the bodies and send them for burial. Some of the images of these documents were included among the Caesar photographs, others were provided independently to Human Rights Watch by a defector.

The two defectors Human Rights Watch interviewed who served at military hospitals said that soldiers transported the bodies to mass graves located on military land in the greater Damascus area, including near the Najha cemetary, near the Third Brigade military base, and near the Dhamir military airport. Human Rights Watch was not able to confirm these claims.

Families interviewed for this report spent months or years searching for their sons, their spouses, and their relatives and friends. Many of them paid millions of Syrian pounds in bribes to various government and security officers. Though most families did not approach the notorious security branches for fear of being arrested; those who did register official demands for information received almost no information as to how their relative had died. Some received death certificates that simply stated the deceased had died of heart or respiratory failure. None of the families interviewed for this report received the bodies of their relatives for burial.

To Human Rights Watch's knowledge, no independent investigation has been launched into the death of a prisoner in government custody, nor has the government published the results of any internal investigations it may have conducted. International human rights and humanitarian groups and the United Nations have repeatedly called upon the Government of Syria to grant them access to the security branch detention centers, to improve detainees' conditions, and to cease torturing detainees. Despite these repeated calls, torture remains a constant in the detention centers. The systematic patterns of deliberate ill-treatment and torture that Human Rights Watch and other human rights groups have documented point clearly to a state policy of torture and ill-treatment and therefore constitute a crime against humanity.

The evidence of the Caesar photographs together with the specific, organized, and repeated processes for processing the bodies of detainees documented by Human Rights Watch and others also indicate a state policy of failing to investigate deaths in detention and to alleviate conditions leading to such deaths, and indeed a policy of enabling and facilitating mass deaths in state custody. Given that the bodies were photographed and registered weekly at military hospitals in the Syrian capital, the heads of detention facilities and military hospitals, as well as their commanding officers, knew or should have known of these mass deaths. Any acts within the detention centers that were part of a state policy of murder, torture or otherwise intentionally causing great suffering, could amount to a crime against humanity, and commanders who knew or should have known about the crimes and failed to prevent or prosecute them could be criminally liable.

Crimes against humanity can be committed both in times of peace and in situations of armed conflict and consist of specific acts committed on a widespread or systematic basis as part of an "attack on a civilian population," meaning there is some degree of planning or policy to commit the crime. Such crimes include murder, torture and inhumane acts "intentionally causing great suffering, or serious injury to body or to mental or physical health."

Liability for the commission of crimes against humanity is not limited to those who carry out the acts, but also those who order, assist, or are otherwise complicit in the crimes. Under the principle of command responsibility, military and civilian officials up to the top of the chain of command can be held criminally responsible for crimes committed by their

subordinates when they knew or should have known that such crimes were being committed, but failed to take reasonable measures to stop them.

In a January 2015 interview with Foreign Affairs, Syrian President Bashar al-Assad responded to allegations that prisoners have been tortured and abused by Syria, saying: "if there's any unbiased and fair way to verify all those allegations, of course we are ready. That would be in our interest."

Since the end of October, a group of countries known as the International Syria Support Group (ISSG), including Iran, Russia, Saudi Arabia, Turkey and the United States, have held meetings in Vienna to push for renewed peace negotiations in Syria. Human Rights Watch calls on these governments to ensure that these negotiations put an immediate end to rampant abuse and torture in detention facilities by pushing for the release of all arbitrarily held detainees and demanding access for international monitors to all detention centers in Syria. As a minimum part of any transitional process in Syria, all individuals against whom there is credible evidence of involvement in torture and other serious crimes should not have positions of authority in or over the detention system.

The UN Security Council should follow up on its Resolution 2139 which strongly condemned the arbitrary detention and torture of civilians in Syria, as well as kidnappings, abductions, and forced disappearances, by demanding that Syria grant recognized international monitors access to all detention facilities, official and unofficial, without prior notification. Furthermore the Security Council should adopt targeted sanctions on officials credibly implicated in abuses and should refer the situation in Syria to the International Criminal Court.

Syrian and international groups working on the disappeared in Syria should establish a unified system for logging all cases of missing persons in Syria, as well as information regarding unidentified human remains or mass grave sites. It should act as a repository of all available information, including from the Caesar photographs, regarding the fate of the disappeared in Syria in order to facilitate future identification and repatriation procedures.

Russia and Iran, as the most prominent backers of the Syrian government, in addition to supporting the recommendations above, should pressure the government to publish the

names of all individuals who died in Syrian detention facilities immediately, and to take all feasible steps to inform families of the deceased and return the bodies to their relatives.

The Syrian government should provide immediate and unhindered access for recognized international detention monitors to all detention facilities, official and unofficial, without prior notification, including those mentioned in this report. The government should ensure that children are not detained together with adults and are only detained as a measure of last resort and for the shortest appropriate period of time. The government should release all arbitrarily detained persons including persons detained solely for their political beliefs, and should immediately halt the practice of enforced disappearance, arbitrary arrest and detention, and the use of torture.

All countries committed to ending mass deaths of detainees in Syria, as well as widespread torture and abuse of detainees, should exercise universal or other forms of jurisdiction as provided under international and domestic law to investigate and, evidence permitting, prosecute Syrian military and civilian officials alleged to have been involved in criminal offences against detainees in Syria in violation of international law.

Recommendations

To Members of the International Syria Support Group (ISSG) Which Have been Meeting in Vienna to Push for a Syrian Peace Process

- Demand that, as a minimum part of any transitional process in Syria, in order to put an immediate end to rampant abuse and torture in detention facilities:
    - Individuals against whom there is credible evidence of involvement in torture and other serious crimes do not have positions of authority in or over the detention system;
    - Efforts are made to ensure speedy accountability for the widespread abuses in Syria's detention facilities;
    - Arbitrary detention is clearly banned and no detention is permissible without a clear legal basis, including a clear date for expiry of authorisation to detain. All arbitrarily held detainees are immediately released;
    - Independent inspection monitors are given access to all detention centers in Syria. All detention centers are open to visitors, including legal representatives;
    - All detainees are brought promptly before a regular criminal court judge to determine the legality of their detention.
- Support the creation of a legally-recognized organization or institution in charge of investigating the fate of the disappeared, as well as unidentified human remains and mass graves in Syria. Such an institution should have a broad mandate to investigate, including the ability to review all official records, interview any official, and have access to the scientific, technical, and legal means, necessary for forensic identification and repatriation of human remains.

To the UN Security Council

- Demand that Syria grant recognized international detention monitors access to all detention facilities, official and unofficial, without prior notification, including those mentioned in this report;
- Refer the situation in Syria to the International Criminal Court (ICC);
- Adopt targeted sanctions on officials credibly implicated in abuses;

- Require states to suspend all military sales and assistance, including technical training and services, to the Syrian government as well as to any armed group credibly implicated in the commission of serious human rights violations, given the real risk that the weapons and technology will be used in the commission of serious human rights violations;
- Demand that Syria cooperate fully with the UN Human Rights Council Commission of Inquiry;
- Demand access for humanitarian missions, foreign journalists, and independent human rights organizations.

To Syrian and International groups working on the missing in Syria

- Establish a unified system for logging all cases of missing persons in Syria, as well as information regarding unidentified human remains or mass grave sites. It should act as a repository of all available information, including from the Caesar photographs, regarding the fate of the disappeared in Syria in order to facilitate future identification and repatriation procedures. The criteria for and collection of such data should be standardized to ensure the utility of the system. Relatives of the missing should be able to review information about their loved ones available in such a system.

To the Government of Syria

- Publish official lists of all detainees who died in Syrian government detention facilities and prisons, including in security branches operated by Syrian intelligence agencies;
- Publish official lists of all individuals currently in Syrian detention centers;
- Immediately halt the practice of enforced disappearance, arbitrary arrest and detention, and the use of torture;
- Issue death certificates for all detainees known to have died in custody based on thorough forensic examinations and make these documents readily accessible to families;
- Provide immediate and unhindered access for recognized international monitors of detention conditions to all detention facilities, official and unofficial, without prior notification, including those mentioned in this report;
- Provide detainees with food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served, at regular intervals and make

available drinking water to every detainee whenever he or she needs it, in accordance with the United Nations Standard Minimum Rules on the Treatment of Prisoners;
- Provide detainees with adequate sanitary installations and regular access to bathing facilities, at a minimum of one time per week, in accordance with the United Nations Standard Minimum Rules on the Treatment of Prisoners;
- Provide detainees with prompt and accessible health care, in accordance with the United Nations Standard Minimum Rules on the Treatment of Prisoners;
- Release all arbitrarily detained persons including persons detained solely for their political beliefs;
- Ensure that children are not detained in the same facilities as adults and that they are detained only as a last resort and for the shortest appropriate time;
- Suspend members of the security forces against whom there are credible allegations of human rights abuses, pending investigations;
- Annul Legislative Decree No. 14, of January 15, 1969, and Legislative Decree 69, which provide immunity to members of the security forces by requiring a decree from the General Command of the Army and Armed Forces to prosecute any member of the internal security forces, Political Security, and customs police;
- Provide immediate and unhindered access and cooperation to independent observers, journalists, and human rights monitors, including the UN special rapporteur on extrajudicial, summary or arbitrary executions; the Office of the High Commissioner for Human Rights; the UN Human Rights Council Commission of Inquiry on Syria.

To Russia and Iran

As the main backers of the Syrian government,

- Urge Syria to implement the recommendations listed above, especially pressing for immediate and unhindered access for recognized international monitors of detention conditions to all detention facilities and for the release of all arbitrarily detained persons.

To All Countries

- Acting individually, or jointly through regional mechanisms where appropriate, adopt, maintain, or strengthen targeted sanctions against Syrian officials credibly implicated in the ongoing serious violations of international human rights law;

- Exercise universal jurisdiction or other forms of jurisdiction as provided under international and domestic law to investigate and, evidence permitting, prosecute Syrian military and civilian officials alleged to have been involved in criminal offences against detainees in Syria in violation of international law.
- When permitted under domestic law, gather evidence that may be available within the country and that may be used in future criminal proceedings, should the suspects enter the territory, or to facilitate future prosecution elsewhere.
- Call for the UN Security Council to refer the situation in Syria to the ICC, as the forum most capable of effectively investigating and prosecuting those bearing the greatest responsibility for abuses in Syria.

Methodology

This report is based on 27 interviews with family members of detainees who died in detention facilities, 6 friends of the detainees, 37 former detainees, and four defectors who worked in Syrian government detention centers or military hospitals. The interviews were conducted in Lebanon and Turkey, as well as by phone with individuals who remain inside Syria. In total, 82 interviews were conducted for the report.

Interviews were primarily conducted in Arabic by Arabic-speaking researchers; some were conducted in English using an interpreter. In cases where we include photographs of deceased detainees, we have obtained written consent from an immediate family member, or a close family member in cases when no immediate family member remains alive. In all cases where we use interviewees' real names, we have also obtained their consent to do so. Because of the danger of reprisals against those who spoke with us who remain in Syria, or against their families who remain in areas under government control, including in Syrian detention centers, many interviewees asked that we use pseudonyms. We have indicated each case in which we did not use the person's real name. Interviewees received no compensation and were fully informed of the purpose of the interview and on how Human Rights Watch would use the information they provided.

Human Rights Watch received copies of 53,275 photographs from the Syrian National Movement (SNM), a Syrian anti-government political group which received the photographs from the military defector known as "Caesar." The SNM transferred the photographs after a memorandum of understanding was concluded with Human Rights Watch, which stipulated the photographs be used only for research purposes. (See Background) According to the SNM, these photographs comprised the complete collection they received from Caesar. Researchers reviewed the collection of 28,707 photographs showing detainees who died in detention, as well as some of the 24,568 photographs depicting dead government soldiers and crime scenes (including incidents of terrorism, fires, explosions, and car bombs).

Human Rights Watch interviewed33 individuals who said they had identified photographs of their relatives or friends among the Caesar photographs. The victims' family members provided us with photographs of their relatives before their arrest, and informed us of

identifying features or marks that might appear on the deceased's body. Researchers then compared this information to the photographs of the dead bodies. We also compared information about date of arrest, and any information the family provided on which security agency was detaining their relative. In some cases, family members learned from former detainees or through unofficial contacts with government officials that their relative was held in the facility later identified by its number in the Caesar photograph. In four cases, a former detainee witnessed an identified victim's death in custody or saw the victim's body in a detention facility after their death.

Human Rights Watch shared 72 photographs of victims identified by their families to researchers, including the victims profiled in this report, with Physicians for Human Rights (PHR), an independent human rights organization that uses medical expertise to document human rights abuses. Physicians for Human Rights produced an expert forensic report analyzing physical wounds and characteristics visible in these photographs, and whether any of these injuries was a likely cause of death. They conducted their analysis as follows:

> The overall method of analysis of the digital photographs consisted of peer review of each photograph on a high definition screen with a group of forensic pathologists. The objective of this peer review was to identify injury on the exposed body surface, and attempt to predict the mechanism of injury and what role it played in the death of the detainee.

Their analysis, provided in written form to Human Rights Watch, is referenced throughout this report. Though PHR identified several types of injury and potential causes of death from the photographs, they noted that injuries including suffocation, cardio-respiratory failure, closed head injuries, and visceral blunt force trauma would not be evident from photographic analysis. They also noted that "none of the digital images showed the back of the body of the victims and therefore any injuries that may have been present on the back could not be evaluated."

Though Human Rights Watch sought an interview with Caesar through groups that identified themselves as representing him, the organization did not manage to meet with him. Instead, researchers reviewed the transcript of his testimony before the U.S. House of Representatives, as well as a summary of his interview with the international legal team

that prepared an initial report on the photographs, and an interview published with him in *The Guardian* newspaper.

Finally, Human Rights Watch reviewed documents produced by defectors, reportedly from inside Syrian detention facilities or military hospitals. Some were included among the files Caesar took, and some were provided by a former State Security officer.

Using interviews with family members, former detainees, and defectors who identified locations visible in the photographs, Human Rights Watch determined the photographs to be an authentic record of prisoner deaths in Syrian government facilities.

Background:
Enforced Disappearances, Torture and Deaths in Detention

Since the start of Syria's uprising in March 2011, authorities have detained large numbers of detainees - estimated by local groups to be in the tens of thousands. The government has held these detainees in detention centers operated by Syria's four main intelligence services, as well as in prisons.

Syria's four main intelligence agencies, referred to collectively as the *mukhabarat,* are:[1]

- the Department of Military Intelligence
- the Political Security Directorate
- the General Intelligence Directorate (known as State Security)
- the Air Force Intelligence Directorate

Intelligence agencies overlap extensively, and there are no clear rules for which agency will take the lead in a particular action. These agencies have virtually unlimited de facto authority to carry out arrests, searches, interrogation, and detention. They are more than a simple arm of the government; they are in practice autonomous entities that report directly to the highest officials in the Syrian state, and according to some analysts, directly to the President.[2] Prior to the uprising in Syria, these agencies competed at times with each other

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[1] See "Syria's Intelligence Services: A Primer," Middle East Intelligence Bulletin, July 1, 2000, http://www.intelpage.info/forum/viewtopic.php?t=588 (accessed December 2, 2015); and Middle East Watch (now Human Rights Watch/MENA), Syria Unmasked: The Suppression of Human Rights by the Asad Regime (New Haven: Yale University Press, 1991), pp. 48-51. The Air Force Intelligence Directorate is only nominally tied to the air force. Its role as a powerful and feared intelligence agency in Syria comes from the fact that the late President Hafez al-Assad was once the air force commander, and later turned the air force intelligence service into his personal action bureau.

[2] Nominally, the General Intelligence Directorate and Political Security Directorate are "civilian" agencies and under the jurisdiction of the Ministry of Interior, but in practice they are both autonomous entities. Military Intelligence and Air Force Intelligence nominally report to the Ministry of Defense, but again, in practice, are autonomous entities. See "Syria's Intelligence Services: A Primer," Middle East Intelligence Bulletin, http://www.intelpage.info/forum/viewtopic.php?t=588; Ahed Al Hendi, "The Structure of Syria's Repression," Foreign Affairs, May 3, 2011, http://www.foreignaffairs.com/articles/67823/ahed-al-hendi/the-structure-of-syrias-repression?page=show (noting that "However structured they are in theory, the security agencies are dominated by the Assad family in practice"); Shmuel Bar, "Bashar's Syria: The Regime and its Strategic Worldview," 2006, http://www.herzliyaconference.org/_Uploads/2590Bashars.pdf (accessed December 2, 2015)(noting that the heads of the various security organs "answer to the president directly in all matters"); Human Rights Watch, Syria Unmasked, p. 40.

for custody of detainees or the right to interrogate them. However, after 2011, they began working more in concert. The Syrian Crisis Management Cell, a coordinating body headed by Bashar al-Assad and including the heads of all four security agencies, began meeting regularly.[3]

Each of these four agencies maintains central branches in Damascus as well as regional, city, and local branches across the country. Some of the branches are known or referred to by the name of the area they are located in while others are known by the branch number (such as Branch 215 or 235).

In virtually all of these branches, there are detention facilities of varying size. In some cases, when the detention facilities of certain branches run out of space, branches transfer detainees to other detention centers, such as prisons or military bases, but continue to be considered the party holding such detainees. These transferred prisoners were referred to as "deposits," (*Ida* `in Arabic) according to a former guard at al-Khatib branch of State Security in Damascus.[4]

Detainees in Syrian intelligence facilities are invariably held in incommunicado detention. They have no official means of communicating with their families, and only in extremely rare circumstances can they access unofficial means, for example by bribing guards to make phone calls. Families interviewed for this report relied on information provided by former detainees who, when released, contacted families of others they met in detention centers and updated them on their status. Only after they are transferred to central prisons such as `Adra were detainees sometimes permitted to have family visits.

The majority of the cases of detention by the intelligence agencies documented by Human Rights Watch over the last four years can be described as enforced disappearances. In international law this is when state agents or other persons acting with the support of the state detain someone and then refuse to acknowledge the detention, or conceal his or her

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[3] Julian Borger, "Smuggled Syrian documents enough to indict Bashar al-Assad, say investigators", *The Guardian*, May 12, 2015, http://www.theguardian.com/world/2015/may/12/smuggled-syrian-documents-indict-assad-investigators (accessed November 2015).

[4] Human Rights Watch interview with Fahed al-Mahmoud, Turkey, June 15, 2015.

fate or whereabouts.[5] In most of the detention cases documented by Human Rights Watch since the uprising in Syria, the detainees' families had no information about their fate or whereabouts for weeks or, in many cases, months following the arrest, despite their inquiries with various intelligence agencies. The authorities generally did not allow detainees while still in the custody of the security agencies to have any contact with the outside world and left their families wondering whether their detained relatives were alive or dead.

Human Rights Watch, other local and international human rights groups and the UN Commission of Inquiry have documented systemic human rights abuses of detainees including torture as well as inadequate access to food and medical treatment since anti-government demonstrations broke out in March 2011.[6] In 2012, Human Rights Watch documented the systematic use of specific forms of torture by security force officers and interrogators in 27 separate Syrian detention facilities.[7] According to our interviews with former detainees over the last four years, authorities have detained people in increasingly abhorrent conditions, subjecting them to overcrowding, lack of food, inadequate ventilation, poor medical services, and extremely poor sanitary conditions that caused detainees to develop infections, skin diseases, and diarrhea.

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[5] International Convention for the Protection of All Persons from Enforced Disappearance (ICCPED), adopted December 20, 2006, G.A. Res. 61/177, U.N. Doc. A/RES/61/177 (2006), entered into force December 23, 2010, art. 2 [Syria has not ratified the ICCPED].

[6] See "Syria: Sexual Assault in Detention," Human Rights Watch news release, June 15, 2012, http://www.hrw.org/news/2012/06/15/syria-sexual-assault-detention; Human Rights Watch, "They Burned My Heart": War Crimes in Northern Idlib during Peace Plan Negotiations, May 2012, http://www.hrw.org/reports/2012/05/02/they-burnedmy-heart-0; "Syria, Stop Torture of Children," Human Rights Watch news release, February 3, 2012, http://www.hrw.org/news/2012/02/03/syria-stop-torture-children; Human Rights Watch, "We Live as in War": Crackdown on Protesters in the Governorate of Homs, Syria, November 2011, http://www.hrw.org/reports/2011/11/11/we-live-war-0; Human Rights Watch, "We've Never Seen Such Horror": Crimes against Humanity by Syrian Security Forces, June 2011, http://www.hrw.org/reports/2011/06/01/we-ve-never-seen-such-horror-0; "Syria: Rampant Torture of Protesters," Human Rights Watch news release, April 15, 2011, http://www.hrw.org/news/2011/04/15/syria-rampant-torture-protesters; Human Rights Council, *Report of the independent international commission of inquiry on the Syrian Arab Republic*, November 23 2011 http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/170/97/PDF/G1117097.pdf?OpenElement (accessed November 25, 2015) p. 12;

Syrian Network for Human Rights, *Full statistic for the victims under torture (1215 citizens) includes name, date and videos,* December 30, 2012, http://sn4hr.org/public_html/wp-content/pdf/english/Full%20statistic%20%20for%20the%20the%20victims%20under%20torture.pdf (accessed November 25, 2015).

[7] Human Rights Watch, *Torture Archipelago: Arbitrary Arrests, Torture, and Enforced Disappearances in Syria's Underground Prisons since March 2011*, July 2012, https://www.hrw.org/report/2012/07/03/torture-archipelago/arbitrary-arrests-torture-and-enforced-disappearances-syrias.

Former detainees usually distinguished between what they called common cells and individual cells. The size of the common cells varied, measuring up to 70 square meters. For example, two former detainees told Human Rights Watch that a common cell measuring about 20 square meters in Military Intelligence Branch 291 in Damascus held 60-75 people.

Former detainees explained to Human Rights Watch that what they called individual cells were often small rooms measuring one to two square meters, many with a hole in the middle of the ground for a toilet. While in some cases former detainees reported being held alone in such cells, most of the detainees interviewed said that these individual cells usually held several people. Both in the common and individual cells, the overcrowding was such that in many cases the detainees could only stand inside their cells, or had to take turns sleeping. (For more details on detention conditions, see Section III.)

Human Rights Watch researchers visited the State Security and Military Intelligence facilities in Raqqa in April 2013 after armed groups took control of the city and found that the prison cells, interrogation rooms, and torture devices they saw in these facilities were consistent with what former detainees had described.[8]

Human Rights Watch documented the deaths of prisoners in Syrian government detention facilities before Syria's uprising, and has documented increasing numbers of deaths in detention since 2011.[9] Authorities rarely provided families with information on the circumstances surrounding the deaths and, to Human Rights Watch's knowledge, no

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[8] "Syria: Visit Reveals Torture Chambers," Human Rights Watch news release, May 17, 2013, https://www.hrw.org/news/2013/05/17/syria-visit-reveals-torture-chambers.

[9] See "Syria: Sexual Assault in Detention," Human Rights Watch news release, June 15, 2012, http://www.hrw.org/news/2012/06/15/syria-sexual-assault-detention; Human Rights Watch, "They Burned My Heart": War Crimes in Northern Idlib during Peace Plan Negotiations, May 2012, http://www.hrw.org/reports/2012/05/02/they-burnedmy-heart-0; "Syria, Stop Torture of Children," Human Rights Watch news release, February 3, 2012, http://www.hrw.org/news/2012/02/03/syria-stop-torture-children; Human Rights Watch, "We Live as in War": Crackdown on Protesters in the Governorate of Homs, Syria, November 2011, http://www.hrw.org/reports/2011/11/11/we-live-war-0; Human Rights Watch, "We've Never Seen Such Horror": Crimes against Humanity by Syrian Security Forces, June 2011, http://www.hrw.org/reports/2011/06/01/we-ve-never-seen-such-horror-0; "Syria: Rampant Torture of Protesters," Human Rights Watch news release, April 15, 2011, http://www.hrw.org/news/2011/04/15/syria-rampant-torture-protesters

independent investigation has been launched into the death of a prisoner in government custody.[10]

In 2011 Human Rights Watch documented cases in which families of detainees who had died in detention received their relatives' bodies if they signed statements that "armed gangs" had killed their relatives and promised not to hold public funerals. However, very few families interviewed in later years received their relatives' bodies.[11] Some received death certificates, but no personal effects or remains.[12]

Given the lack of access for independent observers, the near-complete secrecy surrounding detentions and detention facilities in Syria, and government authorities' refusal to provide families with official information about their detained relatives in many cases, it is virtually impossible to establish how many people have died in Syrian detention centers since anti-government protests started in March 2011.

As of July 24, 2015, the Syrian Violations Documenting Center had documented 7,502 cases of individuals who died in detention. The Syrian Network for Human Rights documented 11,358 deaths in detention as of June 26, 2015.[13] The total number is likely higher given that many cases go unreported.

Human Rights Watch has also documented arbitrary detention and torture by non-state armed groups in Syria, including in March 2014. However, in this report we have focused on investigating the Caesar photographs, which represent a unique source of evidence pointing towards crimes against humanity.

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[10] Human Rights Watch, Torture Archipelago: Arbitrary Arrests, Torture, and Enforced Disappearances in Syria's Underground Prisons since March 2011, July 2012, https://www.hrw.org/report/2012/07/03/torture-archipelago/arbitrary-arrests-torture-and-enforced-disappearances-syrias; Amnesty International, Annual Report 2014-2015: Syria chapter, https://www.amnesty.org/en/countries/middle-east-and-north-africa/syria/report-syria/.

[11] Human Rights Watch telephone interview with KJ, May 7, 2015. Human Rights Watch telephone interview with MF, June 2015. Human Rights Watch telephone interview with TAZ, June 2015.

[12] Human Rights Watch telephone interview with Maryam Hallaq, May 2015.

[13] "International Day in Support of Torture Victims: Twelve Thousand Victims of Torture in Syria," Syrian Network for Human Rights, June 25, 2015, available at: http://sn4hr.org/wp-content/pdf/english/Twelve_thousand_torture_death_in_Syria_en.pdf (last accessed November 29, 2015).

I. Caesar Photographs

Caesar's Story and the Public Posting of the Images

In January 2014, a team of war crimes prosecutors and forensic experts released a report assessing "the credibility of a defector from Syria whose occupation prior to his defection was in the service of the military police of the Syrian government," who had "during the course of his work, smuggled out some tens of thousands of images of corpses so photographed by his colleagues and himself."[14] In total, the experts reported that approximately 55,000 photographs had been smuggled by the defector, whom they gave the codename "Caesar," as well as other Syrians. The experts interviewed "Caesar," examined his military credentials, and conducting forensic analysis on a sample of 5,500 photographs (which they estimated represented 1,300 bodies). They found that 42 percent of the bodies were emaciated and 20 percent showed signs of "inflicted trauma." They also observed that many individuals "showed evidence of discoloration and ulceration primarily in the foot and shin region." An appendix included selected photographs from the set, demonstrating the forensic categories they noted. The report had been commissioned by Carter-Ruck and Co., a law firm in London, hired by the Qatari government. The involvement of Qatar, a government known for its support of armed anti-government groups in Syria, led some to question the impartiality of the effort.[15]

In his interview with the investigators' legal team, conducted over the course of three days in January 2014, Caesar told the team he had worked in the Syrian military police for 13 years. For the last three years before his defection, his job had been to photograph and

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[14] "A report into the credibility of certain evidence with regard to Torture and Executions of Persons Incarcerated by the current Syrian Regime", January 2014, http://www.carter-ruck.com/images/uploads/documents/Syria_Report-January_2014.pdf (accessed December 2, 2015). The team that interviewed Caesar and examined the photographs was comprised of three lawyers: the Right Honourable Sir Desmond de Silva, a former Chief Prosecutor of the Special Court for Sierra Leone; Professor Sir Geoffrey Nice, the former lead prosecutor of ex-President Milosevic of Yugoslavia before the International Criminal Tribunal for the former Yugoslavia, and Professor David M. Crane, the first Chief Prosecutor of the Special Court for Sierra Leone. It also included three forensics experts: Dr. Stuart J. Hamilton, a forensic pathologist on the United Kingdom Home Office Register; Professor Susan Black , a certified forensic anthropologist, and Stephen Cole, the Technical Director for Acume Forensics and a Forensic Imaging expert.

[15] See for example, Dan Murphy, "Syria 'smoking gun' report warrants a careful read," *Christian Science Monitor*, January 21, 2014, http://www.csmonitor.com/World/Security-Watch/Backchannels/2014/0121/Syria-smoking-gun-report-warrants-a-careful-read (accessed November 2015).

document bodies of detainees who had been killed, he told the team. The exact purpose of the photographs is not clear. In an interview with a journalist, Caesar himself indicated that he "often wondered" about the reason but that in his view, "the regime documents everything so that it will forget nothing. Therefore, it documents these deaths…If one day the judges have to reopen cases, they'll need them."[16]

Caesar described how he began sending copies of the photographs he took on flash drives to a trusted contact who was also his relative.[17] In August 2013, fearing "imminent danger on my life," Caesar decided to flee the country.

The images gained a lot of media attention. On April 2014, members of the UN Security Council viewed a selection of the photographs, and on July 31, 2014, Caesar testified before the U.S. House of Representatives.[18] In his testimony, Caesar stated that he was responsible for photographing bodies in the Damascus, Damascus countryside, and sometimes in the Daraa suburbs, as well as for overseeing the archiving of military forensic photographs from all over Syria.[19] He said that he began saving the photographs he took as well as other photographs from the government archive on memory sticks or burning them onto CDs. He did so sporadically, and the selection was relatively random. Some files were lost or corrupted in the transfer process.[20] In August 2013, he defected from Syria, taking the files he had managed to copy over more than two years with him.[21]

The Syrian authorities immediately denied the veracity of the photographs. The Ministry of Justice dismissed the report as "baseless" and "politicized" and said it lacked objectivity

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[16] Garance le Caisne," They were torturing to kill': inside Syria's death machine," *The Guardian*, October 1, 2015, http://www.theguardian.com/world/2015/oct/01/they-were-torturing-to-kill-inside-syrias-death-machine-caesar (accessed December 2, 2015).

[17] Ibid.

[18] "Syria crisis: 'Torture' photos shown to UN Security Council," BBC News Online, April 15, 2014, http://www.bbc.com/news/world-middle-east-27044203 (accessed November 24, 2015); Jess Bravin, Michael r. Crittenden, "Syrian Defector's Photos Could Trigger War-Crimes Charges," The Wall Street Journal, July 31, 2014, http://www.wsj.com/articles/syrian-defector-describes-scenes-in-photos-of-alleged-assad-atrocities-1406833318 (accessed November 24, 2015).

[19] House of Representatives, Committee on Foreign Affairs, "Briefing on Assad's Killing Machine Exposed: Implications for U.S. Policy," July 31, 2014. On file with Human Rights Watch.

[20] Human Rights Watch interview with Dr. Mohammed Ayyash, Istanbul, June 9, 2015.

[21] House of Representatives, Committee on Foreign Affairs, "Briefing on Assad's Killing Machine Exposed: Implications for U.S. Policy," July 31, 2014. On file with Human Rights Watch.

and professionalism. As reported by the state controlled Syrian news agency (SANA) the ministry's statement alleged that a number of the photographs were of "foreign terrorists from several nationalities who died when attacking the military checkpoints and civil institutions," and that others were of "civilians and military personnel who were tortured and killed by the armed terrorist groups because of their support to the state."[22]

President Assad repeated such denial in January 2015 in an interview with Foreign Affairs:

> The pictures are not clear which person they show. They're just pictures of a head, for example, with some skulls. Who said this is done by the government, not by the rebels? Who said this is a Syrian victim, not someone else?[23]

Assad's questions were about to be answered. A number of the Caesar photographs had been leaked to some pro-opposition media outlets in January 2014 and some relatives of missing detainees had reportedly identified them. In March 2015, the Syrian Association for Missing and Conscience Detainees (SAFMCD) released thousands of the photographs online. Other Syrian activists and civil society groups published some of these photographs through Facebook groups or web pages they administered. The photographs, published from a much larger set of approximately 50,000 photographs, showed individuals, nearly all of them adult men, who died in Syrian detention centers.[24] For the most part they did not display the full bodies of the victims, but only their faces and heads.[25] They spread quickly as Syrians searched for family members, relatives, or friends who had been detained by the government, or who had simply disappeared.

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[22] "Ministry of Justice dismisses as baseless Carter-Ruck's report," Syria radio and TV,

Jan 22, 2014, http://www.syriaonline.sy/?f=Details&catid=12&pageid=8800 (accessed November 24, 2015); Ministry of Justice dismisses as baseless Carter-Ruck's report, Syrian Arab News Agency SANA, January 22, 2014, Facebook https://www.facebook.com/photo.php?fbid=683778611644669 (accessed November 24, 2015).

[23] "Syria's President Speaks: Conversation With Bashar al-Assad," *Foreign Affairs*, March/April 2015, https://www.foreignaffairs.com/interviews/2015-01-25/syrias-president-speaks (accessed November 24, 2015).

[24] There are actually more than 50,000 Caesar photographs, of which approximately 26,000 are photographs of dead detainees.

25 Syrian Association for Missing and Conscience Detainee website, https://www.safmcd.com/martyr/category.php? ; "Caesar publishes a number of photos of victims of torture," The Syrian Human Rights Committee, March5, 2015, http://www.shrc.org/?p=20474 (accessed December 3, 2015).

Families who had had no news of their loved ones in government detention, as well as those whose relatives had disappeared, began searching through the files. Many of them came forward, saying they had recognized husbands, fathers, sons, brothers, who, they believed, had disappeared in Syrian detention centers. The SAFMDC told Human Rights Watch that more than 700 families had contacted them saying that they had identified their relatives.[26]

In addition, other Syrian human rights groups were also contacted by relatives or friends who said they had identified relatives or friends in the photographs.[27] A monitoring group called the Syrian Human Rights Commission said it had identified 101 individuals included among the Caesar photographs through their family members or friends; the Damascus Media Center said it had identified 286 cases.[28]

Human Rights Watch Analysis of Caesar Photographs

Caesar entrusted the images to the Syrian National Movement (SNM), an opposition political group. Members of that group formed the Syrian Association for Missing and Conscience Detainees (SAFMCD), including Dr. Emad ad-Din al-Rashid (head of the SNM's political office) which took custody of the files. In March 2015, the SNM gave 53,275 unique files to Human Rights Watch, stating that these files represented the complete set of the data Caesar collected.[29] They transferred the photograph after concluding a memorandum of understanding with Human Rights Watch stipulating that the photographs could only be used for research purposes. Human Rights Watch later learned that the SNM shared the photographs with a limited set of groups, including the U.S. State Department, as well as

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26 Human Rights Watch interview with Dr. Mohammed Ayyash, June 9, 2015.

27 "The Full List of Identified Torture Victims," Syrian Human Rights Committee, March 13, 2015 http://www.shrc.org/en/?p=24669 (accessed November 24, 2015).

28Ibid; "Discovery of 286 martyrs of torture from Damascus and its outskirts and the toll is increasing," Damascus Media Center, March 17, 2015, http://www.damas-mo.com/home-page/hot-news/item/994-%D8%A7%D9%83%D8%AA%D8%B4%D8%A7%D9%81-286-%D8%B4%D9%87%D9%8A%D8%AF%D8%A7%D9%8B-%D8%AA%D8%AD%D8%AA-%D8%A7%D9%84%D8%AA%D8%B9%D8%B0%D9%8A%D8%A8-%D9%85%D9%86-%D8%AF%D9%85%D8%B4%D9%82-%D9%88%D8%B1%D9%8A%D9%81%D9%87%D8%A7-%D9%88%D8%A7%D9%84%D8%B9%D8%AF%D8%AF-%D9%8A%D8%AA%D8%B2%D8%A7%D9%8A%D8%AF.html (accessed November 24, 2015).

29 Meaning all images in the original format and sequence, including any available metadata.

the United Nations Commission of Inquiry, also after concluding written agreements or understandings as to how the photographs could be used.

According to the dates on the folders, which Human Rights Watch was told are the same folders that Caesar initially copied from government computers, the photographs were taken between May 2011 and August 2013. The photographs stopped when Caesar defected in August 2013. According to partial metadata that is still intact on 271 of the photographic files, the photographers used Nikon CoolPix and Fuji FinePix model cameras.[30] Across the collection of photographs, some of the photographs had been resized and in a few cases a rudimentary drawing program had been used to enhance the numbers that appear in the photographs.

The U.S. Federal Bureau of Investigations (FBI) Digital Evidence Laboratory analyzed a subset of 242 Caesar photographs, and found in a report it issued (but did not release to the general public) that "the bodies and scenes depicted…exhibit no artifacts or inconsistencies that would indicate that they have been manipulated."[31] Of the 242 sample images the FBI examined for its report, 22 photographs "have been altered through the addition of text to a card in the scene, but this alteration had no effect on the bodies or the remainder of the scene depicted therein."[32]

The photographs received by Human Rights Watch contain three different categories.

- The first category, made up of 28,707 photographs, are images of dead people photographed either in a morgue or in what looks like a garage. What distinguishes this batch of photographs is that most of the bodies in them have three separate identification numbers, either written directly on the body or on a paper that is placed on the body or held up so as to appear in the photograph. Based on all available information, these photographs are of detainees who died in detention or

[30] Ibid.

[31] Stav Ziv, "Syria Torture Photographs Depict Real People and Real Events: FBI Report," *Newsweek*, July 22, 2015, http://www.newsweek.com/syria-torture-photos-depict-real-people-and-events-fbi-report-356057 (accessed November 24, 2015); The report, dated June 12, 2015, was compiled by the Operational Technology Division's Forensic Audio, Video and Image Analysis Unit.

[32] Ibid.

after being transferred from detention to a military hospital. The first category is what has received most media attention.

- The second category are also photographs of dead people taken in morgues except that those photographed are identified by name or circumstance of death. This category consists of photographs of people identified as dead government soldiers, other armed fighters or civilians who died as a result of attacks, explosions, or assassination attempts. Unlike the photographs in the first category, there are no numbers associated with the bodies, but rather their full name written on a piece of paper and photographed. For dead soldiers, the word "martyr" (*shahid* in Arabic) is usually written before the name as well as sometimes the rank. For civilians, the photographs are organized by date and name. The photographs of soldiers' bodies were taken inside a morgue.
- A third category consists of photographs of the sites of military attacks. The date range appears to begin in May 2011, according to the dating on the folders, and again goes until August 2013, when Caesar defected.

Finally, the smuggled photographs include a few photographs of death certificates, memos between arms of the intelligence services, and internal reports on detainee deaths.

This report focuses on deaths in detention. However other types of photographs are also important. From an evidentiary perspective, they reinforce the credibility of the claims of Caesar about his role as a forensic photographer of the Syrian security forces or at least with someone who has access to their photographs. In addition, the photographs could also help in documenting other crimes that took place in Syria.

Photographs of Dead Detainees

According to the Syrian Association for Missing and Conscience Detainees (SAFMCD), the Syrian organization which reviewed the entire collection and logged the photographs by individual body found, many bodies were photographed multiple times. Typically the photographs of dead detainees include four photographs were taken of each body, but sometimes over 20 photographs. Thus according to SAFMDC the 28,707 photographs in the category of dead detainees correspond to at least 6,786 dead individuals. While Human Rights Watch did not do its own separate log of bodies, it had access to the SAFMCD database and can confirm that their analysis appears to have been diligent. The

photographs usually try to capture any tattoo or wound on the body. However, they generally fell short of international standards for forensic photographs taken in the context of crime scene investigations. According to the international team of forensic experts who initially evaluated the photographs:

> The images were not produced in the manner of evidentiary photographs as would be taken by crime scene investigators ….the images did not bear a scale and there were no close-up images of individual injuries. The majority of the images did not show the back of the body of the deceased and therefore any injuries that may have been present at the back of the body could not be assessed.[33]

Of the victims shown, only one is female and the remainder male. Of the 6,785 male bodies, a doctor who reviewed the photographs told Human Rights Watch that at least 100 appear to be children.[34] Human Rights Watch verified two cases of boys under 18 who died in detention and appeared among the photographs through their family members, but did not independently review the total photo set to assess the age of the victims.

Some of the folders in which the earlier photographs were filed as well as some of the early file names incorporate the names of those killed. For example, one folder is named "Photographs of the Incident of Death of the Security Prisoner Ismail Moumneh." An online search by Human Rights Watch revealed that Ismail Moumneh was an anti-government protester from the town of Qatana near the Lebanese border who died in August 2011.[35] Media reports from the time state that government authorities detained Moumneh and that he died "under torture."[36] Other folders are simply named as "security prisoner under the responsibility of" either the Air Force Intelligence or General Security (*mukhabarat 'amah*).

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[33] "A report into the credibility of certain evidence with regard to Torture and Executions of Persons Incarcerated by the current Syrian Regime", January 2014.

[34] Human Rights Watch Interview with Dr. Mohammed Ayyash, June 9, 2015. According to the SAFMCD, 114 boys under 18 appeared among the victims, representing two percent of the total number of victims. The doctor who reviewed the photographs for the SAFMCD told Human Rights Watch he assessed age by looking for signs of puberty, but that errors were possible.

[35] "Free Qatna: The Martyr Ismail Moumneh," [n.d.], video clip, YouTube, https://www.youtube.com/watch?v=lXohzYu8zRk (accessed July 23, 2015).

[36] Violations Documentation Center in Syria, http://www.vdc-sy.info/index.php/ar/details/martyrs/145414#.VcJZ4cCqqko (accessed November 24, 2015); Syrian Revolution Martyrs database, http://www.syrianshuhada.com/?a=la&p=madina&v=%D9%82%D8%B7%D9%86%D8%A7&pp=&vv=&ppp=&vvv=&s=&sb=Date&co=desc (accessed November 24, 2015).

Some of the men photographed in August and September 2011 are still wearing their clothing and all of them were photographed in a morgue.

The numbering of bodies first appears in photographs filed in the folder marked October 2011. It is in these photographs that white cards placed on the body appear in photographs for the first time. The cards in the photographs in this folder have numbers in single digits upon them. The folder contains photographs of the bodies of detainees that are labeled numbers one and two. The cards also refer to their detention by Air Force Intelligence, either by writing the words out on the card, or by using the Arabic letter ج , the first letter of "Air Force" in Arabic. "Security prisoner" number three appears in a folder dated November 2011. In the same month, however, some detainees' names are included in the folder name for the photographs of their bodies. The body of another detainee numbered "one" also appears in this folder. Some of these early detainees appear to have been treated in a hospital, as intravenous lines or defibrillator pads are still visible in the photographs.

The file names continue to incorporate some names of deceased detainees until May 2012. Seven prisoners were named, until this date. Several months are missing from the collection of folders. Until the folder named August 2012, pictures were taken indoors, in what appears to be a morgue. In November 2012, bodies were photographed on an asphalt surface. That same month, the first photographs appear that were taken in the courtyard Human Rights Watch identified as a garage on the grounds of the 601 Military Hospital in Mezze.

Caesar told the U.S. House of Representatives that "We used to use the morgue, but they were bringing way more bodies, so we decided to start using the garage."[37] Using satellite imagery and geolocation techniques, Human Rights Watch confirmed that the courtyard photographs were taken in the courtyard of Military Hospital 601 in Mezze, Damascus. A folder of photographs in the second category, showing government soldiers, is labeled "Teshrieen Hospital," [Tishreen Hospital] indicating that they were taken in another military hospital in Damascus.

Nearly all of the folders in which photographs were filed were named by date. Many of the folders were named simply by a month and a year (beginning in May 2011), while some

[37] House of Representatives, Committee on Foreign Affairs, "Briefing on Assad's Killing Machine Exposed: Implications for U.S. Policy," July 31, 2014. On file with Human Rights Watch.

were labeled with a specific date. Based on conversations with SAFMCD staff who interacted with Caesar, as well as on the cases we investigated, Human Rights Watch believes these dates mostly correspond to the months when the bodies were photographed and registered in the military hospital (See Section IV, Procedures After Death). However, the filing system does not appear to be exact and some of the photographs appear in undated folders.

The images we viewed showed that many of the bodies are emaciated, and show bruises, scars, and other marks of torture. Some show deep open wounds.

In the photographs, most bodies appear with a white plaster on their foreheads that indicates two numbers, or sometimes two numbers written directly on their bodies in marker. A piece of paper held over their chest area that repeats the two numbers present on the body, and adds a third.

Human Rights Watch's research indicates that these three numbers represent:

- The branch number: a number assigned to each security branch facility operated by Syrian intelligence services, e.g. Branch 215 (operated by Military Intelligence)
- The detainee number: a number assigned to each detainee by the security branch that holds him in custody. While Caesar testified that the number was assigned at the time of the detainee's arrival at the security branch, another defector who served as a guard at a security branch told Human Rights Watch that the security branch would assign these numbers when a detainee died in custody. Given that most of these numbers appear chronologically, it is likely that the number was assigned to the detainee following his death.
- The examination number or death number: a number assigned to each detainee by the forensic doctor of the military hospital, given at the time the doctor registered the body, prepared a medical report on it, and ordered a military photographer (such as Caesar) to photograph the body. A security agency defector who served in a military hospital told Human Rights Watch that military hospital employees called this the "examination number."[38]

[38] Human Rights Watch interview with Fahed al-Mahmoud, June 15 2015.

In the "Caesar" photographs, a white card or paper on each body indicated the security branch number, detainee number (assigned by the security branch), and medical examination number (assigned by a forensic doctor after death). © 2013 "Caesar" collection

The first two numbers were written on either a medical plaster affixed to a detainee's body, or written in marker on the head or chest of the body, inside the security branches before a body were transferred to hospital custody.

The SAFMCD, which reviewed the entire collection, told Human Rights Watch that the examination number reaches 5,000 and then repeats with a letter after it: 5000a, 5000b, and so on. Based on the sequences of these examination numbers, they believed that the Caesar photographs indicate at least 11,000 bodies were photographed in Damascus military hospitals between May 2011 and August 2013, when Caesar defected. The photographs that Human Rights Watch reviewed show 6,786 bodies, according to a comprehensive analysis conducted by the SAFMCD.

Some of the earlier photographs of detainees include cards that display their names, rather than the three numbers described above.

It is important to note that the Caesar photographs do not represent a comprehensive record of all deaths in detention in the Damascus area for the 27 month period they cover.

While many detention facilities in Damascus sent their dead to Tishreen and 601 military hospital, a defector from Syria's State Security services who worked as a guard at the al-Khatib branch of State Security told Human Rights Watch that those who died in detention at the facility where he worked were transferred to Harasta military hospital in the northeastern suburbs of Damascus and not to Tishreen and 601 military hospitals where Caesar had taken the photographs. Moreover, the photographs are not comprehensive of all the bodies that were transferred to Tishreen and 601 military hospital but represent the photographs Caesar had access to and copied when he felt he could do so with relative safety. Therefore, the number of bodies from detention facilities that appear in the Caesar photographs represent only a part of those who died in detention in Damascus, or even in these particular facilities, between May 2011 and August 2013.

According to the branch numbers on these cards, by far the largest number of detainees (4,551 detainees) came from the Military Intelligence 215 Branch in Damascus, known among many Syrians as "the Branch of Death."[39] The second largest number (2,819 detainees) were transferred from the Military Intelligence 227 Branch (known as the Region Branch—Fir` al-Mantiqa).[40] Hundreds of detainees were also transferred from the Syrian Air Force Intelligence Branch, the Military Intelligence Branch 235 also known as the Palestine Branch and the 216 (Patrols) Branch, also operated by Military Intelligence.

Based on the branch numbers indicated, as well as the testimony of Caesar himself, the bodies came almost exclusively from facilities located in the greater Damascus area.[41]

Many of the photographs were taken in the garage of the 601 military hospital at Mezze, an area southwest of central Damascus where a military base and airport, as well as the

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[39] Data from the Syrian Association for Missing and Conscience Detainees, which logged and tabulated the branch numbers. On file with Human Rights Watch.

[40] Ibid.

[41] Ibid.

presidential palace, are also located. A military conscript who defected from the hospital after living and working there for two years and three months described the facility in detail to Human Rights Watch, and identified the garage where the photographs were taken on a map.

He said he personally witnessed officers storing bodies in the garage, and hospital employees "processing" and photographing the bodies on multiple occasions.[42]

Photographs were also taken in the morgue at 601 military hospital and in the morgue of Tishreen military hospital, according to defectors from these facilities, and according to the file names on the photographs. Both hospitals are in Damascus. Some photographs may have been taken in the Harasta military hospital in a northeastern suburb of the capital, which also received the bodies of dead detainees for processing, but Human Rights Watch could not confirm whether Harasta military hospital photographs were included in the Caesar collection. Intelligence branches in Damascus and the Damascus countryside brought detainees' bodies to these three military hospitals.[43]

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[42] Human Rights Watch interview with Suleiman Ali, location withheld, June 16, 2015.

[43] Human Rights Watch interview with Fahed al-Mahmoud, June 15, 2015. Fahed al-Mahmoud, a defector who spent 50 days working at the Harasta military hospital on the outskirts of Damascus, said the hospital received bodies of detainees from security branches around Damascus, but could not conclusively identify interior locations shown in the leaked photographs.

II. Naming the Dead: Profiles of Victims from the Caesar Photographs

Human Rights Watch interviewed 27 separate families who said they recognized their relatives among the Caesar photographs, as well as nine former detainees who said they recognized and spent time in detention with victims from the photographs. However, only eight of the families agreed to publish information about their relative's death; the others feared for the safety of family members who remained in government-controlled areas, or of relatives who remain in Syria's detention centers. Their fears are not unfounded: several of the former detainees we interviewed said they were arrested in place of a relative who was wanted by the government, or simply for being a family member of a wanted individual.

When interviewing the family members or former detainees who recognized victims from the photographs, researchers asked them to provide photographs of their relatives before their arrest and compared them to the Caesar photograph; to indicate if they had any identifying marks or tattoos or pre-existing health conditions; and to give the date of their relative's arrest, as well as any information they learned from former detainees who saw their relative in detention. When we could reach these former detainees, we interviewed them as well for additional information regarding the victim's treatment in detention, their physical appearance and clothing, the detention center and cell they were detained in, and the dates they were held in that location. We then compared this information to the dates and detention facility numbers that made up the file names of the Caesar photographs. In most cases, the detention facility numbers also appeared on the white cards included in each photograph.

While researchers took great care to carefully probe and verify each family's claim to have identified their relative among the photographs, verification of this nature remains challenging due to the dramatic physical changes some detainees experienced, as well as the poor quality of the photographs distributed online, and the deep emotional investments families have made in resolving their loved ones' disappearances. Human Rights Watch believes that in each of the eight cases below there is a strong likelihood that the victim is indeed the person the families and in some cases former detainees recognize. However, a proper forensic matching will be needed in the future as a margin of error remains.

Among the deaths we investigated, we were able to confirm the deaths in detention of two children, of whom one is profiled below (aged 14 at the time of his arrest), and one woman.

In eight of the 27 cases verified, Human Rights Watch was also able to interview a former detainee who saw the deceased while he or she was alive in detention, learned their name and background, and made contact with the deceased's family once he or she was released from detention. Former detainees provided valuable information about the deceased's location as well as his or her physical and mental state. In four of the cases Human Rights Watch documented, former detainees knew the victim personally and saw the victim die, or viewed his dead body in the detention facility.

Abdullah Arslan al-Hariri

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Abdullah Arslan al-Hariri, a 36 or 37 year old laborer from Namr, Daraa, was married, but had no children.[44] According to his brother, Abdullah became a prominent leader of anti-government demonstrations in his hometown of Namr following the beginning of protests in 2011, and later began helping Syrian Army defectors who wished to leave the country.[45]

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[44] Human Rights Watch telephone interview with Mohammed Arslan al-Hariri, brother of Abdullah, March 9, 2015.
[45] Ibid.

Syrian security forces raided his house several times, but Abdullah was not at home during these raids.[46]

On June 16, 2012, the Military Police arrested Abdullah along with his relative, Tal`at.[47] There had been several military police raids in Namr that morning, Tal`at told Human Rights Watch, and he and Abdullah went to try and hide on the outskirts of the town. Military Police shot Abdullah in his shoulder as they tried to evade arrest and seized the two, handcuffed them, and blindfolded them with tape.

> An officer told me to tie [Abdullah's] shoulder with my shirt, which I did, but that is all. There were some thorns in the wound from his fall, but they did not allow me to clean it.

Tal`at and Abdullah were taken to the courtyard of the Military Police department in Izra`, also in Daraa governorate. Tal`at was blindfolded, and could only hear the police officers' interrogation. He told Human Rights Watch:

> When we were in the courtyard [of the Military Police department]…they insulted him, and I could hear that they were beating him. I could hear that he was in pain. Abdallah was interrogated about his participation in the protests. They hit him. They told him, "You are a fighter." Abdallah responded, "No, I am not armed." The last thing I heard was: "I have an injured terrorist, come and take him from here." Then I heard the sound of a car, I am sure it was not an ambulance, because they were still yelling at him…. I never saw him again.

The General Intelligence branch released Tal`at a few days later. Fearing for their own safety, Abdullah's family did not make official inquiries. They had no more news of him until the Caesar photographs were released. The family identified him from a set of photographs posted on Facebook.

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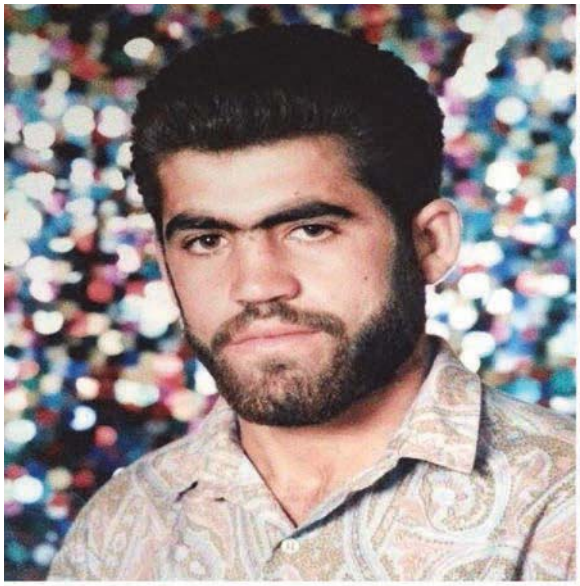
[46] Ibid.

[47] Human Rights Watch telephone interview with Tala'at Hassan Awad al-Hariri, March 20, 2015.

The photographs of Abdullah's body from the Caesar archive did not identify him as associated with any particular security branch. They appear in a folder dated June 2012, the month Abdullah was detained. The archive includes seven photographs of his body. The gunshot wound on his shoulder is clearly visible in some of the photographs. The file name states that he was "under the responsibility of the Ninth Brigade" (al-Firqah al-Tase`a), which operates in Daraa.

In a Physicians for Human Rights report on the forensic analysis of the digital images (for which Human Rights Watch provided no background information specific to the individual), PHR's team of forensic pathologists noted that the photographs depicted an adult man in his 30s with four gunshot wounds, including both entry and exit gunshot wounds to the head, the entry wound "suggestive of a close range entry," as well as gunshots to the right shoulder and the right arm.[48]

Khalid Hadla



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[48] "In-Custody Deaths of Syrian Detainees: Forensic Analysis of Digital Photographs for Assessment of Trauma" written by Nizam Peerwani for Physicians for Human Rights, September 11, 2015. On file with Human Rights Watch.

Khalid Hadla was married and had three young children. He worked as a carpenter, and lived in Daraya, near Damascus. According to Amer Hadla, Khalid's brother who lives outside of Syria, Air Force Intelligence officers arrested Khalid in January 2013 during a raid on his home, while his wife and children watched.[49] In January 2013, government and anti-government forces were engaged in fierce battles for control of Daraya, with the Syrian army re-taking the town from anti-government armed groups early that month.[50] Many people were arrested during this period.[51]

Khalid's brother told Human Rights Watch that the Hadla family was known in Daraya for being anti-government:

> Everybody [in Daraya] supported the rebellion, even women they supported it. Our family Hadla is well-known as a supporter of the rebellion…the soldiers of the family that were in the Syrian army defected and became members of the FSA [Free Syrian Army]. [52]

However, he said that Khalid was known as the quiet one in the family, and only participated in peaceful protests. He added that a Syrian Air Force Intelligence officer in the area, Bashar Daher, threatened Khalid and other members of the Hadla family on multiple occasions, and made visits to Khalid's house to threaten him, according to his family members in Daraya.

After Khalid's arrest, the family later learned from former detainees who had seen Khalid in detention that he was detained at the Air Force Intelligence branch in Mezze.

Amer added that Daher, the officer, came to his other brothers after Khalid was detained. "He told them, 'Khaled admitted everything under torture. We won't give him back to you.'"

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[49] Human Rights Watch telephone interview with Amer Hadla, July 27, 2015.

[50] Ned Parker, "Clashes flare up in strategic Syria suburb," *L.os Angeles Times*, January 12, 2013, http://articles.latimes.com/2013/jan/12/world/la-fg-syria-suburb-20130113 (accessed November 24, 2015); Bill Neely, "Inside Damascus: Risking life and limb for a loaf," *The Telegraph*, January 26, 2013 http://www.telegraph.co.uk/news/worldnews/middleeast/syria/9828898/Inside-Damascus-Risking-life-and-limb-for-a-loaf.html (accessed November 24, 2015).

[51] "More arrests among Daraya inhabitants and release of some," *Enab Biladi*, January 14, 2013, http://www.enabbaladi.org/archives/5742 (accessed November 24, 2015).

[52] Human Rights Watch telephone with Amer Hadla, July 27, 2015.

A former detainee told the family they he saw Khalid in detention at the Air Force Intelligence facility in Mezze but provided little detail about Khalid's well-being and condition in detention.

Amer added that after Khalid's arrest and reported coerced confession, his remaining four brothers and his sister were all arrested; only one has since been released. The fate of the remaining four siblings remains unknown. Amer recognized his brother among the released Caesar photographs after an acquaintance told him a family member was among them:

> I was too sad at first, I did not want to look at the photographs. I told myself I want nothing to do with that. Then someone said he recognized someone from the Hadla family. They sent me an SMS [with] a picture. It was true, he was here. It was him, one hundred percent.

Human Rights Watch also spoke with Khalid's other brother Ma'moun, who confirmed that he recognized Khalid in the photograph.[53] The white card in the picture identified by Khalid's family was market with the letter "ج", indicating that the detainee was under the custody of the Air Force Intelligence branch. The photo was in a folder dated June 4, 2013, about five months after Khalid's arrest. Khalid was 39 years old when he was arrested.

Human Rights Watch showed five photographs that are reportedly of Khaled after his death to forensic experts at Physicians for Human Rights. PHR's team of forensic pathologists noted that the photographs showed an adult man who appeared to be in his 40s, and that the photographs showed evidence of severe blunt force trauma, in particular to his left arm.[54] The expert report noted that the victim had been hung by both wrists.[55]

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[53] Human Rights Watch telephone interview with Ma'moun Hadla, July 27, 2015.

[54] "In-Custody Deaths of Syrian Detainees: Forensic Analysis of Digital Photographs for Assessment of Trauma" written by Nizam Peerwani for Physicians for Human Rights, September 11, 2015. On file with Human Rights Watch.

[55] Ibid.

Osama Hussein Salim

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Osama Hussein Salim, a Palestinian resident in Syria, was from Yarmouk Camp on the edge of Damascus. According to his brother Firas, he was married and had two young children.[56] He worked as an accountant at Damascus University. Officers of the Popular Front for the Liberation of Palestine – General Command, a Palestinian armed group allied with the Syrian government, arrested him around 10 a.m. on February 24, 2013 from a checkpoint at the entrance to Yarmouk, while he was trying to enter the camp. A friend of the family saw Osama's arrest and informed them what had happened.

The family heard through Palestinian contacts closely allied with the Syrian government that Osama had been transferred to the Branch 235 of Military Intelligence, known as Palestine Branch. The contacts asked them to pay 50,000 SYP (US$708) to secure his release. Though the family gathered the money to pay, the contacts kept putting off the meeting, and eventually told the family they could not help Hussein. Firas told Human Rights Watch:

> I spent seven months asking about him. I was an employee at the Damascus University, I asked the doctors of the university. You know some

[56] Human Rights Watch telephone interview with Firas Salim, March 25, 2015.

> of them are human, they still have a heart, and they did not take sides. I asked them, because they are well connected. I kept asking about him, but all I got were lies. [57]

According to Firas, Osama was not an activist or involved in anti-government activity. "He had nothing to do with anything," Firas told Human Rights Watch. He added that Firas had a liver disease before his arrest.

About seven months after Osama's arrest, security officers stopped Firas at the gate of his university. "If you keep asking about your brothers, we will cut out your tongue," they told him. That day, Firas fled Syria.

Though the family continued to seek news of Osama, they heard nothing, including from former detainees, until the Caesar photographs were published online. In the photographs taken from the Caesar files, Osama's body has the words "Air Force Administrative Branch" written in marker on his abdomen. The photograph came from a folder dated February 2013, the same month as his arrest. The family recognized Osama by two tattoos on his left arm as well as his pants and top, in addition to his appearance.

Human Rights Watch shared four photographs of Osama's body with Physicians for Human Rights. A team of forensic pathologists observed facial contusion as well as scratches and abrading on the face in the photographs, and evidence of "severe" blunt force trauma.[58]

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[57] Ibid.

[58] "In-Custody Deaths of Syrian Detainees: Forensic Analysis of Digital Photographs for Assessment of Trauma" written by Nizam Peerwani for Physicians for Human Rights, September 11, 2015. On file with Human Rights Watch.

Ayham Ghazzoul

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Ayham Ghazzoul was a student at Damascus University pursuing a masters' degree in dentistry and a human rights activist who worked with the Syria Center for Media and Freedom of Expression in Syria, as well as the Syrian Violations Documenting Center.

He was 25 years old when members of the National Students' Committee, a pro-government student union, detained him at Damascus University on November 5, 2012 and turned him over to Military Intelligence. Security forces had previously arrested him on February 16, 2012, and held him until a military court ordered his release in May.
M., another student from Damascus University who was arrested on the same day, said that security officers took him to a room in the medical college of Damascus University. [59] Ayham was already there. The officers tortured the two students for approximately four hours, beating them with their hands, shocking them with electric batons, whipping them with cables and hoses. They were later transferred to the 215 Branch (Military Intelligence) together, and detained in the same cell.

On the fourth day of their detention, November 9, 2012, M. said:

[59] Human Rights Watch telephone interview with MZ, May 7, 2015.

> Ayham came to me and said I am so tired I want just to sleep, I told him come and put your head on my leg. After about 45 minutes the security guards came to wash the corridor where we were sitting, then I tried to wake up Ayham but he didn't respond. I shouted to a doctor from Aleppo - he was [also] a prisoner- he came and put his hand on Ayham's neck and his hand and said he had died…30 minutes ago, Ayham's body was very cold when I touched it. Then [the guards] brought a blanket and put Ayham inside it … and put a number on his head…and took him.[60]

Ayham's family did not learn of his death until January 20, 2013, more than two months later, when M. was released and described to them Ayham's death in the 215 Branch.[61] In 2014, they began searching for official confirmation of Ayham's death. Maryam, his mother, visited both the 215 and the 248 (Military Intelligence) security branches in Damascus, but the security officers did not initially provide her with any information.[62] On May 10, 2014, the military police in Qaboun referred her to the Tishreen Military Hospital, which provided her with a death certificate that stated heart failure as the cause of death.[63] Maryam requested the return of Ayham's personal belongings (his wallet, keys, and identification) both from the hospital authorities and by lodging a formal request with the military prosecution office.[64] However, his belongings were never returned to her.[65]

Human Rights Watch showed three Caesar photographs identified as being of Ayham's body to Physicans for Human Rights' team of forensic pathologists. Based on these photographs, they were not able to identify the potential cause of his death or identify major injuries upon his body.[66]

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[60] Ibid.

[61] Human Rights Watch telephone interview with Maryam Hallaq, May 11, 2015.

[62] Ibid.

[63] Ibid. Death certificate on file with Human Rights Watch.

[64] Ibid. Request to military prosecution on file with Human Rights Watch.

[65] Ibid.

[66] "In-Custody Deaths of Syrian Detainees: Forensic Analysis of Digital Photographs for Assessment of Trauma" written by Nizam Peerwani for Physicians for Human Rights, September 11, 2015. On file with Human Rights Watch.

Ahmad al-Musalmani, Child

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Ahmad al-Musalmani was a 14-year old boy from Namr, Daraa. Before the uprising in Syria began, he was in the seventh grade. After Ahmad's older brother Shadi was shot and killed on March 23, 2011 during an early protest in Daraa, Ahmad's family sent him to Lebanon for his safety. Ahmad was thirteen years old when he left Syria for Lebanon.

Ahmad's mother died of natural causes in Syria while he was apart from the family in Lebanon. On August 2, 2012, when he was fourteen, he returned to Syria to attend his mother's funeral. He was traveling in a minibus with five other people. One of them later located Ahmad's family and described his arrest to them. Family members told HRW that according to Ahmad's fellow passenger, officers from the Air Force Intelligence stopped the car at al-Kiswa bridge checkpoint, on the road between Damascus and Daraa, and an officer asked Ahmad, "Why are you crying?" Ahmad answered, "I am crying because my mother died." [67]

The officer took the passengers' phones and started to search them, and he found an anti-Assad song on Ahmad's phone. He began insulting Ahmad, calling him "you animal," and other swear words. Then he dragged Ahmad into a small room at the checkpoint, his fellow

[67] Human Rights Watch Interview with Dahi al-Muselmani, March 18, 2015.

passenger told the family the day after the incident. The rest of the passengers continued on without him.

Ahmad's uncle, Dahi al-Musalmani, served as a judge for 20 years in Syria before he fled the country in March 2013. Dahi told Human Rights Watch that he went to see several government officials after Ahmad's disappearance, including Minister of Social Reconciliation Ali Haydar, to obtain news about Ahmad's case. He called the 248 Security Branch, controlled by the Military Intelligence agency, to inquire if Ahmad was being held there, after a tip from one of these contacts, but they told him Ahmad was not among the detainees.

In December 2012, five months after Ahmad's arrest and still without any news about him, a man with strong government contacts whom Dahi declined to identify came to Dahi's office and told him that if he paid 600,000 Syrian pounds (approximately US$8,451 at that time), Ahmad would be released. The man told him the money was for a pro-Assad member of parliament. Dahi paid the man and accompanied him to drop off the money. After ten days, he said, he received a call from the man.

> "Ahmad is alive," the man told me. "He is detained in the Air Force Intelligence branch in Zablatani." I told him, "I want Ahmad to be released." He answered, "You wanted to know his whereabouts, now you know. If you want more you will have to pay two million Syrian pounds. I responded, "I do not have this kind of money, I would have to be a thief or very rich. "[68]

Dahi sold some land, and raised one million pounds (approximately US$ 14,085 at that time), but the man told him it was not enough. "I started to beg him," he said. "I am a judge and I became a beggar. I am a judge and I will kiss his feet so that he accepts." He accompanied the man and waited in the car while he delivered the money. Dahi said he saw the MP, accept the bag of money. The man returned and told Dahi that Ahmed would be released in ten days. But Ahmed did not come home.

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[68] Ibid

Three months later, Dahi received a call from the Air Force Intelligence branch in Zablatani requiring him to appear at the branch. "My nephews told me not to go. [They said] 'they will arrest you and kill you,'" Dahi told Human Rights Watch. He and his nephews left for Jordan the next day. On March 16, the day they left, family members who remained behind informed him, his house was raided.

The family continued to search for Ahmad from Jordan, and to appeal in the media for his release.[69]

When the photographs were released, Dahi searched for Ahmad among them.

> I went directly to the folder of the Air Force Intelligence, and I found him. [he breaks down while talking] It was a shock. Oh, it was the shock of my life to see him here. I looked for him, 950 days I looked for him. I counted each day. When his mother was dying, she told me: 'I leave him under your protection.' What protection could I give?

Five photographs of Ahmad appeared among the Caesar photographs. The photographs appeared in a folder dated August 2012—the month of his arrest. Human Rights Watch shared these five photographs with Physicians for Human Rights, whose forensic pathologists observed that they depicted a boy in his teenage years with several marks of blunt force trauma.[70]

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[69] "The child detainee Ahmad Nahr al-Musalmani," [n.d.], video clip, YouTube, https://www.youtube.com/watch?v=26oovaiAcPk (accessed November 24, 2015).

[70] "In-Custody Deaths of Syrian Detainees: Forensic Analysis of Digital Photographs for Assessment of Trauma" written by Nizam Peerwani for Physicians for Human Rights, September 11, 2015. On file with Human Rights Watch.

Rehab al-Allawi

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Rehab al-Allawi, a Damascus resident originally from Deir al-Zor, was an engineering student at Damascus University before the uprising in Syria. Hers was the only published photograph of a woman, among the Caesar photographs dealing with dead detainees.

Rehab was about 25 years old when the Raids Brigade, a special raids unit of the military police, arrested her on January 17, 2013. The unit came to the family home in Damascus around 10 p.m. According to Rehab's brother Hamza, an officer told Rehab's mother that the matter would be closed within a few hours.[71]

Rehab worked in one of Damascus's local coordination committees—loose networks of activists—and she assisted internally displaced persons who had fled Homs, her brother Hamza told Human Rights Watch. After her arrest, the family sought information through personal contacts within the Syrian government. They paid over US$18,000 to various officials in the Syrian military and security services to gain information about Rehab, and to try and secure her release but received no information.

After a few months, a Syrian brigadier-general told the family Rehab had died of a stroke, her brother reported. Rehab's other brother Bassam asked to see her grave, and in March

[71] Human Rights Watch telephone interview with Hamze al-Allawi, June 19, 2015.

2013, an officer accompanied him to al-Najha cemetery, on the outskirts of Damascus. Bassam showed the guards a picture of Rehab and asked if they had seen her body. The guards told him, "Yes they brought three girls at 11 p.m. ten days ago." Hamza, Rehab's other brother, asked Bassam to have her exhumed, but he was not able to do so. When he asked, the office replied, "There is nothing more we can do." The family never received a death certificate. They held a memorial service for Rehab in Jordan soon after, and another in Saudi Arabia, where the two brothers live, in June 2013.

The same month as Rehab's second memorial, an acquaintance who knew Syria's Justice Minister called the family and told them Rehab was still alive. "We told him, Bassam saw her grave. He told us, 'She is in the Military Security Branch, I saw her name on the register. If she was dead, she would not be on it.'"

Several months later, in October 2013, a military security officer reached out to the family and requested $90,000 to secure Rehab's release: $50,000 as payment for his services, and $40,000 to secure her safe exit from Syria to Turkey. Bassam met and paid an intermediary in Istanbul. After the money was transferred, the officer told Rehab's family that she had left Syria for Lebanon.

"We believed it, we searched all over Lebanon, every tent. For eight months we hoped we would find her," Hamza told Human Rights Watch.

A former detainee, Hanadi, told Human Rights Watch that she was detained with Rehab for over three weeks in the 215 Branch (Military Intelligence).[72] Rehab arrived in late January or early February 2013, according to Hanadi and information other former detainees provided Rehab's family. Hanadi said:

> We spent 24 days together in the cell, next to each other, she talked to me about her parents. She wanted to see her parents. She would always speak about her brothers and sisters, she was scared for her family. [73]

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[72] Human Rights Watch interview with Hanadi, Turkey, June 2015.
[73] Ibid.

Hanadi was transferred to Adra Prison after three and a half weeks. She never saw Rehab again. About a month later, a new female detainee arrived to Adra from Branch 215. Hanadi said she asked the new detainee about Rehab. The detainee said that one night at about 11 p.m. a month and a half after Hanadi was transferred the guard came and told Rehab: "Pack your stuff, you are going home."

In March2015, after the Caesar photographs were published online, a cousin called the family and asked if Rehab's photo might be among those released. "She looks just like Rehab," the cousin said.

Though the family recognized Rehab, they asked former detainees who had seen Rehab in prison to confirm, as her appearance had changed greatly during her detention.

Hanadi told Human Rights Watch:

> One day her brother called me and asked me if it was Rehab in the photographs that were published. She gained a lot of weight in detention… because we could not move, and from eating potatoes, rice, and bulghur. I recognized the pyjamas she was wearing, and her face. Even the shape of her toes was the same. When she arrived she was not sick, her face was not yellow, and she was very thin.

In the photographs that emerged of her body, 215 Branch is written on her forehead. Three photographs that appear to be Rehab were saved in a folder dated June 4, 2013. Human Rights Watch shared these photographs with Physicians for Human Rights. Forensic pathologists observed that the photographs depicted a woman in her 20s with an IV line apparent in her left arm, indicating medical intervention.[74] They found no visible evidence of injuries or blunt force trauma.[75]

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[74] "In-Custody Deaths of Syrian Detainees: Forensic Analysis of Digital Photographs for Assessment of Trauma" written by Nizam Peerwani for Physicians for Human Rights, September 11, 2015. On file with Human Rights Watch.

[75] Ibid.

Oqba al-Mashaan

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Oqba al-Mashaan was 32 years old when he was arrested. He lived in the town of Mou Hassan, in Deir al-Zor governorate, where he worked as a government employee at the local agricultural department office. He was married with two daughters: Alia, who is now four, and Rehab, who is now three.[76]

Oqba came from a large family, with five brothers and one sister. The family had already faced tragedy when government forces shot and killed his younger brother Zuheir during an anti-government protest in 2011.

Pro-government armed men arrested Oqba on March 28, 2012 as he was on his way home and turned him over to the local Air Force Intelligence branch. Several onlookers saw the arrest and informed the family what had happened.

When his oldest brother, Qotaiba, went looking for Oqba, he was also arrested, he told Human Rights Watch. Qotaiba spent 30 days detained in the Branch 291, run by Military Intelligence in Damascus.

[76] Human Rights Watch interview with Ali, Aliya and Qotaiba Masshaan, Turkey, June 2015.

In October 2012, two of Qotaiba's brothers were killed. One was killed by pro-government sniper and one in an indiscriminate attack, his parents told Human Rights Watch. The youngest of the family, Bashar, was killed in 2014 during a battle with the Islamic State, while he was trying to assist the wounded, they said. Qotaiba had been released, but Oqba was still missing. His father, Ali al-Mashaan, told Human Rights Watch:

> At first, we knew where he was. We couldn't see him, but we received information from defectors, and from former detainees. We heard from a group that he was in Jawiya (Air Force Intelligence). We heard that he was detained [at the Air Force Branch] in Mezze, then sent to Sednaya prison. We heard that Oqba was well.[77]

The family paid middlemen connected to the government to learn more about Oqba's situation. They heard that Oqba had been charged for demonstrating, trading weapons, and encouraging protests. His father also made an official inquiry through the Ministry of Justice, but received no reply for several months. "Finally, the answer came from the Ministry of Justice: 'We have no information about him,'" Ali told Human Rights Watch.

After their youngest son's death, Oqba's parents fled to Turkey with their remaining two children, and some of their grandchildren.

In March 2014, two years after Oqba's arrest, the Caesar photographs were released. A family friend thought he recognized Oqba among them, and sent the photograph to Yasmin, Oqba's sister. She received the photo at 1 a.m. and identified her brother from the photograph. She told her one surviving brother, Qotaiba, but they did not know how to tell their parents that they had lost yet another of their children.

His mother told Human Rights Watch:

> I saw them, and asked them, 'Tell me, what is going on?' They told me, 'Abu Aliya [Oqba] died.' I responded I want to go to Syria to receive condolences

[77] Human Rights Watch interview with Ali Mashaan, June 2015.

> there. I went there, and saw his wife and children. His daughter, she is three and a half years old, she said, 'Thank you god, my father can rest now, and has been released from the suffering and injustice.'[78]

Three photographs of Oqba appear among the Caesar photographs. A card on his chest notes that he had indeed been in the custody of the Air Force Intelligence branch. The folder they appear in is marked March 2013, a year from the date of his arrest. Though his body is severely emaciated, his family said they were sure they recognized him.

Human Rights Watch shared these photographs with Physicians for Human Rights. Forensic pathologists found evidence of "moderate to severe starvation," as well as "chronic venous insufficiency of lower extremities," a symptom they described as "consistent with prolonged standing."[79]

Mohammed Tariq Majid

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[78] Human Rights Watch interview with Aliya Mashaan, June 2015.

[79] "In-Custody Deaths of Syrian Detainees: Forensic Analysis of Digital Photographs for Assessment of Trauma" written by Nizam Peerwani for Physicians for Human Rights, September 11, 2015. On file with Human Rights Watch.

Tariq, as the family called him, was 23 years old when Military Intelligence officers arrested him from a hotel where he was staying in Damascus. He was a second year student at a technical institute, studying accounting. Air Force Intelligence in Mezze, Damascus, had previously arrested him in 2011 and held him for 20 days. His brother Bashar described him as a peaceful activist, who continued going to anti-government protests in Daraya, where the family is from, even after his first arrest.[80]

On February 16, 2013, Tariq was arrested from the hotel in Damascus where he was staying. His brother told Human Rights Watch, "I don't know why he was arrested, it was just part of the raids. His ID said he was from Daraya." Daraya is well known for being an anti-government area. The family learned of Tariq's arrest from friends of his staying in the same hotel.

Though they searched for news of Tariq, they did not learn his whereabouts until the end of the year, when two friends of his were released from detention. They told the family that Tariq had been detained in the 215 Branch (operated by Military Intelligence), and that he had died during the first month of his detention. "He was tortured so much, that he shut down. He lost his mind," they told his brother.

"We didn't believe the news," Bashar told Human Rights Watch. Tariq was in good shape, and had no health conditions before he entered the detention facility, he said.
The family sought out contacts connected to the security agencies for information about Tariq. "They gave us some proof, some information, but it was all a lie," Bashar said. Tariq and Bashar's mother went to the military police and lodged multiple formal requests for information about Tariq, but they received no reply. Another former detainee from the 215 Branch, who the family knew, also told them Tariq died after about a month in detention.

When the Caesar photographs were published online, Bashar searched the photographs for his brother. He recognized Tariq from his appearance, and from a distinctive scar on his right shoulder. Tariq had been injured by shrapnel during the shelling of Daraya, while assisting at the local field hospital, and the shrapnel scar was visible in the photographs. The photographs appeared in a folder dated March 2013, the same month as Tariq's arrest, confirming the information provided by the three former detainees who told his family he

[80] Human Rights Watch interview with Bashar, undisclosed location, April 4, 2015.

died soon after his detention. A white paper held in the picture notes that he was in the custody of Branch 215 (Military Intelligence). The paper is part of a prescription pad, and says “Administration of Military Medical Services” at the top. The shrapnel scar on his right shoulder is clearly visible.

III. Causes of Deaths in Detention

"If you took pictures of the detainees now, you would see people who looked like those that are in the Caesar photographs, only they would be alive…The ones who died are the lucky ones." –Dr. Sami, former 215 Branch detainee

One of the central questions about the Caesar photographs is what caused so many deaths in detention. To that end, Human Rights Watch interviewed 37 former detainees, including four detained doctors who were able to describe the medical condition of fellow detainees, who witnessed death in their cells, as well as two defectors who served in security branches and two who served in military hospitals where some of the detainees had been transferred.

Interviews with former detainees who identified fellow prisoners from the photographs or saw people in detention, with the four defectors who served in security branches or military hospitals, and the testimony of Caesar himself, indicate that most of the detainees died in the detention facilities of security branches. In some cases, detainees were transferred to military hospitals to be treated and died in the hospitals. In the Caesar photographs there are several photographs in which defibrillator pads appear on the chest of the person photographed.

The interviews with the former detainees and defectors give a sense of the scale of deaths in detention. Fahed al-Mahmoud, a defector worked for seven and a half years as a prison guard in the al-Khatib branch (Branch 285 of State Security) in Damascus, where he said about 1,000 detainees were held at any one time. Ahmed told Human Rights Watch that "after [the uprising] started, six to seven people might die per day [in the branch]…not less than two to three. One day … [in September 2012] eleven detainees died."[81]

[81] Human Rights Watch interview with Fahed al-Mahmoud, June 15, 2015. At the rate Fahed describes over 2000 detainees could have died in a year.

All of the former detainees interviewed by Human Rights Watch for this report had seen numerous prisoners die in their cells. Karem, a former detainee of Branch 235 of Military Intelligence (known as Palestine Branch), said that 83 people died in his cell during his nine months of detention in 2014 (an average of nine per month).[82] The cell held between 80 and 170 detainees during this period, he said.

All of the former detainees interviewed by Human Rights Watch described conditions in their cells that violated detainees' rights to health and life, in some cases, amounted to inhuman or degrading treatment or torture. According to detainees who attempted to ask for improved conditions, as well as a defector who worked as a security branch guard, authorities knew of and enforced these conditions by denying detainees adequate food, medical care, sanitation supplies, ventilation, and space.

According to the former detainees interviewed by Human Rights Watch including two doctors held in detention for several months, the principle causes of death were:

- Gastrointestinal infections, sometimes involving severe diarrhea and dehydration,
- Skin disease leading to infection,
- Torture, including severe beatings
- Mental distress that led detainees to refuse to eat and drink , and
- Chronic diseases (like hypertension, diabetes, asthma or kidney disease) for which detainees did not receive the necessary medication
- Starvation

A review of the Caesar photographs by a team of forensic pathologists from Physicians for Human Rights confirms many of these claims by former detainees.[83] In a report based on the findings of the forensic pathologist team, PHR found evidence of starvation, violent blunt force trauma, suffocation, and torture.[84]

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[82] Human Rights Watch interview with Karem, Gaziantep, Turkey, June 13, 2015.
[83] "In-Custody Deaths of Syrian Detainees: Forensic Analysis of Digital Photographs for Assessment of Trauma" written by Nizam Peerwani for Physicians for Human Rights, September 11, 2015. On file with Human Rights Watch.
[84] Ibid.

Deprivation of food, medical care, and adequate sanitation weakened detainees to the point where even minor infections could have fatal consequences. Detainees uniformly reported that the detention centers provided them such meager quantities of food that they steadily shed weight throughout their detention. "After two to three months…you lose all your strength," a former Palestine Branch detainee said.[85]

Torture was also widespread in the detention facilities. Many detainees reported facing sustained torture including hanging suspended from their bound wrists for several hours (known as *shabeh*), beatings with pipes and sticks, whippings, electrocution, and burning. Physicians for Human Rights, whose team of forensic pathologists examined a subset of 72 Caesar photographs, found that "in several cases examined …there is evidence to conclude that [the] "*shabeh*," "*dulab,*" and "*falaqa*" methods of torture were employed."[86]

A Lethal Environment: Disease, Bad Hygiene, Hunger, and Lack of Medical Care

Former detainees interviewed by Human Rights Watch, including two doctors detained for several months, said infections could quickly lead to death in the security branch facilities. "The smallest injury can lead to an infection due to the conditions in the cell." said Haytham, a former Palestine Branch detainee.[87] Karam, also held in the Palestine Branch, reported that a former university student in his cell asked the cell leader for more food, and was reported to the guards, who beat him severely. "He got an infection and died after three days," he said.[88]

Two types of infections were particularly common: gastrointestinal infections and skin infections.

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[85] Human Rights Watch interview with Haytham, June 9, 2015.

[86] "In-Custody Deaths of Syrian Detainees: Forensic Analysis of Digital Photographs for Assessment of Trauma" written by Nizam Peerwani for Physicians for Human Rights, September 11, 2015. On file with Human Rights Watch.

[87] Human Rights Watch interview with Haytham, Turkey, June 9, 2015.

[88] Human Rights Watch telephone interview with Karam Jammal, December 23, 2014.

Gastrointestinal Infections, including Diarrhea

A combination of crowding, poor and spoiled food, filthy cells, and lack of medical care exacerbated the conditions in which gastrointestinal infections could flourish. Most detainees told Human Rights Watch that guards only permitted them use the bathroom a few times a day at designated times, for just a minute or two, leaving them no time to wash. "In 61 days, I did not shower once," said Jihad, a former Palestine Branch (Military Intelligence) detainee.[89] Only two of the 37 detainees had access to a washroom or toilet in their cell; the rest had to seek permission from a guard to use the bathroom.

Some former detainees described how fellow detainees died following severe cases of diarrhea. For example, Haytham mentioned what he and others in his cell called "the black diarrhea," which he described as causing the death of detainees in ten to fifteen days. Samy, a former 215 Branch detainee and a doctor, told Human Rights Watch, "Diarrhea was the leading cause of death" in the branch where he was held.

Karem, who spent nine months in Branch 235 of Military Intelligence (the Palestine Branch), also described the death of a prisoner suffering from severe diarrhea:

> There was one older detainee, he was like an uncle to me and my brother. He would tell us that one day he would invite us to his house and that we would taste his wife's cooking. He loved sweets—if we ever got any jam [with our meals], we would give it to him. He got diarrhea, and shut down. He stopped eating, and started defecating on himself. On the day of his death, in March [2014], the whole cell prayed for his soul.

Taha, another former Palestine Branch (Military Intelligence) detainee, told Human Rights Watch:

> Ma'moun [another detainee] died on December 12, 2013, from diarrhea. He had diarrhea for five months. We did not ask for a doctor to check on him because if we did the guards would beat us. [After he died], when we asked the guard to take his body they started slapping us on our heads.[90]

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[89] Human Rights Watch telephone interview with Jihad, November 12, 2014.

[90] Human Rights Watch telephone interview with Taha, July 9, 2014.

Skin Diseases

Former detainees also reported that skin diseases were also common among individuals in detention. They spoke of a variety of skin diseases that infected large numbers in their cells, including scabies and unidentified rashes or spots that affected large numbers of detainees in their cells. They spoke of sores and festering open wounds. Several former detainees reported that they had scabies or lice in detention. Some detainees with severe cases of scabies died from subsequent infections.

Taha, a former Palestine Branch detainee, told Human Rights Watch, "I started having sores all over my body. The sores are like holes in the body resulting from continuous scratching of the skin. [Another detainee] died because of scabies. His scabies was very severe."[91]

A former detainee who had served with the Syrian Army for twelve years until his detention told Human Rights Watch that while he was detained at the 248 Branch (Military Intelligence) in Mezze, he developed skin disease. "I started getting sores after one month [in detention], maybe less. I would scratch my skin until I reached my bones. At the beginning they would not give us any medicine but when we all got infected, the guards would give us a small bottle of medicine every three to four days. But it was not enough."[92] His skin lesions remained for the three and a half months he remained in detention, and took two months to heal after he was released, he said.

Another former Syrian Army soldier detained in the 227 Branch (the "Region" Branch, operated by Military Intelligence) told Human Rights Watch that during his detention:

> I saw security forces bringing detainees with rotten wounds and putting them under the sink. I later learned that the purpose of that is that exposing their wounds to water and humidity will make their wounds even worse. I saw at least 30 cases…I could see their wounds which were like the skin is being eaten away. It is more like a hole in the body.[93]

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[91] Ibid.

[92] Human Rights Watch interview with defector, name withheld for security reasons, July 6, 2014.

[93] Human Rights Watch interview with Omar al-Giba'l, May 28, 2014.

Former detainees told Human Rights Watch that skin diseases thrived because authorities' failure to allow detainees to regularly bathe, denial of medical care, as well as high humidity in the cells. Only two out of 37 detainees interviewed for this report said they were able to wash regularly (twice weekly), after paying prison guards for soap. The rest said they spent weeks or months unable to bathe. They reported that guards did not provide them with soap or allow them enough time in the bathroom to wash themselves, and that their cells were never cleaned. Dr. Karim Maamoun, a former detainee in Branch 215 (Military Intelligence) and a medical doctor held for two months in that facility, said, "on the ground, there was pus and bodily fluids. I was let out of the cell two times a day to go to the bathroom. There were never any showers, just the toilet."[94]

Lack of Medical Treatment

Lack of Medication for Chronic Diseases

Several witnesses told Human Rights Watch that they witnessed the deaths of fellow detainees from complications caused by lack of medication for chronic diseases such as diabetes, heart conditions, or asthma. Karem, a former Palestine Branch detainee, told Human Rights Watch one of his fellow detainees died following a bout of asthma. "He could not breathe. We asked the shawish [prisoner in charge of the cell] to knock on the door but he refused to do it. He fainted, and died. They left him on the ground."

Bilal, a former detainee in Branch 215, described a fellow prisoner's death:

> [He had] diabetes. We asked for medication, but they did not give us any. After one week this person "shut down." He took off his pants, and started to defecate on himself. The week after that, he started shaking, and he died.

Lack of Medical Care

Former detainees also said that there was grossly inadequate medical assistance available in detention facilities, even for those seriously wounded after beatings or torture, or for detainees suffering from chronic conditions. Only in the most serious cases, and then only on occasion, did prison guards provide paracetamol, an over-the-counter painkiller, the detainees reported.

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[94] Human Rights Watch interview Dr. Karim Maamoun, Lebanon, April 14, 2015.

Fahed al-Mahmoud, a defector from the al-Khatib branch in Damascus, told Human Rights Watch:

> The doctor in our branch… is the worst doctor. There are also two nurses. If he feels sorry for someone he would give them paracetamol. He only had two boxes: one with medication for the infections and one with paracetamol. When I saw [detainees] who were not feeling well, I had to go to the head [of the branch] and then you have to ask again and again in order to have one paracetamol.

Prison doctors, former detainees said, sometimes beat or otherwise physically abused prisoners. Dr. Sami, a former 215 Branch detainee and a medical doctor, told Human Rights Watch, "the doctor [of the branch] used to hit detainees. He used the same syringe for ten people to administer diclopinal sodium, a tranquilizer. I told [the other detainees] not to go see him again because of the risk of catching diseases from sharing a syringe."

Haytham, a former Palestine Branch detainee, said that if detainees wished to call a doctor, they had to inform their shawish [fellow prisoner who ran the cell], who would speak to the guard. "Then the guard would come, take the detainee out, beat him, and throw him back in the cell," he said. Rather than calling the guard, Haytham said, he and fellow prisoners resorted to squeezing to try to extract the pus.

The authorities' denial of medical assistance and needed medication to detainees violates detainees' right to health, right to life, and the right and to be protected from cruel, inhuman, or degrading treatment, as guaranteed by the International Covenant on Civil and Political Rights under international human rights law.

Extreme Mental Anguish Contributing to Death

Several of the detainees interviewed by Human Rights Watch described detainees experiencing extreme mental anguish that in some cases, contributed to death. Seven former detainees described high level of stress caused by the torture and overcrowding leading to severe forms of depression causing disorientation. They described a state of mind they called fasl, or losing one's mind and cutting off interaction with others, which would lead afflicted detainees to get disoriented, hallucinate, become unaware of their

surroundings, and stop eating and drinking. According to many of the detainees who witnessed such cases in their cells, after about a week in this condition, an afflicted detainee could die.

Bashar, a doctor from Latakia who was detained in both the Palestine Branch (235 Branch, operated by Military Intelligence) and the 291 Branch (Military Intelligence), both in Damascus, told Human Rights Watch that "in both detention facilities, I saw people who detached from reality. They would visualize they were not in prison, and it took time for them to snap out of it. One detainee…was convinced the general of the branch had come…and told him he would be released soon. It took him four days to come back to reality."[95]

Lack of Food

Syria's security branches consistently provided grossly inadequate food to detainees in their care further weakening the detainees' health. Many of the 6,786 victims depicted in the Caesar photographs appear severely emaciated: their ribs are prominently visible, stomachs shrunken, and pelvis bones dramatically pronounced. Dr. Mohammed Ayyash, a doctor working for the Syrian Association for Missing and Conscience Detainees who reviewed all of the detainee photographs, found that 2,936 of the victims, or 43 percent, appear emaciated. Physicians for Human Rights found that six of the victims in the subset of 72 photographs (representing 19 victims) they reviewed suffered from starvation, and in four of the cases starvation is likely to have contributed to the victim's death.[96]

Detainees interviewed for this report said they received such meager amounts of food that they lost their strength a few months into their detention period. Suleiman Ali (not his real name), a defector who was later detained, told Human Rights Watch that he weighed 75 kilograms at the beginning of his detention, but lost 35 kilograms in six months.[97]

Guards gave each cell a limited amount of food, which detainees then distributed among themselves. Several detainees said the shawish in their cell took far more than his fair

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[95] Human Rights Watch interview with Bashar, May 28, 2014.

[96] "In-Custody Deaths of Syrian Detainees: Forensic Analysis of Digital Photographs for Assessment of Trauma" written by Nizam Peerwani for Physicians for Human Rights, September 11, 2015. On file with Human Rights Watch.

[97] Human Rights Watch interview with Suleiman Ali, June 16, 2105.

share for himself, and sometimes for other prisoners who helped him enforce cell rules. The remaining detainees divided themselves into eating groups of between eight and ten prisoners who shared a small quantity of food.

Dr. Karim Maamoun (not his real name), a former detainee from the 215 Branch (Military Intelligence), described to Human Rights Watch the daily food he shared with eight other detainees: five spoons of labneh (a yoghurt spread) for breakfast, with a piece of bread for each; a handful of boiled bulghur and chopped vegetables plus five boiled eggs to share for lunch, and a similar meal for dinner.[98] Haytham, the former Palestine branch detainee, described his meals:

> For breakfast, we used to have marmalade, but the portion was so small that the shawish mixed it with water. For lunch we had bulghur but it was not cooked properly. The dinner consists of two boiled potatoes per group of 10 prisoners. We used to get three to four loaves of bread per day, but … there was no air in the cell and it was very humid, so it used to spoil the bread and so we had to eat moldy bread.

Overcrowding and Lack of Ventilation

Detainees lived in overcrowded, lightless cells where they had no space to lie down, or to sit comfortably. They never were allowed to leave the cell or breathe fresh air. A defector who worked as a guard at the al-Khatib Branch, a General Security branch in Damascus, told Human Rights Watch that before he defected in 2013, a group cell in the branch meant to hold 200 detainees held about 600. "It was full of smells and diseases," he said.[99]

Several detainees described the shock they felt due to the heat, stench, humidity, and overcrowding when they first entered the floor of the security branch where detainees were held, in most cases underground. Bilal, held in Branch 215, operated by Military Intelligence, said, "When I first entered the cell I felt a heat wave. It smelled like a dead animal, [the air] was like fire." Dr. Mamoun, held in the same branch, said:

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[98] Human Rights Watch interview with Dr. Karim Maamoun, April 14, 2015.

[99] Human Rights Watch interview with Fahed al-Mahmoud, June 15, 2015.

> There was another iron door and they put us inside. It was very, very, very humid. I started sweating immediately. There was a deadly smell, I didn't know how to bear it. People were sitting on the ground with no clothes. We found people standing in front of bathrooms, in rooms, corridors, everyone squatting. In all the branches I saw, I never saw anything like this. Clothes would disintegrate in ten days.[100]

Mundhar, who was detained in the 248 Branch (Military Intelligence), said he spent 25 days in a cell that measured four by five meters with 115 detainees. The corner farthest from the door, he said, was called the "corner of death," because so little air reached it. "We wanted to get beaten, just so we could [leave the cell and] breathe," he said. "The punishment was easier than the smell, and the atmosphere."[101]

Haytham, a former Palestine Branch detainee, described his cell as follows:

> It was 4 to 5 meters wide and 10 meters long. There was a small iron door, with bars at the top. There was no light in the cell. [There] was a small neon bulb in the hallway, a bit of light entered from the spaces between the bars of the door…. All of the detainees, 100 to 110 people, were not wearing clothes, because of the heat and humidity. They were all in underwear [or] without underwear because they had been detained such a long time, that the underwear disintegrated. We took three hour shifts: first you stand, then you can squat [and] take some rest.[102]

All of the detainees interviewed for this report said that, in their cells, the shawish [prisoner in charge] assigned them a certain number of floor tiles, between one and three, upon which they were required to remain. Dr. Ma'moun said:

> The cell was made up of 40 cm by 40 cm tiles. Each person was on a tile. The shawish put people on tiles next to the wall, they had a bit of rest as

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[100] Human Rights Watch interview with Dr. Karim Maamoun, April 14, 2015.
[101] Human Rights Watch interview with Mundhar, Turkey, June 14, 2015.
[102] Human Rights Watch Interview with Haytham, June 9, 2015.

> they could rest against the wall. These were the very old people, people arrested a long time ago who couldn't stand, sick people.
>
> Peoples' calves and ankles were swollen a lot, like an elephant's. You'd see such thin people with swollen legs and ankles, after a while their legs started to decay and rot.[103]

A former conscript at the 601 Military Hospital in Damascus who saw hundreds of bodies the hospital received told Human Rights Watch that the corpses regularly had gangrenous legs.[104] Several former detainees also described how they and their fellow detainees' lower legs would swell and develop sores.

All the detainees interviewed for this report said the cells had poor ventilation, and that it was a struggle for them to breathe. "Some people would just faint between the others," said Karem, who spent nine months in the Palestine Branch.

His brother Karam, detained in the same cell, said:

> We did not have the place to sleep so we slept head to toe. And since there is not enough places even like this we sleep on each other's, head to toes, in two ranks. Two people died because they suffocated due to this way we used to sleep.[105]

Torture and Beatings Leading to Death

Witnesses also reported seeing fellow detainees die after severe beatings or torture, in addition to experiencing prolonged torture themselves. Almost all the former detainees interviewed told Human Rights Watch that they had been subjected to torture (the deliberate infliction of severe pain to obtain information or for other purposes such as punishment) during their detention, and that they had witnessed the torture of others. The most severe torture took place during interrogation sessions, often in separate interrogation or torture rooms, or in corridors and hallways in some of the smaller

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[103] Human Rights Watch interview with Dr. Karim Maamoun, April 14, 2015.

[104] Human Rights Watch interview with Suleiman Ali, June 16.2015.

[105] Human Rights Watch telephone interview with Karam Jammal, December 23, 2014.

detention facilities. During these sessions, interrogators and officers usually wanted the detainees to confess to having participated in demonstrations, to provide names of other demonstrators and organizers, to admit to owning and having used weapons, and in some cases to provide information about alleged funding of demonstrations from abroad.

But many former detainees interviewed also believed that a main reason for the use of torture was not just to obtain information, but to punish and intimidate the detainees.

Interrogators, guards, and officers used a wide range of torture methods, including prolonged beatings, often with objects such as batons and cables, suspending the detainees in stress positions for prolonged periods of time, and use of electricity and electric shocks. Several detainees held in different Damascus branches described the following torture methods:

- *Shabeh*: suspending the detainee for long periods of time by his wrists. Some detainees were suspended while their wrists were bound in front of their body, while others were suspended while their wrists were bound together behind;
- Beating with PVC pipe: In some cases guards struck detainees directly in the chest with the end of the PVC pipe. Because the pipe was often green, *akhdar* in Arabic, detainees nicknamed this type of torture "*al-Akhdar al-Brahimi*," after Lakhdar al-Brahimi, the United Nations and Arab League special envoy for Syria between 2012 and 2014;
- Whipping with cables: detainees described being whipped with steel cables that opened deep wounds in their skin. In some cases, these wounds became infected. They were whipped on their backs, legs, and the soles of their feet;
- German Chair: detainees described how they were put on a chair with no back, with a metal pole against their back, and bent backwards until it felt like their back would break. One female detainee said she passed out from the pain;
- *Bsat al-Reeh*, which means flying Carpet: detainees described being immobilized on a flat board, sometimes in the shape of a cross, so that they are unable to defend themselves when they are being beaten. In some cases, former detainees said guards folded the board, severely and dangerously stretching their limbs;

- Electric Shocks: detainees described rampant use of electric shocks as a form of torture. Detainees reported that interrogators or their assistants would shock them all over their bodies, including in their genital areas;
- Suffocation: Detainees describe guards put their boots on the detainee's neck and strangling the detainee with a rubber hose;
- *Falaqa*: beating the victim with sticks, batons, or whips on the soles of the feet
- *Dulab*: the "tire method" (the victim is forced to bend at the waist and stick his head, neck, legs and sometimes arms into the inside of a car tire so that the victim is totally immobilized and cannot protect him or herself from ensuing beatings)

Physicians for Human Rights found that, in a set of 72 photographs depicting 19 individual victims, "there were at least two [sets of photographs] which demonstrated wrist binds with evidence of beating, starvation and cellulitis," as well as three cases of *dulab* torture, and at least two cases of *falaqa* torture. Some individual exhibited signs of more than one type of torture. Finally, they found "evidence that many detainees sustained multiple blunt force injuries. Such injuries are frequently fatal especially in starving and sleep deprived detainees with many skin sores and infections including cellulitis of lower extremities."

Witnesses reported that some detainees came back from their torture sessions so injured that they died soon after. Haytham described the death of a fellow detainee in the Palestine Branch:

> There is a person from Damascus, Abou Hassan, He was 39 years old, an athlete. They used to call him to investigation twice a day, after one week he came back to the cell covered in blood. After three days, he was in very bad condition. I stayed with him during the last fifteen minutes [before he died]. I kept telling him to be patient, that he would get better.[106]

Dr. Mamoun, former 215 Branch detainee, described the effects of detention on his nephew Mohammed, who was detained in the branch at the same time, and who died while he was there.

[106]Human Rights Watch Interview with Haytham, June 9, 2015.

> When I went inside the cell, someone knew me. When he lifted his head, [I saw] his teeth were broken. He was severely, severely emaciated. He had very weak and short hair. I said, 'you know me?' He said, 'yes, I'm your nephew Mohammed. I'm the one with the supermarket next to your clinic.' He started to cry. He hadn't seen himself, he'd been detained for ten and a half months.

Dr. Mamoun told Human Rights Watch that his nephew died a month and a half later.

> They set his hand on fire, he was in very bad pain. He was crouching, not moving. I went to a doctor [who] was also a prisoner. They gave me two painkillers, just two tablets. After two days, the shawish of [Mohammed's cell] sent someone to tell me, your nephew is dead. They brought him to the corpses' room.

In some cases, witnesses said, detainees died on the spot during beatings or torture sessions. Dr. Mamoun told Human Rights Watch that another detainee arrested in the same case as him was killed during a torture session:

> They called for…three [from our group]. They hung them by the wrists…[two of them] came back alive. Ahmed came back dead. [Another detainee from our group] said that they hung him [repeatedly]… and he died. He was executed, suffocated.

Sami Adnan (not his real name), a former 227 Branch detainee, described another death to Human Rights Watch:

> One day I could not breathe, we made some noises because I wanted to go out. You get hit but at least you get to breathe when the guards open the door and take you to be beaten. The detainee next to me took my turn and went out, so he could breathe. He came back dead.[107]

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[107] Human Rights Watch interview with Sami Adnan (not his real name), Istanbul, Turkey, June 12, 2015.

Syria is a party to key international treaties that ban torture under all circumstances, even during recognized states of emergency, and require investigation and prosecution of those responsible for torture.[108] When committed as part of a widespread or systematic attack against the civilian population (i.e. as a state policy), torture constitutes a crime against humanity under customary international law and the Rome Statute of the International Criminal Court.[109] Individuals who carried out or ordered the commission of crimes against humanity bear individual criminal responsibility for these crimes under international law, including the Rome Statute.[110] Military commanders and intelligence officials could also bear responsibility for crimes against humanity committed by individuals under their direct or ultimate command in accordance with the doctrine of command responsibility when they knew or should have known about the crimes and failed to prevent them or to submit the matter for prosecution.[111] This would apply, without exception, not only to the officials overseeing detention facilities, but also to the heads of intelligence agencies, members of government, and a head of state, none of whom are exempt from responsibility.[112]

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108 International Covenant on Civil and Political Rights (ICCPR), adopted December 16, 1966, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171, entered into force March 23, 1976, acceded to by Syria on April 21, 1969, arts. 4, 7. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention against Torture), G.A. res. 39/46, U.N. Doc. A/39/51 (1984), entered into force June 26, 1987, acceded to by Syria on August 19, 2004.

109 Rome Statute. Syria has signed, although not ratified, the Rome Statute and so is obliged to refrain from acts that would 'defeat the object and purpose of [the] treaty'. See Article 18 of the Vienna Convention on the Law of Treaties, 1969, United Nations, Treaty Series, vol. 1155, p. 331, acceded to by Syria in 1970. Syria signed the Rome Statute on November 29, 2000.

110 Rome Statute, art. 25(3), which stipulates, in part:

"In accordance with this Statute, a person shall be criminally responsible and liable for punishment for a crime within the jurisdiction of the Court if that person:

(a) Commits such a crime, whether as an individual, jointly with another or through another person, regardless of whether that other person is criminally responsible;

(b) Orders, solicits or induces the commission of such a crime which in fact occurs or is attempted."

111 Rome Statute, art. 28.

112 Rome Statute, art. 27.

IV. Procedures after Death

Role of the Security Branch

After prisoners died in detention centers and prisons around Damascus, former detainees said that their bodies sometimes remained in the cell for a day or two before they were removed.[113] Then, they were loaded into transport vans and carried to a hospital for processing. Sometimes prisoners themselves participated in loading the bodies, in particular the shawish of a cell. Security officers from the branches wrote numbers on medical plasters affixed to the detainees' bodies, on the bodies directly, or on cards they put in detainees' underwear.

A former soldier detained in the 227 Branch ("Region" Branch, operated by Military Intelligence) described how a security branch ordered him and two fellow prisoners to wrap bodies in blankets and carry them to the entrance of the branch:

> We saw three corpses….They had bruises all over their bodies especially on their backs….The guard gave me a blanket that I used to wrap the body. …The guard wrote a name on a piece of paper with a number. He would tuck the card in the dead man's underwear….I carried the body and placed it at the entrance of the security branch. A car would pick up the bodies…. I removed 40 bodies over the course of 10 days.[114]

Another detainee described how he lost consciousness while being tortured, and was left for dead. "When I regained my consciousness, I was lying above corpses. The bodies and I were on the pavement. I think they were waiting for a van to pick us up. They saw that I was not dead. They electrocuted me to make sure, [and] returned me to my cell."[115]

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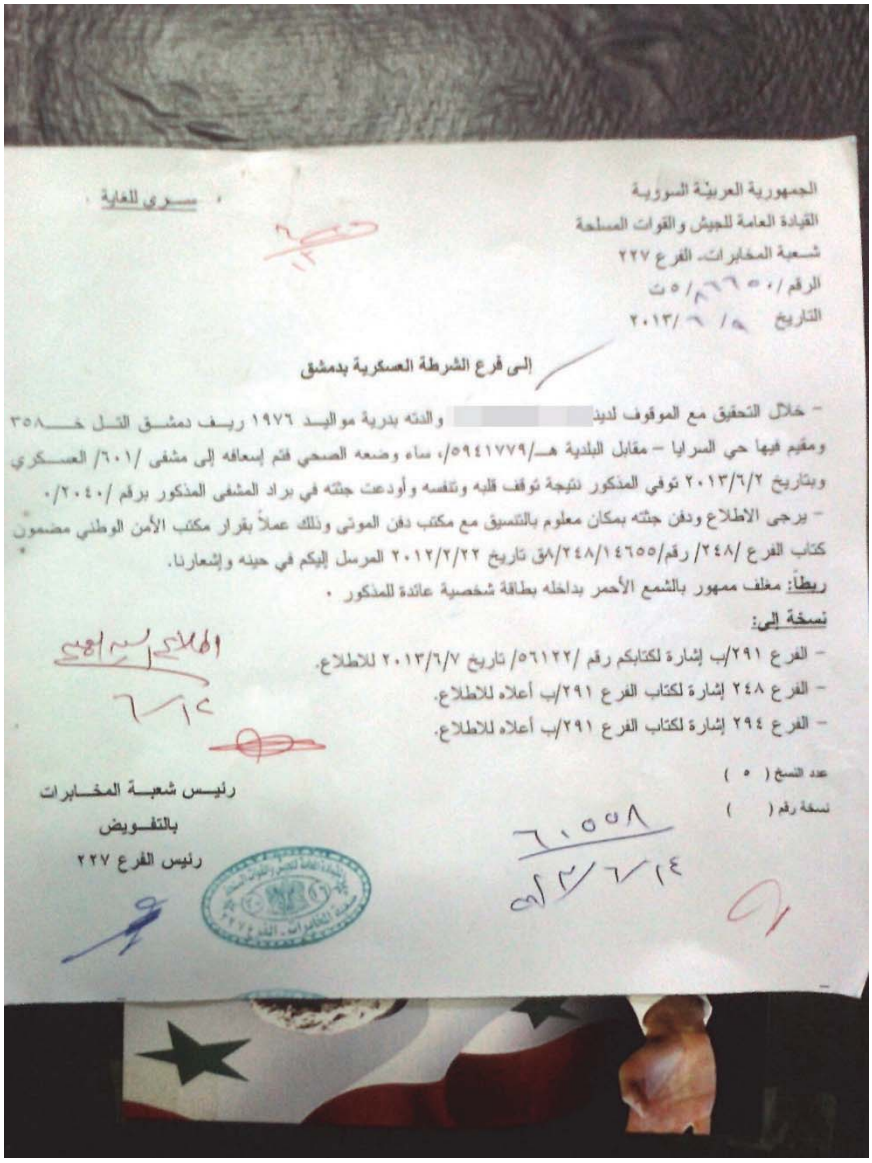
[113] Human Rights Watch Interview with Haytham, June 9, 2015;
Human Rights Watch telephone interview with Karam Jammal, December 23, 2014;
Human Rights Watch interview with Karem, June 13, 2015.
[114] Human Rights Watch interview with Omar al-Giba'I, May 28, 2014.
[115] Human Rights Watch telephone interview with ANK, July 11, 2014.

Based on the interview of a defector as well as a leaked document, the security branch would write to the Military Police informing them about the death of a detainee. According to the defector, cause of death was always written as heart failure. [116]



الجمهورية العربية السورية
القيادة العامة للجيش والقوات المسلحة
شعبة المخابرات- الفرع ٢٢٧
الرقم /٠٥/ ت
التاريخ /٦/ /٢٠١٣

سري للغاية

إلى فرع الشرطة العسكرية بدمشق

- خلال التحقيق مع الموقوف لديذ والدته بدرية مواليد ١٩٧٦ ريف دمشق التل خ ٣٥٨ ومقيم فيها حي السرايا – مقابل البلدية هـ/٥٩٤١٧٧٩/، ساء وضعه الصحي فتم إسعافه إلى مشفى /٦٠١/ العسكري وبتاريخ ٢٠١٣/٦/٢ توفي المذكور نتيجة توقف قلبه وتنفسه وأودعت جثته في براد المشفى المذكور برقم /٢٠٤٠/٠
- يرجى الاطلاع ودفن جثته بمكان معلوم بالتنسيق مع مكتب دفن الموتى وذلك عملاً بقرار مكتب الأمن الوطني مضمون كتاب الفرع /٢٤٨/ رقم/٢٤٨/١٤٦٥٥/ق تاريخ ٢٠١٢/٢/٢٢ المرسل إليكم في حينه وإشعارنا.

ربطاً: مغلف ممهور بالشمع الأحمر بداخله بطاقة شخصية عائدة للمذكور .

نسخة إلى:
- الفرع ٢٩١/ب إشارة لكتابكم رقم /٥٦١٢٢/ تاريخ ٢٠١٣/٦/٧ للاطلاع.
- الفرع ٢٤٨ إشارة لكتاب الفرع ٢٩١/ب أعلاه للاطلاع.
- الفرع ٢٩٤ إشارة لكتاب الفرع ٢٩١/ب أعلاه للاطلاع.

عدد النسخ (٥)
نسخة رقم ( )

رئيس شعبة المخابرات
بالتفويض
رئيس الفرع ٢٢٧

A note from the head of the 227 Branch noting: "During the investigation with [DETAINEE], his health conditions declined and he was given emergency treatment in the 601 Military Hospital. On June 2, 2013, the [DETAINEE] died after his heart and breathing stopped. He was placed in the morgue refrigerator, with the number '2040.' Please bury his corpse…in coordination with the Burial Office in accordance with the written [DECISION] of the National Security Office." With copies to three security branches.
© 2013 "Caesar" collection

[116] Human Rights Watch Interview with Fahed al-Mahmoud, June 15 2015.

Photographs of Detainee 2040 reveal that his body was photographed on June 7 2013. His body shows purple bruising in the throat, abdomen and lower legs, cuts on his lower legs, and a cut on his forehead.

The security branch order is dated June 9, 2013.

Transfer to Military Hospitals

According to interviews with defectors, former detainees who were transferred to military hospitals, as well as Caesar's testimony before the US Congress, detainees' bodies were transferred from Damascus security branches to three military hospitals:

- 601 Military Hospital in Mezze
- Tishreen Military Hospital
- Harasta Military Hospital

In some cases, the bodies would first be transferred to another hospital for convenience. A former State Security officer who worked as a guard in the al-Khatib branch, and was seconded as a guard to the Harasta Military Hospital for 45 days, told Human Rights Watch that guards brought the corpses of those who died in al-Khatib branch to the Red Crescent Hospital in Damascus, a civilian hospital located across the road from the branch, for storage in the morgue and to receive a medical report:

> Two olive-green vans transfer the corpses. At the Red Crescent Hospital, they examine the detainee, declare him dead and write a report with: date, name, number of detainee. Then they state it was a heart attack, that they tried to reanimate and finally they declare your death. The corpse stays at the hospital until they have six or seven bodies and then they transfer them to Harasta [Military Hospital].[117]

In other cases, the bodies were transferred directly from the detention facility to the Military Hospital.

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[117] Ibid.

A second defector, from the 601 Hospital, told Human Rights Watch that both Air Force Intelligence and Military Security facilities transferred bodies to the 601 Military Hospital in Mezze. [118]Some bodies were also transferred to Tishreen military hospital, also known as Hospital 607, in northern Damascus. Two former detainees from Sednaya prison, which held some of the victims that appear in the Caesar photographs, told Human Rights Watch they had seen bodies being taken from Sednaya Prison to Tishreen.[119] One former detainee said there were seven bodies on the floor of the truck that took him to Tishreen hospital for medical treatment.[120] Another detainee said there were two bodies in the vehicle when he was transported to the Tishreen hospital for a second time. The hospital guards forced him to put about 20 bodies into body bags during his two stays in the hospital, he said.[121]

All three hospitals are located on the outskirts of central Damascus. The 601 Military Hospital, where many of the bodies that appear in the Caesar images were photographed, and the site of the garage where groups of bodies were photographed en masse, was located just a few minutes' drive from several of the security branches in Kafr Souseh.

Procedures in 601 Military Hospital and Harasta Military Hospital

After detainees' bodies were removed from security branches, security officers brought them to military hospitals to be examined by a forensic doctor, photographed, and taken for burial. This medical report which was part of the files smuggled out by Caesar outlines the procedure:

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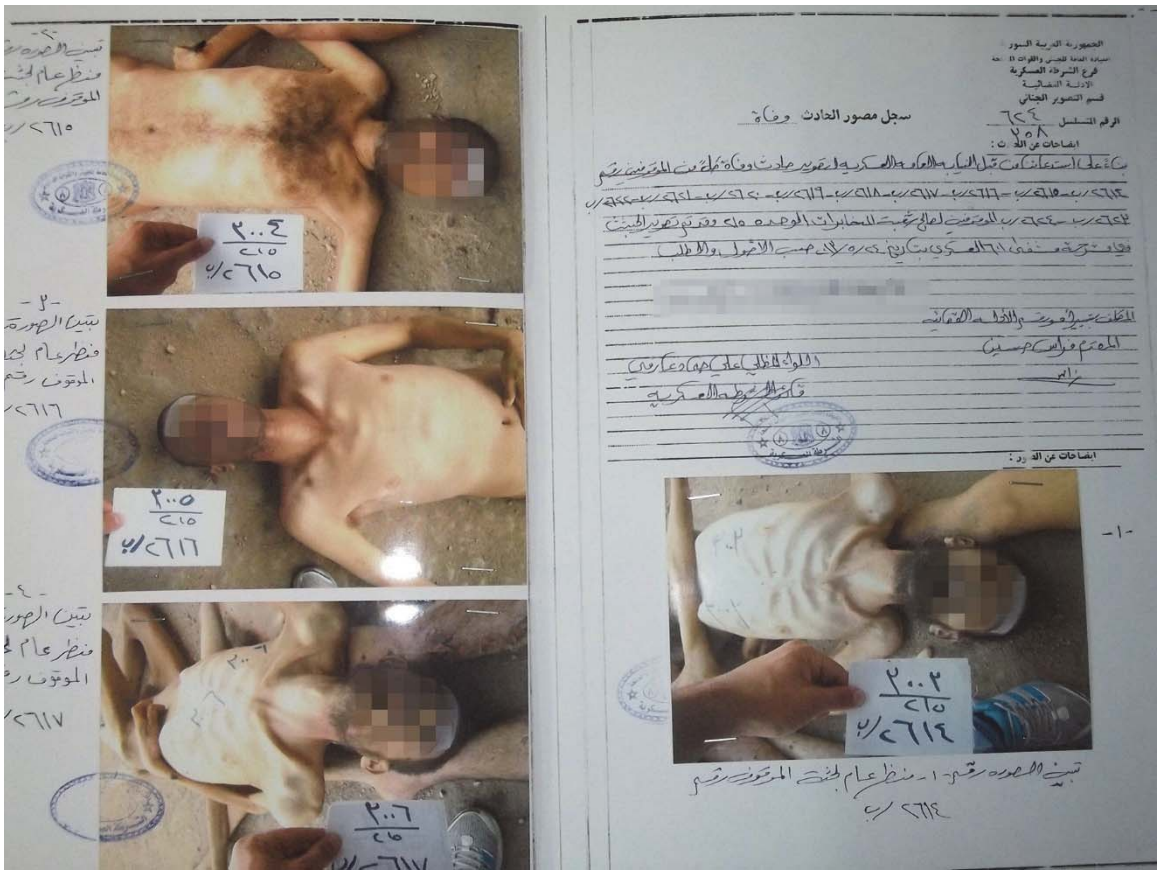
[118]Human Rights Watch interview with Suleiman Ali, June 16.2015.

[119] "Syria: Witnesses Corroborate Mass Deaths in Custody Claims," Human Rights Watch news release, August 14, 2014, https://www.hrw.org/news/2014/08/14/syria-witnesses-corroborate-mass-deaths-custody-claims .

[120] Ibid.

[121] Human Rights Watch telephone interview with Ahmad, August 4, 2014.



The report states: "based on the order of the military general prosecutor, photograph the bodies of detainees 2614, b-2615, b-2616, b-2617, b-2618, b-2619, b-2620, b-2621, b-2622, b-2623, b-2624, prisoners under the responsibility of the security services, unit 215, in the morgue of Military Hospital 601 on May 24, 2013, based on these orders." © 2013 "Caesar" collection

According to a conscript who defected after more than two years serving at the 601 Military Hospital, as the number of bodies that arrived at the hospital increased, the hospital ran out of rooms in the morgue's refrigerated compartments, and began storing the bodies in a garage where army vehicles were sent for repair.

WARNING: DISTRESSING IMAGE ON THE FOLLOWING TWO PAGES

Groups of bodies waiting to be photographed and logged by military medical personnel, in the garage of 601 Military Hospital in Mezze, Damascus.

According to a conscript who defected after more than two years serving at the 601 Military Hospital, as the number of bodies that arrived at the hospital increased, the hospital ran out of rooms in the morgue's refrigerated compartments, and began storing the bodies in a garage where army vehicles were sent for repair.

© 2013 "Caesar" collection

The hospital scheduled two weekly sessions to process the bodies, he said. On Tuesdays and Saturdays, a forensic doctor accompanied by two conscripts would stop at each body, give it an "examination number," and write a medical report. Each body was then photographed by a military photographer.

Fahed al-Mahmoud, who spent 45 to 50 days seconded as a guard to the Harasta Military Hospital, told Human Rights Watch he saw two groups of bodies being processed and sent for burial. The first group included approximately 60 bodies, he said, while the second about 40 bodies.

> When the corpses arrive, [the forensic doctor, who is also an army officer] asks how many corpses there are, and then she asks [conscripts] to wrap them up. She gives each body a third number on a bandage. She writes on the register: the number of detainee, the branch number, and the hospital number [examination number]. Then they are put in the [morgue] refrigerator.[122]

Death Certificates and Disposal of the Bodies

After the bodies were processed at the Military Hospital, conscripts loaded them into trucks. Suleiman Ali, the conscript who defected from 601 Military hospital, heard from his colleagues that they were sent for incineration; another defector, Fahed al-Mahmoud, who spent time in Harasta military hospital, said that the military vehicle drivers told him bodies were sent to burial sites on military land in the desert.[123] Human Rights Watch was not able to confirm either claim.

Of the 27 families interviewed who recognized their relatives among the Caesar victims, only two received death certificates for their dead relatives.

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[122] Human Rights Watch interview with Fahed al-Mahmoud, June .2015.

[123] Human Rights Watch interview with Suleiman Ali, June 16.2015.

Human Rights Watch Interview with Fahed al-Mahmoud, June 15 2015.

One of the two family members to receive a death certificate received her husband's death certificate a year and four months after his arrest. Both the certificate and the medical report she received from the Syrian Doctors' Syndicate, stated that her husband died after his respiratory system failed.[124]

In the second case, a woman received her son's death certificate a year and a half after her son died (which she learned from another man detained alongside him). The death certificate she received states that her son experienced cardiac arrest, and that after attempts to revive him, he died.[125]

The death certificates were issued by the Interior Ministry of the Syrian Arab Republic, Civil Affairs, the General Directorate of Civil Affairs.[126]

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[124] Documents on file with Human Rights Watch. Not included for confidentiality purposes.

[125] Documents on file with Human Rights Watch. Not included for confidentiality purposes.

[126] Samples of death certificates provided by the individuals whose cases are described in this section. On file with Human Rights Watch.

V. Enforced Disappearances and Families' Anguish

The majority of the cases of detention documented by Human Rights Watch for this report can be described as enforced disappearances. In international law this is when state agents or other persons acting with the support of the state detain someone and then refuse to acknowledge the detention, or conceal his or her fate or whereabouts.[127]

All of the 27 families or relatives interviewed by Human Rights Watch for this report said they spent months or years searching for news of their loved ones in detention. Some visited government offices and lodged formal requests for information. Others feared arrest or chose not to make official inquiries because they did not trust the government to provide them with accurate information. Many families interviewed for this report paid bribes to middlemen who had government contacts or who worked in the government or security forces. For the most part, both those who made official and unofficial inquiries received conflicting reports as to their relative's whereabouts, or no information at all. In some cases they received correct locations or information that they were only able to verify after the Caesar photographs were published, according to the branch numbers and dating of the photographs.

Families paid thousands and in some cases millions of Syrian pounds to contacts and middlemen employed in various government or security agencies. The family of Rehab al-Allawi (see Profiles section) paid over $100,000 in bribes to various government and military officials.

In many cases, families said, they were too frightened to approach security branches directly for fear of being arrested themselves. Instead, they approached personal contacts or searched for any government interlocutor who promised help. Former detainees released from prison also provided some families with information about their relatives.

In a few cases Human Rights Watch documented, families did approach government officials and security branches through official channels. Maryam Hallaq, the mother of

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[127] International Convention for the Protection of All Persons from Enforced Disappearance (ICCPED), adopted December 20, 2006, G.A. Res. 61/177, U.N. Doc. A/RES/61/177 (2006), entered into force December 23, 2010, art. 2 [Syria has not ratified the ICCPED].

Ayham Ghazzoul (See Profiles section), told Human Rights Watch that she learned of Ayham's death through a former detainee several months after his arrest. About a year and a half after her son disappeared, she began visiting security branch offices seeking official information about his death. Mayram said:

> I started going to military prosecutor in Damascus and the Military Police in Qaboun (also in Damascus). The first time they sent me to the 248 and 215 branches where they refused to give me any kind of information. But on May 10, 2014, at the Military Police [office], they gave me a piece of paper and sent me to Tishreen Military Hospital –the Forensic Medicine department—where they gave me a [death] certificate stating that Ayham had been killed.

The Military Hospital did not return Ayham's remains to his mother, and they did not provide her with any of his personal effects.

On September 28, 2014, Maryam filed an official complaint with the Military Police in Qaboun requesting information about the circumstances of Ayham's death.[128] On October 27, she filed an official application for information with the Military General Prosecutor in Damascus, also requesting information on the circumstances of his death.[129] However she did not receive a reply, and soon afterwards, she fled Syria.

None of the families interviewed by Human Rights Watch received the body of their loved one for burial.

[128] On file with Human Rights Watch.

[129] On file with Human Rights Watch.

Acknowledgments

This report was written by Priyanka Motaparthy, researcher in the Emergencies division, and Nadim Houry, deputy director in the Middle East and North Africa division. Priyanka Motaparthy, Nadim Houry, Racha Mouawieh, research assistant in the Middle East and North Africa division, Ole Solvang, Senior Researcher in the Emergencies division, and Josh Lyons, satellite imagery analyst at Human Rights Watch, researched the report. Josh Lyons analyzed the photographic file data and provided satellite analysis for the report. Sarkis Balkhian, associate in the Middle East and North Africa division, also provided research assistance.

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Nadim Houry, deputy director of the MENA division; Clive Baldwin, Senior Legal Advisor; and Tom Porteous, deputy program director, edited the report. Portions of the report were reviewed by Bill Van Esveld, Senior Researcher, Children's Rights division; Richard Pearshouse, Senior Researcher, Health and Human Rights division; and Balkees Jarrah, Senior Counsel, International Justice division. This report was prepared for publication by Racha Mouawieh, research assistant in the MENA division; and Jose Martinez, senior coordinator. Accompanying multimedia was produced by Veronica Matushaj, Director of Documentary Video & Photography at Human Rights Watch.

We are deeply grateful to the families who shared with us the painful stories of their search to find their loved ones, as well as to former detainees who recounted their experiences in detention. Despite their deeply traumatic experience, many of them said they spoke to us out of a desire to improve conditions for the thousands who remain in Syria's detention centers, as well as to achieve accountability for the deaths of their friends and loved ones.

IF THE DEAD COULD SPEAK

Mass Deaths and Torture in Syria's Detention Facilities

This report reveals some of the human stories behind the more than 28,000 photos of deaths in government custody that were smuggled out of Syria by a military defector code-named "Caesar."

If the Dead Could Speak lays out new evidence regarding the authenticity of what are known as the Caesar photographs, identifies a number of the victims, and highlights some of the key causes of their deaths. The report is based on interviews with 33 relatives and friends of 27 victims, 37 former detainees, and 4 defectors who worked in Syrian government detention centers or the military hospitals.

Human Rights Watch found that there was widespread torture, starvation, beatings, and disease in Syrian government detention facilities, often leading to detainees' deaths. The report also details the procedures in place to dispose of the bodies.

Human Rights Watch calls on governments meeting about possible peace negotiations in Syria, including Russia, as the Syrian government's biggest backer, to prioritize the fate of the thousands of detained people in Syria. Concerned countries should insist that the Syrian government should give international monitors immediate access to all detention centers and that Syria's intelligence services should stop disappearing and torturing detainees.

The "Caesar" photographs show more than 6,700 people who died in Syrian government custody. In March 2015, the photographs were published online, and families who had spent months or years searching for disappeared relatives began recognizing their loved ones.

hrw.org