



SYRIA

# “We’ve Never Seen Such Horror”

Crimes against Humanity by Syrian Security Forces

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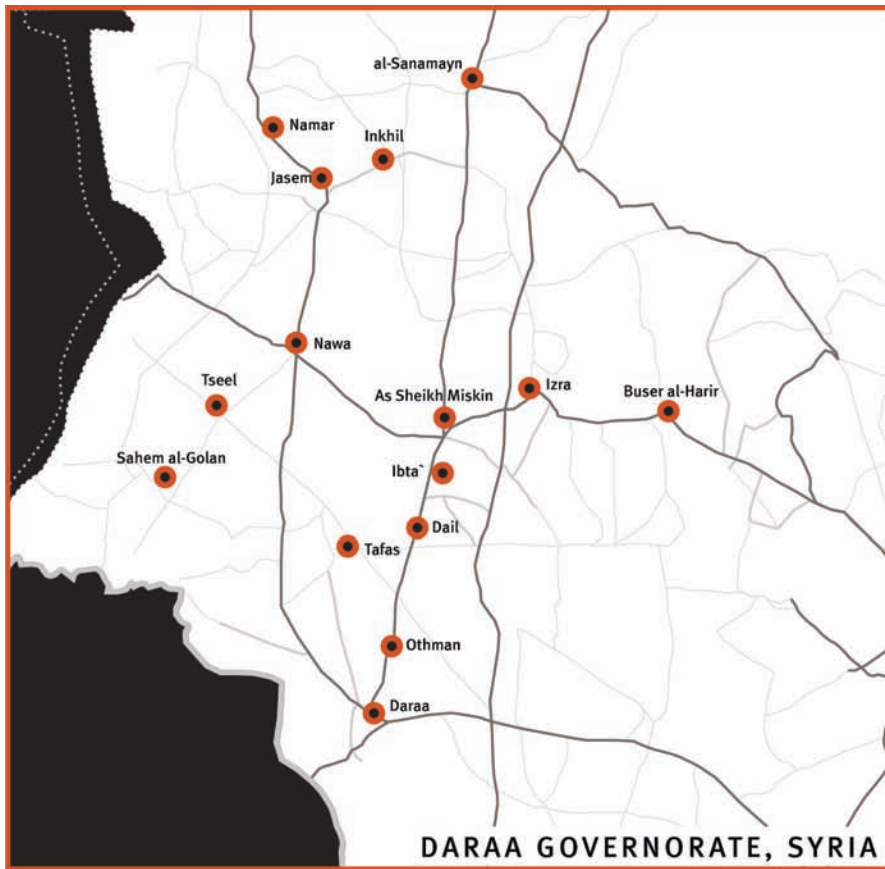
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# **“We’ve Never Seen Such Horror”**

## **Crimes against Humanity by Syrian Security Forces**

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## Map of Daraa Governorate



## Summary

Since the beginning of anti-government protests in March 2011, Syrian security forces have killed hundreds of protesters and arbitrarily arrested thousands, subjecting many of them to brutal torture in detention. The security forces routinely prevented the wounded from getting medical assistance, and imposed a siege on several towns, depriving the population of basic services. Some of the worst abuses took place in Daraa governorate in southwestern Syria.

The nature and scale of abuses, which Human Rights Watch research indicates were not only systematic, but implemented as part of a state policy, strongly suggest these abuses qualify as crimes against humanity.

This report focuses primarily on violations by Syrian security forces in Daraa governorate from March 18 to May 22, 2011. Since the beginning of the protests in Syria, Human Rights Watch has issued numerous press releases documenting the crackdown on protesters in different parts of Syria. Obtaining information from Daraa proved most challenging as Syrian authorities put enormous efforts into ensuring that such information did not get out.

The report is based on more than 50 interviews with residents of Daraa and several Jordanian nationals who were in Daraa during the protests. Human Rights Watch also reviewed dozens of videos, filmed by the witnesses, which corroborate their accounts. Additional information was provided by Syrian activists who have been documenting the events.

The Daraa protests, which eventually spread all over Syria, were sparked by the detention and torture of 15 young boys accused of painting graffiti slogans calling for the downfall of the regime. On March 18, following Friday prayer, several thousand protesters marched from al-Omari Mosque in Daraa calling for the release of the children and greater political freedom, and accusing government officials of corruption. Security forces initially used water cannons and teargas against the protesters and then opened live fire, killing at least four.

The release of the children—bruised and bloodied after severe torture in detention—fanned the flames of popular anger. Protests continued, every week growing bigger with people from towns and villages outside Daraa city joining the demonstrations.

The Syrian authorities promised to investigate the killings, but at the same time denied any responsibility and blamed the violence on “terrorist groups,” “armed gangs,” and “foreign elements.” In the meantime, security forces responded to the continuing protests with unprecedented brutality, killing, at this writing, at least 418 people in the governorate of Daraa alone, and more than 887 across Syria. Exact numbers are impossible to verify given the information blockade imposed by the Syrian government.

Some of the deadliest incidents that Human Rights Watch has documented in this report include:

- An attack on al-Omari mosque (which had become a rallying point for protesters and served as a makeshift hospital for the wounded protesters) and ensuing protests from March 23 to 25, 2011, which resulted in the killing of more than 30 protesters;
- Killings during two protests on April 8, 2011, which resulted in the deaths of at least 25 victims;
- Killings during a protest and a funeral procession in Izraa on April 22 and 23, 2011, which claimed the lives of at least 34 protesters;
- Killings during the siege of Daraa and neighboring villages (starting on April 25 and ongoing in certain towns) and killings at an April 29, 2011 protest, during which residents of neighboring towns tried to break the siege, which claimed up to 200 lives.

Witnesses from Daraa interviewed by Human Rights Watch provided consistent accounts of security forces using lethal force against peaceful protesters. In some cases, security forces first used teargas or fired in the air, but when protesters refused to disperse, they fired live ammunition from automatic weapons into the crowds. In most cases, especially as demonstrations in Daraa grew bigger, security forces opened fire without giving advance warning or making any effort to disperse the protesters by nonlethal means.

Security forces deliberately targeted protesters, who were, in the vast majority of cases, unarmed and posed no threat to the forces; rescuers who were trying to take the wounded and the dead away; medical personnel trying to reach the wounded; and, during the siege, people who dared to go out of their houses or to gain access to supplies. In some cases they also shot bystanders, including women and children.

From the end of March, witnesses consistently reported the presence of snipers on government buildings near the protests, targeting and killing protesters. Many of the victims sustained head, neck and chest wounds, suggesting that they were deliberately targeted.

Other evidence obtained by Human Rights Watch also suggests that security forces participating in the operations against the protesters (in Daraa and other cities) had received, at least in a number of cases, “shoot-to-kill” orders from their commanders.

Security forces who participated in the crackdown in Daraa included several army units, as well as various branches of Syria’s *mukhabarat* (intelligence services). Several witnesses noted that most of the violence was perpetrated by *mukhabarat* forces and elite army units such as the 4<sup>th</sup> Division which reports directly to Maher al-Asad, the younger brother of President Bashar al-Asad. On several occasions army units deployed to quell the protests seemed reluctant to shoot at protesters, allowed them to pass through checkpoints, and, in at least two cases documented by Human Rights Watch, refused orders to shoot and either surrendered to the protesters or handed over their weapons to the protesters.

Syrian authorities repeatedly blamed the protesters in Daraa for initiating the violence and attacking security forces. On several occasions, starting in late March, after security forces first used lethal force against the demonstrators, Daraa residents resorted to violence. For example, they set several buildings on fire, including the governor’s house, and the political security building, as well as vehicles belonging to the security forces, and on several occasions killed members of the security forces.

At the same time, all witnesses interviewed by Human Rights Watch said that the protests started peacefully, with demonstrators often carrying olive branches, unbuttoning their shirts to show that they had no weapons, and chanting “peaceful, peaceful” to indicate that they posed no threat to the security forces. Dozens of videos of the Daraa protests that witnesses provided to Human Rights Watch as well as those posted online corroborate these accounts. Witnesses said that protesters only used violence against the security forces and government property in response to killings by the security forces or, in some cases, as a last resort to secure the release of wounded demonstrators captured by the security forces.

The incidents of violence by the protesters should be further investigated and the perpetrators brought to justice. However, these incidents by no means justify the massive and systematic use of lethal force against the demonstrators, which was clearly disproportionate to the threat presented by the overwhelmingly unarmed crowds.

Syrian authorities also routinely denied wounded protesters access to medical assistance. In at least two cases documented by Human Rights Watch (and reportedly in many others), this denial of medical assistance led to the deaths of wounded persons who might otherwise have survived.



Witnesses told Human Rights Watch that security forces regularly prevented ambulances from reaching the wounded and, on several occasions, opened fire as medical personnel were trying to reach the injured. They also prevented people from carrying away the wounded and, in several cases documented by Human Rights Watch, shot at and killed the rescuers. Security forces took control of most of the hospitals in Daraa and detained the wounded who were brought in. As a result, many wounded avoided the hospitals and were treated in makeshift hospitals with limited access to proper care.

Since late March, and particularly after Daraa came under siege on April 25, security forces launched a massive campaign of arrests in the governorate. Witnesses from Daraa city and neighboring towns described to Human Rights Watch large-scale sweep operations conducted by security forces who daily detained hundreds arbitrarily, as well as targeted arrests of activists and their family members. Some detainees, many of whom were children, were released several days or weeks later, while others have not reappeared. In most cases their families have no information on their fate or whereabouts.

The majority, if not all, of the arrests seemed entirely arbitrary with no formal charges ever brought against the detainees. People arrested in Daraa were initially held in various ad hoc detention facilities before being transferred for interrogation in military intelligence or political security departments in Daraa. Many were then sent to Damascus.

Released detainees interviewed by Human Rights Watch said that they, as well as hundreds of others they saw in detention, were subjected to various forms of torture and degrading treatment. The methods of torture included prolonged beatings with sticks, twisted wires, and other devices; electric shocks administered with tasers and electric batons; use of improvised metal and wooden “racks”; and, in at least one case documented by Human Rights Watch, the rape of a male detainee with a baton. Interrogators and guards also subjected detainees to various forms of humiliating treatment, such as urinating on the detainees, stepping on their faces, and making them kiss the officers’ shoes. Several detainees said they were repeatedly threatened with imminent execution.

All of the former detainees described appalling detention conditions, with grossly overcrowded cells, where at times detainees could only sleep in turns, and lack of food.

Two witnesses (both former detainees) independently reported to Human Rights Watch a case of an extrajudicial execution of detainees on May 1, 2011 at an ad hoc detention facility at the football field in Daraa. One of the two witnesses said the security forces executed 26 detainees; the other one described a group of “more than 20.”

The majority of witnesses interviewed by Human Rights Watch also referred to the existence of mass graves in Daraa. On May 16, Daraa residents discovered at least seven bodies in one such grave about 1.5 kilometers from Daraa al-Balad. Five bodies were identified as members of the Abazeid family. Syrian government officials denied the existence of a mass grave, but al-Watan, a Syrian newspaper closely affiliated with the government, acknowledged that five bodies had been found.

On April 25, 2011, Syrian security forces launched a large-scale military operation in Daraa and imposed a siege which lasted at least 11 days and was then extended to neighboring towns. Daraa residents told Human Rights Watch that security forces moved into the city in military vehicles, including numerous tanks and armored personnel carriers. Under the cover of heavy gunfire they occupied all neighborhoods in Daraa, imposed checkpoints, and placed snipers on roofs of buildings in many parts of the city. They prevented any movement of residents in the streets. The security forces opened fire on those who tried to defy the ban on movement and gatherings, or simply went out of their homes in search of food or medication.

Witnesses said that Daraa residents experienced acute shortages of food, water (because security forces shot and damaged water tanks), medicine, and other necessary supplies during the siege. Electricity and all communications were cut off for at least 15 days, and, at the time of this writing, remained cut off in several neighborhoods in the city.

From April 25, 2011 until at least May 22, 2011, Daraa residents were not allowed to pray in mosques and all calls for prayer were banned. Security forces occupied all of the mosques in the city and, according to witnesses who saw the mosques after they reopened, desecrated them by writing graffiti on the walls.

As the killings continued during the Daraa siege, residents also struggled with the growing number of dead bodies. Due to the lack of electricity, the bodies could not be stored in morgues, and restrictions on movement and communications placed obstacles to identification and burials. As a result, Daraa residents stored dozens of bodies in mobile vegetable refrigerators that could run on diesel fuel. These were subsequently confiscated by the security forces who then returned at least some of the bodies to the families.

Syrian authorities also imposed an information blockade on Daraa to ensure that abuses were not exposed. No independent observers could enter the city and one international journalist who managed to report from Daraa during the first two weeks of protests in March was arrested upon his return to Damascus. During the siege all means of communication were shut down, including Syrian cell phone networks. Many witnesses told Human Rights

Watch that cell phones were the first thing authorities confiscated during searches in their houses or at checkpoints. They were specifically looking for footage of the events and arrested and tortured those whom they suspected of trying to send out images or other information out, including some foreign nationals.

Human Rights Watch called on the Syrian government to immediately halt the use of excessive and lethal force by security forces against demonstrators and activists, release unconditionally all detainees held merely for participating in peaceful protests or for criticizing the Syrian authorities, and provide immediate and unhindered access to human rights groups and journalists to the governorate of Daraa, as well as hospitals, places of detention, and prisons. It also called on the Security Council to push for and support efforts to investigate and prosecute those responsible for the grave, widespread, and systematic human rights violations committed in Syria since mid-March 2011, and adopt targeted financial and travel sanctions on those officials responsible for continuing human rights violations.

## **Note on Methodology**

This report is based on more than 50 interviews with Daraa residents and several Jordanian nationals conducted in person and over the phone in April and May 2011. Dozens of other interviews with witnesses in other parts of Syria were used for the chapter setting the context of the anti-government demonstrations in Syria. Additional information was provided by Syrian activists who have been documenting the events.

Human Rights Watch also reviewed dozens of videos filmed by the witnesses and interviewed them about the content.

The interviews were conducted by Arabic-speaking researchers or with the help of Arabic-English translators.

Daraa has been and remains under information blockade and obtaining information from the governorate is extremely difficult. Those who speak to foreigners or try to share the information through electronic means may face severe repercussions, and Human Rights Watch researchers had to exercise caution while collecting and publicizing the information. To protect the witnesses, many of the names of witnesses in this report have been changed or withheld, as well as places where the interviews took place.

In this report Human Rights Watch only used information that contained sufficient detail and was corroborated by several witnesses interviewed independently or by video footage filmed by the same witnesses Human Rights Watch interviewed. We excluded dozens of other accounts and allegations which we could not verify.

Human Rights Watch compiled the list of people who had been killed during protests based on information provided by local activists. While we did our best to verify the names and circumstances of the killings with witnesses and family members, this was not always possible due to restrictions on access and communications in Syria.

## I. Timeline of Protest and Repression in Syria

Syria, a repressive police state ruled under an emergency law since 1963, at first seemed immune to the popular uprisings that swept the Arab world starting December 2010. Protests began in February, but failed to attract crowds large enough to outnumber the ever present security forces.

The situation changed in mid-March, when thousands of people took part in anti-government demonstrations in the city of Daraa, located in the southern Hauran region near the Jordanian border.<sup>1</sup> Protests broke out on March 18 in response to the arrest and torture by political security, a branch of Syria's notorious *mukhabarat*, or security services, of 15 school children (see below). Security forces opened fire, killing at least four protesters and within days the protests grew into rallies that gathered thousands of people.

On March 19 the state news agency Syrian Arab News Agency (SANA) reported that the Ministry of the Interior would form a committee to investigate the "unfortunate incidents" in Daraa, and would respond with "all measures deemed necessary" after the committee's investigation.<sup>2</sup> On March 20, the government sent a delegation of high-ranking officials to Daraa, including General Rustum Ghazali, a leading figure in Syrian security services, stating they would try to assure tribal leaders that those who had opened fire on protesters would be brought to justice.<sup>3</sup>

Yet, as the protests continued over the following days and spread to nearby towns of Jassem, Da`el, Sanamein, and Inkhil, the security forces demonstrated increasing brutality in their efforts to quell the demonstrations, killing and wounding more and more protesters (see below).

The Syrian government-controlled media denied the security forces' role in the violence, blaming it on "instigators," "armed gangs," and "foreign elements."<sup>4</sup> As the death toll

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<sup>1</sup> "Syria: Government Crackdown Leads to Protester Deaths," Human Rights Watch news release, March 21, 2011, <http://www.hrw.org/en/news/2011/03/21/syria-government-crackdown-leads-protester-deaths>.

<sup>2</sup> "Official Source: Committee Set up to Investigate Daraa Incidents," SANA, March 19, 2011, <http://www.sana.sy/eng/21/2011/03/19/337559.htm> (accessed May 29, 2011).

<sup>3</sup> Hugh Macleod and a reporter in Syria, "Inside Daraa," *Al Jazeera*, April 19, 2011, <http://english.aljazeera.net/indepth/features/2011/04/201141918352728300.html> (accessed May 27, 2011).

<sup>4</sup> "Instigators Mingle with Crowds of Prayers Trying to Cause Chaos in Daraa & Banias," SANA, March 18 2011, <http://www.sana.sy/eng/21/2011/03/18/337436.htm> (accessed May 29, 2011) ("a number of instigators tried to create chaos and unrest damaging public and private properties and setting fire to cars and shops"); "Official Source: Armed Gang Attacks

mounted in Daraa, protests spread across Syria. On March 26, protesters and security forces clashed in the port city of Latakia in northwestern Syria, resulting in at least 12 deaths.<sup>5</sup>

On March 30, President Bashar al-Asad addressed the nation. Speaking before parliament, al-Asad pledged to enact ill-defined “reforms,” but did not provide any specific details and continued to blame the unrest on foreign conspirators.<sup>6</sup> The next day, he launched a probe into deaths in Daraa and Latakia and established a committee to study the lifting of emergency law. However, in what would become a familiar pattern, reform promises by President al-Asad were accompanied by more repression, as security forces carried out mass arrests of activists and journalists, including two journalists working for Reuters international news agency.<sup>7</sup>

On April 1, a Friday, protesters turned out by the thousands in several towns and cities including the capital, Damascus. At least eight demonstrators and possibly as many as fifteen were killed that day when men dressed in civilian clothes opened fire at a largely peaceful anti-government protest in the Damascus suburb of Douma.<sup>8</sup> Meanwhile in Daraa, people from neighboring villages attempted to enter the city, but were met with heavy fire at military blockades, especially on the roads from Sanamein and Inkhil.

This was the first of what became weekly mass anti-government demonstrations across Syria.<sup>9</sup> The following week, on April 8, protests continued in Daraa, Baniyas, Homs, Latakia, Tartus, Idlib, the Damascus suburb of Harasta, and the largely Kurdish northeastern city of Qamishli. In Daraa, residents of neighboring villages passed through the blockades at the city's entrances, burned posters and statues of Syria's leaders, and converged on the offices of political security. Security forces opened fire on the protesters, killing at least 27 people. Another protester died in Douma. Human Rights Watch documented that Syrian security

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Medical Team in Daraa Killing Doctor, Paramedic, Driver, Security Member,” SANA, March 24, 2011, <http://www.sana.sy/eng/21/2011/03/24/338048.htm> (accessed May 29, 2011); “Shaaban: Forming Committee to Punish Perpetrators of Daraa Events, increasing employees' salaries,” SANA, March 24, 2011, <http://www.sana.sy/eng/21/2011/03/24/338411.htm> (accessed May 27, 2011).

<sup>5</sup> “Death of 10 security forces and citizens in attacks by armed members on residents of Latakia, and killing of two of the attackers,” SANA, March 27, 2011, <http://www.sana.sy/ara/2/2011/03/27/338721.htm> (accessed on May 28, 2011).

<sup>6</sup> “Syria: President Asad Fails to Deliver Reform,” Human Rights Watch news release, March 30, 2011, <http://www.hrw.org/en/news/2011/03/30/syria-president-asad-fails-deliver-reform>.

<sup>7</sup> “Jordanians call for release of Reuters journalist,” Reuters, March 31, 2011, <http://www.reuters.com/article/2011/03/31/jordan-syria-reuters-idUSLDE72U19S20110331> (accessed May 28, 2011).

<sup>8</sup> “Syria: Stop Shooting Protesters,” Human Rights Watch news release, April 5, 2011, <http://www.hrw.org/en/news/2011/04/05/syria-stop-shooting-protesters>.

<sup>9</sup> “Syrian Protesters Clash With Security Forces,” The New York Times, April 1, 2011, <http://www.nytimes.com/2011/04/02/world/middleeast/02syria.html?ref=world> (accessed on May 28, 2011).

forces prevented medical personnel and others from reaching wounded protesters that day in Douma and in Harasta.<sup>10</sup>

On April 15, thousands of protesters tried to enter Damascus from Douma and other outlying suburbs, but security personnel fired on them and forced them back.

In addition to shooting protesters, security forces continued their campaign of mass arrests, arbitrarily detaining hundreds of protesters across the country, and subjecting them to torture and ill-treatment. The security and intelligence services also arrested lawyers, activists, and journalists who endorsed or reported on the protests.

By April 15, Human Rights Watch had interviewed 19 people who had been detained in Daraa, Damascus, Douma, al-Tal, Homs, and Banyas. All but two of the detainees arrested during the protests told Human Rights Watch that members of the *mukhabarat* (security services) beat them while arresting them and in detention, and that they witnessed dozens of other detainees being beaten or heard screams of people being beaten. Three of the victims interviewed by Human Rights Watch were children who reported that they were beaten. Other former detainees also reported seeing children detained and beaten in the facilities where they were held.

Witnesses told Human Rights Watch that they and other detainees were subjected to various forms of torture, including torture with electro-shock devices, cables, and whips. Most also said they were held in overcrowded cells and many said they were deprived of sleep, food, and water, in some cases, for several days. Some said they were blindfolded and handcuffed the entire time.<sup>11</sup>

On April 21, President al-Asad issued decrees to lift the state of emergency (decree no. 161), to abolish the state security court (decree no. 53), and to recognize and regulate the right to peaceful protest (decree no. 54).<sup>12</sup>

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<sup>10</sup> “Syria: Security Forces Barring Protesters from Medical Care,” Human Rights Watch news release, April 12, 2011, <http://www.hrw.org/en/news/2011/04/12/syria-security-forces-barring-protesters-medical-care>; “Protesters killed in southern Syria,” al-Jazeera English, April 9, 2011, <http://english.aljazeera.net/news/middleeast/2011/04/201148131548860250.html> (accessed May 28, 2011).

<sup>11</sup> “Syria: Rampant Torture of Protesters,” Human Rights Watch news release, April 25, 2011, <http://www.hrw.org/en/news/2011/04/15/syria-rampant-torture-protesters>.

<sup>12</sup> “Syria: Rein in Security Services,” Human Rights Watch news release, April 21, 2011, <http://www.hrw.org/en/news/2011/04/21/syria-rein-security-services>.

But government forces continued to violently suppress protests, killing at least 110 other protesters who participated in mass gatherings across the country on April 22, in what was the deadliest day of protests. Those killed included at least 30 in the town of Izraa, 23 in the Homs area, and 29 in the Damascus area. Three boys, aged 7, 10, and 12, were among those killed in Izraa, as was a 70-year-old man. Video footage posted on YouTube shows a number of the wounded and killed protesters, including one of the dead children, right after they came under heavy gunfire.<sup>13</sup>

The next day, on April 23, security forces fired on funeral processions in Barza, Douma, and Izraa, killing at least 12 mourners.

As protests continued, security forces launched large-scale military operations on towns and neighborhoods identified as hubs of protests. On April 25, security forces and military vehicles moved into the city of Daraa using military vehicles, including numerous tanks and armored personnel carriers (APCs), under a cover of heavy gunfire that lasted unabated for about 16 hours (see below for more details). The security forces occupied all neighborhoods in Daraa, imposed checkpoints, and placed snipers on the roofs of buildings in many parts of the city. They imposed a siege on the city, cut off electricity and all means of communications, and prevented any movement by opening fire on anyone who tried to leave their house. Once they had established full control of the city, the security forces then proceeded to arrest hundreds of men from their homes (see below).

This pattern would be repeated in a number of places, with varying degrees of military involvement. Security forces surrounded Douma, a suburb of Damascus that was the scene of large anti-government protests, in the early hours of April 25, deployed a heavy security presence in each neighborhood, set-up checkpoints, and proceeded to raid homes, arresting dozens of men.<sup>14</sup> On May 1, the army surrounded Zabadani, a town of approximately 40,000 residents near Damascus, a day after thousands of protesters had marched to the neighboring town of Madaya. The army posted snipers on rooftops and proceeded to arrest many of those who had participated in anti-government protests. A Zabadani activist told Human Rights Watch that the security forces detained 98 men from the town that day, releasing 28 of them on May 3. Most of those released reported being beaten during detention at a security facility on Baghdad Street in Damascus.<sup>15</sup>

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<sup>13</sup> The footage (extremely graphic) can be viewed at <http://www.youtube.com/watch?v=j4w2-z9vs8g&skipcontrinter=1> (accessed May 30, 2011).

<sup>14</sup> Human Rights Watch interview with Douma resident, April 27, 2011.

<sup>15</sup> Human Rights Watch interview with Zabadani activist, May 2, 2011. See also "Syria: Lift the Siege of Daraa," Human Rights Watch news release, May 5, 2011, <http://www.hrw.org/en/news/2011/05/05/syria-lift-siege-daraa>.



On May 6, the army and the security services, using armored vehicles and tanks, surrounded the coastal town of Banyas and the neighborhoods of Bab al-Sba` and Baba Amr in Homs, Syria's third largest city. A Banyas resident said that the army used 57 armored vehicles to surround the town, and entered under cover of heavy gunfire. Over the next few days the security forces would detain hundreds of boys and men from Banyas.<sup>16</sup> In the early hours of May 7, the security forces stormed the Baba Amr neighborhood in Homs, destroying a number of shops and homes, and killing several residents, including a mother and her two children, local activists reported.

By May 12, army and security forces had deployed military vehicles, including tanks, in Da`al, Tafas, Inkhil, al-Hara, and Jasem, all towns neighboring Daraa, and proceeded to carry out mass arbitrary arrests of suspected protesters. On May 19, the army also entered the nearby towns of Sanamain, al-Harak, and Kfar Shams.

Meanwhile the arrest and intimidation of political and human rights activists continued.<sup>17</sup> For example, on May 12, security forces in Homs detained Muhammad Najati Tayyara, a prominent human rights activist who frequently appeared in the media to provide information on Syria's crackdown on protests. Security forces picked him up off the streets of Homs, a friend of Tayyara told Human Rights Watch, and have not provided any information on his whereabouts since then.

In some cases the security forces resorted to detaining relatives and neighbors of government critics, in an effort to obtain information on their whereabouts or force them to stop their activism. For example, on May 11, security forces detained Wael Hamadeh, a political activist and husband of prominent rights advocate Razan Zeitouneh, from his office. The security forces had gone to the couple's house on April 30 searching for them but detained instead Hamadeh's younger brother Abdel Rahman, 20, when they could not find them.<sup>18</sup>

As this report went to print on May 31, Syrian protesters were still demonstrating and security forces continued their violent crackdown. On May 25, security forces returned the body of 13-year-old Hamza Ali al-Khatib to his family in Jeeza, near Daraa, bearing what appeared to be signs of torture. He had been injured and detained weeks earlier while

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<sup>16</sup> Human Rights Watch interview with Banyas resident, May 26, 2011.

<sup>17</sup> "Syria: Targeted Arrests of Activists Across Country," Human Rights Watch news release, May 15, 2011, <http://www.hrw.org/en/news/2011/05/15/syria-targeted-arrests-activists-across-country>.

<sup>18</sup> Ibid.

attempting to bring food to Daraa.<sup>19</sup> His death and reported torture rallied protesters across Syria on Friday May 27.<sup>20</sup> The National Organization for Human Rights in Syria reported that security forces shot and killed 11 protesters that day, including a 15-year-old child in Idlib.<sup>21</sup>

Security forces killed five people on May 28 in Da`el, near Daraa, and conducted raids in the nearby town of al-Harek, arresting hundreds of young men.<sup>22</sup> At dawn on May 29, military forces with tanks stormed the Homs-area towns of Rastan, Talbiseh, Deir Ba`albeh, and Teir Ma`alleh, shelling and firing machine guns at homes and residents, killing 11 people, according to human rights lawyer Razan Zeitouneh.<sup>23</sup>

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<sup>19</sup> Human Rights watch interview with relative of Hamza al-Khatib, May 29, 2011.

<sup>20</sup> Liz Sly, "Apparent torture of boy reinvigorates Syria's protest movement," *Washington Post*, May 30, 2011, [http://www.washingtonpost.com/world/middle-east/torture-of-boy-reinvigorates-syrias-protest-movement/2011/05/29/AGPwIREH\\_story.html](http://www.washingtonpost.com/world/middle-east/torture-of-boy-reinvigorates-syrias-protest-movement/2011/05/29/AGPwIREH_story.html) (accessed May 30, 2011).

<sup>21</sup> Email communication from Dr. Ammar Qurabi, Head of the National Organization for Human Rights in Syria to Human Rights Watch, May 28, 2011.

<sup>22</sup> Email communication from Syrian activist (name withheld) to Human Rights Watch, May 28, 2011.

<sup>23</sup> Nada Bakri, "Syrian Forces Struck Northern Villages, Activists Say," *New York Times*, May 29, 2011, <http://www.nytimes.com/2011/05/30/world/middleeast/30syria.html> (accessed May 30, 2011); Khaled Yacoub Oweis, "Eleven killed in wider Syria military push: lawyer," Reuters, May 29, 2011, <http://www.reuters.com/article/2011/05/29/us-syria-idUSLDE73No2P20110529> (accessed May 30, 2011).

## II. Crimes against Humanity and Other Violations in Daraa

Situated in the southwestern part of the country on the border with Jordan, Daraa is one of fourteen Syrian governorates or provinces. With less than a million people, it is divided into three districts, al-Sanamayn, Daraa, and Izraa. The provincial capital, also called Daraa, has a population of about 80,000.

It was in Daraa that the anti-government protests that have spread all over Syria since mid-March started. Initial protests were sparked by the detention and torture of 15 boys, ages 10 to 15, accused of painting graffiti slogans calling for the downfall of the regime. For days, the boys' families pleaded for their release with the authorities and with General Atef Najeeb who was in charge of the local political security department in Daraa where the boys were held. Then the residents of Daraa took to the streets.

On March 18, following the Friday prayer, several thousand protesters marched from al-Omari Mosque in Daraa calling for the release of the children and greater political freedom, and accusing government officials of corruption. According to multiple witnesses interviewed by Human Rights Watch, security forces at first attempted to beat the protesters back with stones and batons. Later riot police were deployed with water cannons and teargas, and finally members of political security branch of the *mukhabarat* or security services showed up and opened fire on demonstrators using live ammunition.<sup>24</sup> At least four protesters were killed that first day, and several dozen injured.

The release of the children—bruised and bloodied after what they described as severe torture in detention—fanned the flames of popular anger. Protests continued, every day growing bigger, joined by people from towns and villages outside Daraa city.

Security forces responded to the protests with increasing brutality. As this report describes in detail, they have systematically opened fire on overwhelmingly peaceful crowds during demonstrations and funeral processions, killing, at this writing, at least 418 people in the governorate of Daraa alone, and wounding hundreds more. The security forces routinely prevented the wounded from getting medical assistance in a number of instances, and subjected thousands of people to arbitrary arrests and brutal torture in detention. When none of these measures succeeded in quelling the protests, Syrian authorities launched a

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<sup>24</sup> "Syria: Government Crackdown Leads to Protester Deaths," Human Rights Watch news release, March 21, 2011, <http://www.hrw.org/en/news/2011/03/21/syria-government-crackdown-leads-protester-deaths>.

large-scale military operation in Daraa at the end of April, put the city under military control, and imposed a siege on the city, preventing movement not only in and out of the city but also within it, and depriving the residents of basic services. Later the security forces extended these siege tactics to nearby towns.

Human Rights Watch believes that the nature and scale of abuses committed by the Syrian security forces, the similarities in the apparent unlawful killings and other crimes, and evidence of direct orders given to security forces to ‘shoot-to-kill’ protestors, strongly suggest these abuses qualify as crimes against humanity.

Under customary international law and the Rome Statute of the International Criminal Court, crimes against humanity are certain acts, including murder, torture, and other inhumane acts, committed as part of a widespread or systematic attack against a civilian population.<sup>25</sup>

Unlike war crimes, crimes against humanity can also be committed during times of peace, if they are part of a widespread or systematic attack against a civilian population.<sup>26</sup>

The Rome Statute defines an “attack against a civilian population” as “a course of conduct involving the multiple commission of [acts such as murder or other possible crimes against humanity] against any civilian population, pursuant to or in furtherance of a State or organizational policy to commit such attack.”<sup>27</sup>

For individuals to be found culpable of crimes against humanity, they must have had knowledge of the crime.<sup>28</sup> That is, perpetrators must have been aware that their actions

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<sup>25</sup> Rome Statute of the International Criminal Court, U.N. Doc. A/CONF.183/9, July 17, 1998, entered into force July 1, 2002, arts. 34(b), 35(1), 36(1), 36(6)(a), 36(9)(a) (“Rome Statute”), art. 7.

<sup>26</sup> The attacks underlying the commission of crimes against humanity must be widespread or systematic, it need not be both. See *Prosecutor v. Dusko Tadić*, International Criminal Tribunal for the former Yugoslavia, Case No. IT-94-1-T, Opinion and Judgment (Trial Chamber), May 7, 1997, para. 646 (“it is now well established that...the acts...can...occur on either a widespread basis or in a systematic manner. Either one of these is sufficient to exclude isolated or random acts.”). “Widespread” refers to the scale of the acts or number of victims. *Akayesu* defined widespread as “massive, frequent, large scale action, carried out collectively with considerable seriousness and directed against a multiplicity of victims,” *Prosecutor v. Akayesu*, International Criminal Tribunal for Rwanda, Case No. ICTR-96-4-T, Judgment (Trial Chamber I), September 2, 1998, para. 579; see also *Prosecutor v. Kordic and Cerkez*, ICTY, Case No. IT-92-14/2, Judgment (Trial Chamber III), February 26, 2001, para. 179; *Prosecutor v. Kayishema and Ruzindana*, ICTR, Case No. ICTR-95-1-T, Judgment (Trial Chamber II), May 21, 1999, para. 123. A “systematic” attack indicates “a pattern or methodical plan.” *Prosecutor v. Dusko Tadić*, ICTY, Case No. IT-94-1-T, Opinion and Judgment (Trial Chamber), May 7, 1997, para. 648. In *Prosecutor v. Kunarac, Kovac and Vokovic* the Appeals Chamber stated that “patterns of crimes—that is the non-accidental repetition of similar criminal conduct on a regular basis—are a common expression of [a] systematic occurrence.” *Prosecutor v. Kunarac, Kovac and Vokovic*, ICTY, Case No. IT-96-23 and IT-96-23-1A, Judgment (Appeals Chamber), June 12, 2002, para. 94.

<sup>27</sup> Rome Statute, art. 7 (2) (a).

<sup>28</sup> See *Prosecutor v. Kupreskic et al.*, ICTY, Case No. IT-95-16, Judgment (Trial Chamber), January 14, 2000, para. 556.

formed part of the widespread or systematic attack against the civilian population.<sup>29</sup> While perpetrators need not be identified with a policy or plan underlying crimes against humanity, they must at least have knowingly taken the risk of participating in the policy or plan.<sup>30</sup>

Individuals accused of crimes against humanity cannot avail themselves of the defense of following superior orders.<sup>31</sup> At the same time, those in a position of military or other command can be held criminal responsible for failing to prevent crimes against humanity by those under their command, or to submit the matter for prosecution when they knew or should have known about the crimes.<sup>32</sup> Because crimes against humanity are considered crimes of universal jurisdiction, all states are responsible for bringing to justice those who commit crimes against humanity. There is an emerging trend in international jurisprudence and standard setting that persons responsible for crimes against humanity, as well as other serious violations of human rights, should not be granted amnesty.

Evidence collected by Human Rights Watch also suggests that Syrian security forces have been responsible for a wide range of other violations, including extrajudicial executions, massive arbitrary arrests, denial of medical assistance to the wounded, and imposing a siege which deprived a civilian population of basic services. Applicable legal standards are discussed in the sections below.

## **Systematic killings of protestors and bystanders**

Human Rights Watch's research has established that since March 18, 2011 and to this writing Syrian security forces have committed systematic killings in Daraa governorate. They deliberately targeted protestors, who were in the vast majority of cases unarmed and posed no threat to the forces; rescuers who were trying to take the wounded and the bodies away; medical personnel trying to reach the wounded; and, during the siege, people who dared to

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<sup>29</sup> See *Prosecutor v. Kupreskic et al.*, ICTY, Case No. IT-95-16, Judgement (Trial Chamber), January 14, 2000, para. 556: "[T]he requisite mens rea for crimes against humanity appears to be comprised by (1) the intent to commit the underlying offence, combined with (2) knowledge of the broader context in which that offence occurs." See also *Prosecutor v. Dusko Tadic*, ICTY, Case No. IT-94-1, Judgement (Appeals Chamber), July 15, 1999, para. 271; *Prosecutor v. Kayishema and Ruzindana*, ICTR, Case No. ICTR-95-1-T, Judgement (Trial Chamber II), May 21, 1999, paras. 133-134.

<sup>30</sup> See *Prosecutor v. Blaskic*, ICTY, Case No. IT-95-14-T, Judgement (Trial Chamber), March 3, 2000, para. 257. *Blaskic* (paras. 258-259) listed factors from which could be inferred knowledge of the context: (a) the historical and political circumstances in which the acts of violence occurred; (b) the functions of the accused when the crimes were committed; (c) his responsibilities within the political or military hierarchy; (d) the direct and indirect relationship between the political and military hierarchy; (e) the scope and gravity of the acts perpetrated; and (f) the nature of the crimes committed and the degree to which they are common knowledge.

<sup>31</sup> Rome Statute, art. 33.

<sup>32</sup> Rome Statute, art. 28.

go out of their houses or to enter the city with supplies. In some cases, they also shot bystanders, including women and children.

While witness testimonies leave little doubt regarding the extent and systematic nature of abuses, the exact number of people killed and injured by Syrian security forces in Daraa is impossible to verify. The city remains largely cut off from the outside world and people who try to get information out face severe repercussions (see below). Thousands of families, according to local residents, have no information about their missing relatives and do not know whether relatives have been arrested or killed.

Local activists have been maintaining lists of people killed during the protests throughout Syria. Human Rights Watch compiled its own list after checking two separate lists that different local activists provided. As of May 29, the listed stood at 887 killed and included the names of at least 418 residents of Daraa governorate.

More than 50 witnesses from Daraa interviewed by Human Rights Watch provided consistent accounts of security forces using lethal force against protesters during demonstrations, funeral processions, and when people from surrounding villages tried to enter the city to join the demonstrations or participate in the funerals of those killed. In some cases, security forces first used teargas or fired in the air, but when the protesters refused to disperse, they fired live ammunition from automatic weapons into the crowds. In most cases, especially as demonstrations in Daraa grew bigger, security forces opened live fire without giving advance warning or making any effort to disperse the protesters by nonviolent means.

From the end of March witnesses consistently reported the presence of snipers on government buildings near the protests who targeted and killed many of the protesters. Many of the victims, as described by witnesses to Human Rights Watch and pictured on scores of cell phone videos smuggled out of Daraa, sustained head, neck, and chest wounds, suggesting that they were deliberately targeted.<sup>33</sup>

Other evidence obtained by Human Rights Watch also suggests that the security forces participating in the operations against the protesters in Daraa and other cities, had received, at least in a number of cases, “shoot-to-kill” orders from their commanders. Human Rights Watch interviewed a soldier from the presidential guard who deserted after the unit was deployed to deal with a demonstration in the city of Harasta on April 18, 2011. The

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<sup>33</sup> Witnesses indicated that most of these wounds, inflicted by sniper fire, were lethal, suggesting that the snipers were aiming to kill rather than neutralize or disperse the victims.

commanders, the soldier said, initially told them that they were being deployed to deal with “armed militias,” yet what they saw upon arrival to Harasta was a peaceful demonstration. Nonetheless, the soldier said that they received “clear orders to shoot, with no conditions or prerequisites; literally – to ‘load and shoot.’”<sup>34</sup>

Another witness, a resident of Daraa, described to Human Rights Watch an episode when together with a group of other protesters he managed to briefly capture several members of political security branch of the security services (see below). According to the witness, the captured security men said they “were only following orders and their orders were to kill, not to take prisoners,” and added that they could not surrender to the protesters as they “would have been killed by their commanders if they refused to shoot.”<sup>35</sup>

Security forces who participated in the crackdown in Daraa included several army units (witnesses specifically referred to the 4<sup>th</sup> Division under the command of Maher al-Asad, President al-Asad’s brother), as well as various branches of Syria’s *mukhabarat* (security services).

Witnesses said that the majority of security forces wore green military camouflage, but that they eventually learned how to distinguish members of different branches of the *mukhabarat* by the colored stripes on their uniform. One witness told Human Rights Watch that members of military intelligence wear a green stripe, air force intelligence a white stripe, state security a yellow stripe, and the presidential guard a black stripe, while political security often wore plain black uniforms.<sup>36</sup> Witnesses also said that in some cases *mukhabarat* members wore civilian clothes.

According to witnesses, some of the security forces, in black uniforms, were equipped with riot-control and other special gear, including bulletproof vests, helmets, shields, and night-vision goggles. Snipers also wore black uniforms. Some of the forces were from Daraa, while others were brought in from other regions by helicopters and buses.

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<sup>34</sup> Human Rights Watch interview, May 21, 2011, name and place withheld. The witness explained that the Arabic equivalent of the term “load and shoot” (*laqqim wa atleq*) is widely understood in the military as an order to fire at the targets quickly and without hesitation.

<sup>35</sup> Human Rights Watch interview, May 22, 2011, name and place withheld.

<sup>36</sup> Human Rights Watch interview, May 23, 2011, name and place withheld. Witnesses explained that they learnt to distinguish the security forces after they could match them with marked vehicles, or after interactions with these forces at checkpoints, during sweep operations, or in detention.

Several witnesses independently told Human Rights Watch that most of the violence was perpetrated by *mukhabarat* forces, while army units on several occasions seemed reluctant to shoot at protesters, allowed them to cross through checkpoints, and, in at least two cases described in detail to Human Rights Watch, refused orders to shoot and either surrendered to the protesters or handed over their weapons (see below).

The information about the command structure of Syrian military and intelligence services is limited. According to public sources, some of the officials in charge of the forces that reportedly participated in the crackdown on protesters include: Maher al-Asad, the president's younger brother who heads the Presidential Guard and the Fourth Armored Division; Ali Mamluk, head of Syrian general intelligence directorate; Abdul Fattah Qudsiyeh, head of military intelligence; Jamil Hassan, head of airforce intelligence; Muhammad Dib Zaytun, head of political security directorate; Rustum Ghazali, head of the Damascus countryside branch of Syrian military intelligence; Hisham Ikhtiar head of the Syrian National Security Bureau; Muhammad Ibrahim al-Sha`ar, Minister of Interior; Dawud Rajiha, chief of staff of the armed forces; Asef Shawkat, deputy chief of staff of the armed forces responsible for Security and Reconnaissance; Ali Habib Mahmoud, minister of defense, Zuhair Hamad, deputy head of general security directorate; Muhammad Nasif Khayrbik, deputy vice-president of Syria for national security affairs; Atef Najib, the head of Political Security in Daraa at the beginning of the crackdown.<sup>37</sup>

Witnesses interviewed by Human Rights Watch also indicated that the officials present in Daraa during the operation included Hisham Bakhtiyar (Ikhtiar), Ali Mamluk, Rustum Ghazali, and Colonel Lo'ay Al-Ali, head of military intelligence in Daraa. Some released detainees said they had been personally interrogated by these officials at their temporary headquarters in Daraa (see below).

Some of the deadliest attacks documented by Human Rights Watch are described below.

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<sup>37</sup> See European Union, "Council Implementing Regulation (EU) No 504/2011, May 23, 2011, implementing Regulation (EU) No 442/2011 concerning restrictive measures in view of the situation in Syria," May 24, 2011, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:136:0045:0047:EN:PDF> (which provides basic details on a number of the key security officials on whom the EU has imposed sanctions) (accessed May 31, 2011); "Bashar al-Assad's inner circle," BBC News, May 18, 2011, <http://www.bbc.co.uk/news/world-middle-east-13216195> (accessed May 31, 2011); "Factbox: Syrian President Bashar al-Assad's inner circle," Reuters, May 4, 2011, <http://uk.reuters.com/article/2011/05/04/us-syria-assad-circle-idUSTRE7433TN20110504> (accessed May 31, 2011).



*Killings during attack on al-Omari mosque and protests that followed, March 23-25, 2011*

From March 23 to 25, 2011, Syrian security forces killed at least 31 people during an attack on Daraa's al-Omari mosque, which had become a rallying center for protesters and served as a makeshift hospital for the wounded protesters. The attack started shortly after midnight on March 23. Several witnesses who were in the neighborhood at the time of the attack, or later came to support the protesters inside the mosque, told Human Rights Watch that they heard gunfire at around 12:20 a.m. on March 23 and saw security forces near the mosque firing at people who were trying to approach. One of the witnesses, "Omar" (not his real name), said that there were about 60 people inside the mosque yard that night, waiting for the return of a delegation of tribal leaders who had gone to Damascus to discuss the protesters' demands with officials. Omar said:

Shortly after midnight, all electricity was cut off, and security forces moved toward the mosque. They were shooting into the mosque yard through three entrances. It was panic and people were running away. Through loudspeakers people in the mosque called for support. I was nearby and ran toward the mosque along with many others.

We did not believe they would attack the mosque. We heard gunfire, but I did not think those were live bullets. I thought they were blanks. But then a bullet hit my neighbor just next to me. His name was Ayman Yasin Qteifam. He was 21 years old. We were some 30 or 40 meters from the mosque when a bullet hit him in the chest. He died on the spot. I pulled his body away and put it next to the wall and later on, when the fire stopped, started helping to collect other bodies. There were eight bodies altogether. Two of the people were killed inside the mosque (we only found them next morning), and six others killed when they tried to approach the mosque.<sup>38</sup>

Another witness, a non-Syrian national who was in Daraa at the time of the attack, said that a member of the family he was staying with, a 17-year-old boy, was shot in the leg as he tried to approach the mosque that night.<sup>39</sup>

The following day Daraa residents buried the dead, and at around 5 p.m. the funeral procession grew into another protest, joined by the people from surrounding villages. Omar

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<sup>38</sup> Human Rights Watch interview, May 21, 2011, name and place withheld.

<sup>39</sup> Human Rights Watch interview, May 21, 2011, name and place withheld.

said that security forces opened fire again without warning and killed 11 people. Omar was part of the team that was documenting the events in Daraa, photographing all the bodies and later collecting the names of those who were killed.

The next day, March 25, 2011, Daraa residents and people who kept coming to Daraa from neighboring towns launched another Friday protest. One of the witnesses, “Abdallah” (not his real name), a mathematics teacher from Daraa city, who was taking part in the protest, told Human Rights Watch:

There were snipers on the governor’s headquarters and other official buildings. Other security forces, who were in the streets, first fired in the air, but the snipers were shooting straight into the crowd. We started running away and we were jumping over the bodies. Whoever tried to get the bodies or rescue the wounded got shot at.

Next day, when we counted the bodies that the security forces had taken and then released and those the people managed to carry away, we realized that 31 people were killed.<sup>40</sup>

Another witness, “Saleh” (not his real name), who came to Daraa from Tseel, a village three kilometers northwest of Daraa, confirmed this account. He said that when the group of protesters he was part of was about 100 meters away from the roundabout near the governor’s building, snipers opened fire on the crowd. He said that some demonstrators who arrived there earlier were trying to topple the statue of the late president Hafiz al-Asad, and at that point security forces opened heavy fire. He personally saw at least seven dead bodies of the demonstrators.<sup>41</sup>

### *Killings during two protests on April 8, 2011*

On April 8, after the noon prayers, hundreds of protesters gathered in two parts of Daraa city divided by a bridge: Daraa al-Balad and Daraa al-Mahata.

Several thousand protesters started marching from Shaikh Abd al Aziz mosque in Daraa al-Mahata toward the bridge leading to the other part of the city, Daraa al-Balad. According to

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<sup>40</sup> Human Rights Watch interview, May 21, 2011, name and place withheld.

<sup>41</sup> Human Rights Watch interview, May 22, 2011, name and place withheld.

one of the protesters, “Ahmed” (not his real name), people were carrying olive branches to symbolize their peaceful intentions.

According to Ahmed, security forces set up a roadblock near the bridge to prevent the protesters from crossing to the other part of the city. He said there were about 50 soldiers in front of them, several thousand *mukhabarat* agents, both in uniforms and in civilian clothes, behind and around them, and snipers on the roofs of nearby buildings. Around 1:30 or 2:00 p.m. the protesters reached the road leading to the bridge and walked toward the roadblock. Ahmed said the army told them to stop, but they did not obey and continued moving, and at that point security forces opened live fire. Ahmed, who was also filming the events, said that they fired straight into the crowd with Kalashnikovs, and snipers opened fire at the same time. He said he personally saw about 35 people who immediately fell, hit by bullets. At that time he did not know whether they were injured or killed, but later that day he saw the bodies of about 20 killed protesters as well as dozens of wounded in al-Omari mosque.<sup>42</sup>

Ahmed said that security forces also ran after the protesters, grabbing some and dragging them into their cars, and beating others. He said:

I saw one man—he was hit by three bullets, and fell on the ground. He was clearly dead. The security forces ran toward him, and, although he was already dead, started beating him with sticks on the face. Nobody could stop them, and when we finally managed to retrieve the body, it was unrecognizable—we could only identify the man because he had his civil identification card in his pocket.

Another witness told Human Rights Watch that around the same time, after the afternoon prayers, another group of protesters marched from al-Omari mosque towards the bridge, intending to join the protesters from Daraa al-Mahata. As they were trying to cross the bridge, security forces from the same roadblock first fired tear gas, and then opened live fire at them. The witness said he saw three people who were hit by the bullets and carried into al-Omari mosque. As he followed them to al-Omari mosque, he saw about ten wounded protesters there, three of whom died from their wounds while he was in the mosque.

Two other witnesses also told Human Rights Watch that later that day a group of protesters marched toward the political security department in Daraa to request the release of protesters arrested during the demonstration. He said that when the protesters tried to

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<sup>42</sup> Human Rights Watch interview, April 2011, name and place withheld.

break into the yard of the political security building, snipers opened fire, killing at least four people.<sup>43</sup>

*Killings during a protest and a funeral procession in Izraa, April 22-23, 2011*

Several witnesses from the towns of Tseel and Tafas, described to Human Rights Watch a series of killings that happened on April 22 and 23, 2011 near Izraa, a town of 40,000 residents near Daraa.

“Abdul-Karim” (not his real name), a resident of Tseel, told Human Rights Watch that on April 22, 2011, he and other residents heard that 11 people were killed during a protest in Izraa, and decided to go there to support the demonstrators. He said:

At around 3 p.m. we reached a bridge close to Izraa which was closed by checkpoints on both sides. They let us through the first checkpoint and then trapped us on the bridge, not letting us through. We were about 300-400 people on the 70-meters-long, 9-meters-wide bridge. As we were trapped in the middle, security forces opened fire—not from the checkpoints; it came from the side. The shooters were from *mukhabarat*—they had camouflage uniforms with yellow and red straps on their shoulders, looked older than the army soldiers, and their uniforms were newer and fitted them well.

I saw a 7-year-old boy hit in the head right next to me (I later learnt that he was from Namer, his name was Muhammad Ibrahim Hamoudeh), and three other young men—they were all hit in the head and died on the spot. About 20 people were wounded—we managed to carry them all away.<sup>44</sup>

The following day, people from different neighboring towns went to Izraa to participate in the funerals of the protesters killed on April 22. One of the witnesses said that the security forces at the checkpoint on the bridge told their group to stop and started shooting in the air, but at the same time others opened fire at the group of people in front of them, who had crossed the bridge earlier. When they were finally able to get through, witnesses said, they picked up 17 bodies.<sup>45</sup>

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<sup>43</sup> Human Rights Watch interviews, April and May 2011, name and place withheld.

<sup>44</sup> Human Rights Watch interview, May 22, 2011, name and place withheld.

<sup>45</sup> Human Rights Watch interviews, May 22, 2011, names and place withheld.

Another witness, “Mazhar” (not his real name) from Tafas, described the same incident to Human Rights Watch saying that when his group that was heading to the funeral was about 200 meters from the checkpoint, security forces first shot in the air. Protesters stopped, and those who were driving got out of the cars to demonstrate that they presented no threat, but the security forces then immediately fired into the crowd. Mazhar said he personally witnessed the killing of five people, and saw dozens of wounded.<sup>46</sup>

### *Killings during the siege of Daraa and neighboring villages and April 29 protest*

At around 4:30 a.m. on April 25, Syrian security forces launched a large-scale military operation in Daraa. Multiple witnesses who were in Daraa at the time described to Human Rights Watch how the security forces moved into the city using military vehicles, including numerous tanks and armored personnel carriers (APCs), under the cover of heavy gun fire that lasted unabated for about 16 hours. Security forces occupied all neighborhoods in Daraa, imposed checkpoints, and placed snipers on the roofs of buildings in many parts of the city. They imposed a siege on the city (see below) and prevented any movement of residents in the streets. Security forces opened fire on those who tried to defy the ban on movement and gatherings, or simply left their homes in an effort to get food or medication.

Activists who were documenting the events in Daraa told Human Rights Watch that the first nine days of the siege were the deadliest. They estimated that the security forces killed at least 200 people during this period and said they were able to verify the names of 115 of them. They said that due to the siege some of the bodies have not been identified while some families are still looking for their relatives whom they believe to have been shot and possibly killed during the first days of the siege.

On April 29, 2011, thousands of people from towns surrounding Daraa attempted to break the blockade on the city. Nine witnesses from the towns of Tafas, Tseel, and Sahem al-Golan who were part of this group told Human Rights Watch that the security forces killed at least 62 people and wounded scores of others when they opened fire at the approaching protesters. Human Rights Watch has the names of 44.

Witnesses said that the security forces stopped the protesters who were trying to approach Daraa at a checkpoint near the Western entrance of Daraa city. One of the witnesses from the town of Tseel who participated in the protest said:

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<sup>46</sup> Human Rights Watch interview, May 21, 2011, name and place withheld.

We stopped there, waiting for more people to arrive. We held olive branches, and posters saying we want to bring food and water to Daraa. We had canisters with water and food parcels with us. Eventually thousands of people gathered on the road—the crowd stretched for some 6 km.

Then we started moving closer to the checkpoint. We shouted “peaceful, peaceful,” and in response they opened fire. Security forces were everywhere, in the fields nearby, on a water tank behind the checkpoint, on the roof of a nearby factory, and in the trees, and the fire came from all sides. People started running, falling, trying to carry the wounded away. Nine people from Tseel were wounded there and one of them died.<sup>47</sup>

Another participant, Mazhar, from Tafas, said:

There was no warning, no firing in the air. It was simply an ambush. There was gunfire from all sides, from automatic guns. Security forces were positioned in the fields along the road, and on the roofs of the buildings. They were deliberately targeting people. Most injuries were in the head and chest.

Two men from Tafas were killed there: 22-year-old Muhammad Aiman Baradan and 38-year-old Ziad Hreidin. Ziad stood next to me when a sniper bullet hit him in the head. He died on the spot. Altogether, 62 people were killed and more than a hundred wounded, I assisted with their transportation to Tafas hospital.<sup>48</sup>

Another witness, “Aiman” (not his real name), from Sahem al-Golan, said that he helped to carry away three of the bodies, including the body of a 17-year-old boy from his town, Hasan Kamal Hasan Taani, who was from Sahem al-Golan and died from a sniper bullet that hit him in the neck.<sup>49</sup>

Mazhar said that the protesters brought at least a hundred wounded people and bodies of the dead to Tafas hospital as it was the only hospital in the area that security forces had not occupied. He said he assisted with the transportation of the wounded and the collection of

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<sup>47</sup> Human Rights Watch interview, May 21, 2011, name and place withheld.

<sup>48</sup> Human Rights Watch interview, May 21, 2011, name and place withheld.

<sup>49</sup> Human Rights Watch interview, May 22, 2011, name and place withheld.

medical supplies for the hospital. Other witnesses confirmed that the protesters brought the wounded and killed to Tafas hospital where they compiled the names of 62 people killed that day.

### *Other incidents of killings in and around Daraa*

In addition to killings at demonstrations, almost all of the people interviewed by Human Rights Watch were eyewitnesses to incidents in which security forces opened fire at people who took no part in the protests. The victims were bystanders who happened to be near the demonstrations, people who were trying to escape the violence, or, during the siege, those who dared to step outside of their houses.

For example, one of the witnesses, “Ali” (not his real name), described the killing of his neighbor, 23-year-old Rateb Abdul Salam al-Harri, in the Othman suburb of Daraa. Ali said that in the evening of April 22, Rateb was returning home on his motorcycle when a security patrol shouted at him to stop. Ali said:

Rateb stopped and started getting off his motorcycle. *Mukhabarat*, in camouflage uniforms, with green straps in their shoulders, were just two meters away from him—it was right in front of my house. They did not say anything. One of the agents just shot him in the head, right into his forehead, as he was getting off his bike. They shot him and simply walked away.

I ran out, barefoot, and together with my neighbor we brought the body to his uncle’s house so that one of the female members could notify his mother.<sup>50</sup>

Another witness, Mazhar, said that when security forces moved into his home town of Tafas in the morning of May 7 they mostly fired into the air to scare people and to force them inside. However, he also witnessed snipers deployed on a roof not far from his house open fire on a group of people who were trying to leave the market, killing one and injuring another four, including three young men and a woman. Later, as Mazhar and about a hundred other people tried to escape from the town through Yarmuk valley, security forces in military vehicles chased them and opened fire, killing two other men.<sup>51</sup>

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<sup>50</sup> Human Rights Watch interview, May 23, 2011, name and place withheld.

<sup>51</sup> Human Rights Watch interview, May 21, 2011, name and place withheld.

Another witness said that on May 16, he was in the hospital with a sick relative when people brought in two men. One of them was dead, hit by a bullet in the chest. The other was wounded in the shoulder, and told the witness that security forces opened fire at them when they were trying to sneak out of town to get bread. The witness said that the doctors provided some basic first aid to the wounded man, and then relatives took him and the body of the other man away, fearing that the security forces would otherwise take them from the hospital.<sup>52</sup>

According to witnesses interviewed by Human Rights Watch, the victims of the violence included several soldiers of the Syrian army who were deployed to Daraa but refused to shoot at the protesters. Omar described to Human Rights Watch one such case that he witnessed:

Several days after Daraa came under siege, I was on Yarmuk street in the city. A group of people there were throwing stones at a sniper placed on one of the buildings. Security forces then sent an APC to stop them. The APC stopped near a local school, and six soldiers got out.

But instead of shooting at the people, they immediately dropped their weapons, raised their hands, and said they were with the people. Snipers opened fire, and hit four of the soldiers in the back, while the remaining two managed to run away with the people.

Heavy fire continued, but we were determined to rescue the bodies. We brought a long metal bar, made a hook on its end, and pulled the bodies away by the ankles. It turned out the soldiers were from the 15<sup>th</sup> airborne division. We buried them together with other martyrs.<sup>53</sup>

Another witness described the same incident to Human Rights Watch.<sup>54</sup>

### *Allegations of violence by protesters*

Syrian authorities repeatedly claimed that the violence in Daraa was perpetrated by armed terrorist gangs, incited and sponsored from abroad.<sup>55</sup> In its reporting, Syria's official news

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<sup>52</sup> Human Rights Watch interview, May 22, 2011, name and place withheld.

<sup>53</sup> Human Rights Watch interview, May 21, 2011, name and place withheld.

<sup>54</sup> Human Rights Watch interview, May 2, 2011, name and place withheld.



agency, SANA, has published the names of 105 members of Syria's security forces (police, *mukhabarat*, and army) who died in Syria between April 9 and May 31.<sup>56</sup> According to SANA, they were killed by "armed gangs" or "terrorists." Other than the cases mentioned below, Human Rights Watch has no information on the killing of security members.

On several occasions, starting end of March, after security forces first used lethal force against the demonstrators, Daraa residents indeed resorted to violence. For example, they set several buildings on fire, including the governor's house and the political security building, burnt Bashar al-Asad's photo monument, and tried to topple the statue of Hafiz al-Asad. They also set several vehicles belonging to the security forces on fire. Witnesses described some of these episodes to Human Rights Watch; they were also shown on amateur videos available online.

Several witnesses interviewed by Human Rights Watch also said that protestors had killed members of security forces. One witness said that on one occasion (he could not remember the date of the incident), after snipers on rooftops killed several protesters, people waited until the snipers ran out of ammunition, and then ran up to the roofs and threw several snipers off the buildings.<sup>57</sup>

Another witness said that on April 22, protestors in Nawa, a town west of Daraa, marched toward the political security office and demanded the release of two detainees who had been taken by security forces from the hospital. The witness, "Saleh" (not his real name),

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<sup>55</sup> See for example, "Official Military Source: Mission of Army Units in Daraa Nears Completion," SANA, May 4 2011, <http://www.sana.sy/eng/337/2011/05/04/344893.htm> (quoting a military source stating that "the remaining armed terrorist members who terrorized people and left behind panic, destruction and killing in all neighborhoods were pursued"); "Syrian TV Broadcasts Confessions of Terrorist Group in Daraa," SANA, May 8, 2011, <http://www.sana.sy/eng/337/2011/05/08/345421.htm> (noting that Syrian Television broadcast confessions of the terrorist group that attacked the military families' residences in the town of Saïda, Daraa, in April, 29th, with the aim of killing people, stealing weapons and raping women"); "One Soldier Martyred, Two others Wounded in Daraa," SANA, May 13, 2011, <http://www.sana.sy/eng/337/2011/05/13/346472.htm> (noting that "one soldier was martyred and two others were wounded at the hands of armed terrorist groups in Daraa"); "Army and Security Units Continue to Pursue Members of Terrorist Groups in Baniyas and Daraa Countryside," SANA, May 8, 2011, <http://www.sana.sy/eng/337/2011/05/08/345334.htm> (quoting a military source saying that "Army and security forces' units continued on Saturday pursuit of members of the terrorist groups in Baniyas and Daraa countryside to restore security and stability") (all accessed on May 29, 2011).

<sup>56</sup> See for example, "Official Source: Armed Groups Shoot Citizens, Policemen in Daraa, Claim Scores of Lives," SANA, April 9, 2011, <http://www.sana.sy/eng/337/2011/04/09/340770.htm>; "Syrian Army Martyrs Laid to Rest... List of Names of the Injured," SANA, April 13, 2011, <http://www.sana.sy/eng/337/2011/04/13/341228.htm>; "Armed Criminal Groups Shot and Mutilated Army Officer and His Family," SANA, April 20, 2011, <http://www.sana.sy/eng/337/2011/04/20/342253.htm>; "Martyrs Ahmad Makkawi and Simon Isa Laid to Rest," SANA, April 23, 2011, <http://www.sana.sy/eng/21/2011/04/23/342877.htm>; "Martyrs Toll in Nawa Reach 7, two Security Personnel Martyred in Homs and al-Muadamiya," SANA, April 25, 2011, <http://www.sana.sy/eng/337/2011/04/25/343105.htm>; "Syrian Cities Escort Martyrs of Homeland to Their Final Resting Place," SANA, April 26, 2011, <http://www.sana.sy/eng/337/2011/04/26/343145.htm>; "Military Source: Army Units Hunt Terrorist Groups in Daraa," SANA, April 27, 2011, <http://www.sana.sy/eng/337/2011/04/27/343495.htm>; "Six Military and Security Forces Martyrs Laid to Rest," SANA, April 28, 2011, <http://www.sana.sy/eng/337/2011/04/28/343402.htm> (all accessed on May 29, 2011).

<sup>57</sup> Human Rights Watch interview, May 24, 2011, name and place withheld.

said that the protesters were waving olive branches, and a tribal leader pleaded with the political security to release the wounded men. Instead, 15 political security agents opened fire at the crowd, killing at least four people, and wounding another eight. Saleh said that the protesters, who were more than a thousand people, had seven birdshot guns among them, which they fired, but mostly they just kept retreating and coming back, hoping the security forces would run out of ammunition.

At some point, Saleh said, a soldier from a nearby army unit brought the protesters two Kalashnikovs and a box of ammunition. According to Saleh, the protesters repeatedly called on the security forces to surrender as they were clearly outnumbered by the protesters, and promised not to harm them. But the security forces continued to fire at the crowd. When the security forces ran out of ammunition, the protesters overtook the building and released the two detainees. Saleh said that inside the compound they saw seven members of the security who had apparently been shot and killed by the protesters during the confrontation. Saleh said that they captured another three security members, one of whom was wounded, while the remaining five escaped. Saleh said that the family members of the wounded ex-detainees wanted to kill the captive security forces, but the protesters instead beat them up and then brought them to the hospital where they released them.<sup>58</sup>

At the same time, all of the witnesses interviewed by Human Rights Watch said that the protests started peacefully, with demonstrators often carrying olive branches, unbuttoning their shirts to show that they had no weapons, and chanting “peaceful, peaceful” to indicate that they posed no threat to the security forces. Dozens of videos of Daraa protests provided to Human Rights Watch by witnesses as well as those posted online corroborate these accounts.

Witnesses, including some Jordanian nationals who came to Daraa for business and were in the city during the protests but took no part in the demonstrations, said that protesters only used violence against the security forces and destroyed government property in response to killings by the security forces or, as in the case described above, to secure the release of wounded demonstrators captured by the security forces and believed to be at risk of further harm.

Such incidents should be further investigated and the perpetrators of unlawful use of force brought to justice. However, these incidents by no means justify the massive and systematic use of lethal force against the demonstrators, which was clearly disproportionate to the threat presented by the overwhelmingly unarmed crowds.

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<sup>58</sup> Human Rights Watch interview, May 22, 2011, name and place withheld.

The use of force by state security forces acting in a law-enforcement capacity is governed by international standards. Syria is a party to the International Covenant on Civil and Political Rights and therefore must respect the rights to life and security, and to peaceful assembly.

The UN Code of Conduct for Law Enforcement Officials states that “law enforcement officials may use force only when strictly necessary and to the extent required for the performance of their duty.”<sup>59</sup>

The UN Basic Principles on the Use of Force and Firearms provides that law enforcement officials “shall, as far as possible, apply non-violent means before resorting to the use of force” and may use force “only if other means remain ineffective.”<sup>60</sup> When the use of force is necessary, law enforcement officials must “exercise restraint in such use and act in proportion to the seriousness of the offense.”<sup>61</sup>

Article 10 of the Basic Principles requires that law enforcement officials “give clear warning of their intent to use firearms.”<sup>62</sup> Article 9 states that “intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life.”<sup>63</sup>

The Basic Principles make clear that there can be no departure from these provisions on the basis of “exceptional circumstances such as internal political stability or any other public emergency,” i.e. that these are non-derogable standards.<sup>64</sup>

## Denial of medical assistance

Syrian authorities routinely denied wounded protesters access to medical assistance. In at least two cases documented by Human Rights Watch (and reportedly in many others) this denial of medical assistance led to the death of those wounded.

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<sup>59</sup> United Nations Code of Conduct for Law Enforcement Officials, adopted December 17, 1979, G.A. res. 34/169, annex, 34 U.N. GAOR Supp. (No. 46) at 186, U.N. Doc. A/34/46 (1979), art. 3.

<sup>60</sup> Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August to 7 September 1990, U.N. Doc. A/CONF.144/28/Rev.1 at 112 (1990), principle 4.

<sup>61</sup> Ibid., principle 5(a). Principle 9 of the Basic Principles states: “Law enforcement officials shall not use firearms against persons except in self-defense or defense of others against the imminent threat of death or serious injury, to prevent the perpetration of a particularly serious crime involving grave threat to life, to arrest a person presenting such a danger and resisting their authority, or to prevent his or her escape, and only when less extreme means are insufficient to achieve these objectives. In any event, intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life.”

<sup>62</sup> Ibid., principle 10.

<sup>63</sup> Ibid, principle 9.

<sup>64</sup> Ibid, principle 8.

Witnesses told Human Rights Watch that security forces prevented ambulances from reaching the wounded, and on several occasions opened fire as medical personnel were trying to reach the injured, in one case killing a doctor and a nurse, an episode the authorities later blamed on “armed gangs.”<sup>65</sup> Security forces took control of most of the Daraa hospitals and detained the wounded who were brought in. As a result, most of those wounded avoided the hospitals and were treated in makeshift clinics like the one set up inside al-Omari mosque or in private houses with no access to proper medical care. According to witnesses, after security forces stormed al-Omari mosque on March 24 (see above), they destroyed or confiscated all medical equipment that had been brought into the mosque to assist the wounded.

Many witnesses told Human Rights Watch that during the protests, security forces prevented people from rescuing the wounded. For example, one witness, Saleh, said that when security forces shot at protesters near the political security headquarters during the April 8 protest three of those hit died on the spot, but a fourth was still alive. Saleh said:

I saw a man who tried to pull the wounded guy away, but security forces continued to shoot. They were clearly targeting them—they again shot the wounded guy, this time in the head, and hit the rescuer as well—I don’t know whether he survived. Another man tried to take a dead body away on the motorcycle, but as he tried to approach, he got shot in the shoulder, then again in the leg, and when he fell off and other people made a move toward him, a sniper hit him in the head, and I believe he died.<sup>66</sup>

Another witness, Ahmed, said that during the April 8 protest the security forces also did not allow the ambulances to approach the road to pick up the wounded, and kept shooting when other protesters tried to carry the wounded away.<sup>67</sup>

Ahmed told Human Rights Watch:

I went to al-Omari mosque at around 2:30 p.m. and saw the bodies of 20 dead protesters and dozens of wounded who were brought there. People were lying on the floor, all over the place, and there were a couple of doctors

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<sup>65</sup> “Official Source: Armed Gang Attacks Medical Team in Daraa Killing Doctor, Paramedic, Driver, Security Member,” SANA, March 24 2011, <http://www.sana.sy/eng/21/2011/03/24/338048.htm> (accessed May 29, 2011).

<sup>66</sup> Human Rights Watch interview, May 22, 2011, name and place withheld.

<sup>67</sup> Human Rights Watch interview, April 2011, name and place withheld.

and nurses and also local women struggling to help the injured. But they could not do much. They only had the basic supplies brought from the local pharmacies. The hospitals were blocked by the security forces and it was impossible to bring the necessary equipment or supplies into the mosque. Several people with serious injuries were dying and there was nothing we could do to help them.<sup>68</sup>

One of the witnesses, “Mazen” (not his real name), told Human Rights Watch that during the attack on protesters on April 29 (see above), which resulted in at least 62 deaths and hundreds of injuries, no ambulances were available to transport the wounded. He said:

We struggled to take the wounded away on motorcycles and trucks. At the Tafas hospital, which was the only hospital not occupied by the security forces, medical personnel quickly ran out of supplies. They had almost nothing to perform surgeries and there was almost nowhere to get the supplies from. The hospital provided first assistance and then we quickly sent people to private homes as we were expecting the security forces to come and arrest them any moment.<sup>69</sup>

Security forces also arrested medical personnel and ambulance drivers and confiscated the ambulances to prevent the drivers from assisting the wounded. One of the witnesses, “Khaled” (not his real name), said that two of his cousins, both ambulance drivers, were prevented from rescuing the wounded and had their ambulances confiscated. Khaled said that the security forces stopped one of them at a checkpoint about a week after the siege began. They confiscated the ambulance and warned the driver not to go back to work.

Khaled said that the second cousin, who is 57 years old, was arrested and held for four days at the political security department in Daraa. Security forces then released the man but confiscated his ambulance. Khaled also said that the security forces released the man at around 8 p.m., during the curfew, and to avoid being shot he crawled on his knees, with his hands up in the air, through six checkpoints in order to get home.<sup>70</sup>

Several witnesses from different parts of Daraa also told Human Rights Watch that after the security forces imposed a siege on Daraa and neighboring towns they burnt or destroyed

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<sup>68</sup> Ibid.

<sup>69</sup> Human Rights Watch interview, May 21, 2011, name and place withheld.

<sup>70</sup> Human Rights Watch interview, May 22, 2011, name and place withheld.

many of the pharmacies and did not allow the delivery of medical supplies into the town (see below).

In at least two cases documented by Human Rights Watch, denial of medical assistance or obstacles to obtaining medical care resulted in the deaths of wounded protesters.

One of the witnesses, Saleh, said that during the April 29 attack described above, security forces wounded a young man from Tseel, 18-year-old Ahed Khalil Al-Qarfan. Saleh, who was among those who tried to rescue the man, said that Ahed was hit in both legs, and they first took him to Tafas hospital. But the hospital was running out of supplies and could not provide proper care. Saleh said:

We then decided to take him in a car to a hospital in Qunaitra. There were four checkpoints on the way, and at each checkpoint *mukhabarat* stopped us, checked the entire car, and all of the passengers, including the wounded, turning and undressing him although it was clear he was bleeding and in a lot of pain.

We begged them to let us through. Ahed's father was crying, saying, "It's my son, he is hurt," but they pushed us aside, asking for weapons and telling us not to interfere with the search. They said, 'You pigs, you animals, you don't deserve to live.'

At the fourth checkpoint, Ahed died from massive blood loss. A nurse who was in the car with us said he was dead, but his father insisted that we take him to the hospital. In Qunaitra, they confirmed that he was already dead.<sup>71</sup>

Another witness, Omar, said that his neighbor, 22-year-old Ahmad Omar Zreqat, was wounded on April 25 when the large-scale military operation started in Daraa. According to Omar, a bullet went through Ahmad's shoulder and into his liver. The hospital was under the control of the security forces so his parents did not take Ahmad there, fearing he would be arrested. As the city was under siege, no doctor or nurse could come to the house, and the parents only provided basic first aid which was insufficient given the seriousness of the injury. Omar said that on May 4, 2011 Ahmad died and his parents buried him in the yard of their house.<sup>72</sup>

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<sup>71</sup> Human Rights Watch interview, May 22, 2011, name and place withheld.

<sup>72</sup> Human Rights Watch interview, May 21, 2011, name and place withheld.

Denial of medical aid is a form of inhuman treatment and may be a violation of the right to life guaranteed by international law, as it creates a life-threatening situation for seriously injured persons. The UN Basic Principles on the Use of Force and Firearms also stipulate that “whenever the lawful use of force and firearms is unavoidable, law enforcement officials shall... ensure that assistance and medical aid are rendered to any injured or affected persons at the earliest possible moment.”<sup>73</sup>

## **Arbitrary arrests, “disappearances,” and torture**

Throughout the country, Syrian authorities also launched a massive campaign of arrests, subjecting thousands of people to arbitrary detention and brutal torture. As in the rest of Syria, in Daraa the arrests started in late March to early April. But the campaign intensified dramatically after the imposition of the siege.

Witnesses from Daraa city and neighboring towns described to Human Rights Watch large-scale sweep operations conducted by the security forces, targeted arrests of activists and their family members, as well as arrests at checkpoints and by patrols in the streets. The exact numbers are impossible to verify but information collected by Human Rights Watch suggests that the security forces detained hundreds of people each day. Some of them were released several days or weeks later, while others have not reappeared, and in most cases the families have no information on their fate or whereabouts.

Many of the detainees were children. One of the witnesses told Human Rights Watch that out of about 370 people he shared a cell with, more than 70 were children.<sup>74</sup> Another witness mentioned the arrest of two of his nephews, ages 14 and 15.<sup>75</sup>

### *Large-scale sweep operations*

The majority of the arrests, if not all, seemed entirely arbitrary with no formal charges ever brought against the detainees. Local activists told Human Rights Watch that those detained in Daraa were initially held in several ad hoc detention facilities, including a stadium, a football field, a customs department building, two local schools, and several big yards in private houses occupied by the security forces. This information was corroborated by released detainees interviewed by Human Rights Watch. The detainees were then brought to

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<sup>73</sup> Basic Principles on the Use of Force and Firearms, principle 5.

<sup>74</sup> Human Rights Watch interview, May 23, 2011, name and place withheld.

<sup>75</sup> Human Rights Watch interview, May 21, 2011, name and place withheld.

the military intelligence department, the political security department, or other facilities in Daraa and many were then sent to various detention facilities in Damascus.

Four witnesses from Tafas, a town 11 kilometers north of Daraa, said that at around 8:30 a.m. on May 7, 2011, security forces moved into the town with tanks and APCs, and launched large-scale sweep operations over a period of several days, breaking into houses and arresting people. Witnesses estimated that up to a thousand people were detained in the course of the operation, about 600 of whom were released within a week, while new arrests continued. The security forces targeted activists and their family members, medical personnel, and religious leaders, but also arrested a number of individuals who never took part in the protests.

Six witnesses described a sweep operation in the Othman neighborhood of Daraa on May 1, 2011. According to witnesses, during the operation groups of between 15 and 20 security forces entered the houses, breaking the doors if the residents failed to open quickly enough, and smashed everything inside, allegedly looking for weapons, mobile phones, as well as for those who took part in the demonstrations. All of the witnesses said that security forces took away mobile phones, money, and other valuable items from their homes.

Released detainees told Human Rights Watch that security forces arrested over a hundred people from Othman that day. Two of the witnesses, arrested that day and later released, provided detailed accounts of their ordeal to Human Rights Watch.

One of the witnesses, “Ali” (not his real name), said that early in the morning on May 1, a group of about 15 of security forces members broke into his house. He said:

They went inside, shot at the ceiling, and started turning everything upside down. They broke furniture and framed Koran verses on the walls, and took my watch, mobile, and money. They started beating me, and two of my small children got so scared that they peed on themselves. At the same time, they were breaking into other houses on the street. They blindfolded and handcuffed me and put me into a bus, beating me all the way. I could feel that there were many more detainees there.<sup>76</sup>

Ali said that he was then brought to a fenced football field in Daraa and when he managed to move his blindfold away from his eyes, he could see about 2,000 other detainees there. He said that the field was a temporary base for high-level security officials Hisham Bakhtiyar

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<sup>76</sup> Human Rights Watch interview, May 23, 2011, name and place withheld.



and Rustum Ghazali, who he believed were in charge of the operation in Daraa. He said he knew about it because when the violence began tribal leaders used to go there to meet with Bakhtiyar and Ghazali, and then told people about their meetings.

The second witness, “Hussein” (not his real) name, corroborated this account. Both witnesses described to Human Rights Watch an execution of detainees that took place shortly after they were brought to the football field (see below).

Both witnesses said that the security forces brought them, along with several hundred others, from the football field to the military intelligence department in Daraa (both could see the place and recognized it), and later to Damascus where they spent about two weeks in detention.

Another witness, “Mustafa” (not his real name), a Jordanian national, who came to Daraa for business and could not leave the city after the siege began, was arrested during a sweep operation on May 2. He said he was staying in the house of his business partner in Daraa al-Balad, near al-Omari mosque, when security forces started breaking into the houses. He said the security forces detained about 150 people from the neighborhood and took them all to a fenced yard of a private house occupied by the security forces and turned into an ad-hoc detention facility. When the guards realized he was a foreigner, they immediately transferred him to a different detention facility in Daraa and then sent him to Damascus where he spent three weeks in detention in different facilities.<sup>77</sup>

### *Torture and ill-treatment in detention*

Ali, Hussein, and Mustafa, as well as the relatives of other released detainees interviewed by Human Rights Watch, said that all detainees, without exception, were subjected to various forms of torture and degrading treatment. The methods of torture included prolonged beatings with sticks, twisted wires, and other devices; electric shocks administered with tasers; use of improvised metal and wooden “racks,” and, in at least one case documented by Human Rights Watch, the rape of a male detainee with a baton. The interrogators and guards also subjected the detainees to various forms of humiliating treatment, such as urinating on the detainees, stepping on their faces, and making them kiss their shoes. Several detainees said they were repeatedly threatened with imminent execution.

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<sup>77</sup> Human Rights Watch interview, May 24, 2011, name and place withheld.

All of the former detainees described appalling detention conditions, with grossly overcrowded cells where at times detainees could only sleep in turns, and lack of food.

Hussein described the ordeal he and other detainees went through, first in Daraa and then in Damascus:

At the military intelligence department, they took us down into the basement. I could hear the sounds of beatings and screams. Then they took me into an interrogation room. They started beating me, saying, “You want freedom? Here is your freedom.” At some point, my blindfold slipped off and I saw another detainee. He was hung by the hands, with his feet about 15 cm above the floor, and the guards were whipping him all over.

Then the interrogator said, “Put him on the flying carpet!” The guard stretched me face down on a wooden plate and started lifting the front part backwards so that my back started cracking. I screamed and said I would admit to anything they want. They lowered the rack, and started whipping me on my legs and buttocks with a twisted rubber whip. It lasted for some 30 minutes, until I fainted. They splashed water on my face, and brought me back to the cell.

They kept bringing more people in, including my cousins and neighbors. At some point, they brought in an old man, maybe 75 or 80 years old, with his two sons. One of the guards told him they wouldn’t beat him because of his age but told him to kiss his shoe. The old man bowed and kissed his shoe. And then this guard told another one, “Now, go wash my shoe because this dirty man kissed it.”

About seven hours later the guards started putting us into buses, saying we would now be executed. In the bus, I ended up next to one of my cousins. We were convinced they would now kill us, and started saying our final prayers. But instead, they brought us to Damascus. They pushed us into a big room, there were many hundreds of other detainees there, most of them from Daraa—I could tell by their dialect.<sup>78</sup>

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<sup>78</sup> Human Rights Watch interview, May 23, 2011, name and place withheld.

Hussein said the guard then again put him into a bus and moved him to another facility where he spent ten days in detention. He said that during interrogations there the guards beat him with whips and made him confess to various crimes and put his fingerprints on documents he could not see.

Ali provided a similar account of his detention and torture. He said that after he spent a day in the military intelligence department in Daraa, he was transferred by bus to Damascus. As he found out after his release, he was taken to the military intelligence branch located in the Kfar Susa neighborhood. He said:

We stayed in a big room, underground, with hundreds of other detainees. Every now and then the guards would call the names of some ten people and take them away. They would say, “You are traitors and will be executed.” These people were never brought back, and I could not sleep, fearing that any moment they may call my name.

On the fourth day, they took me out for an interrogation, along with several other detainees. They started accusing me of various crimes, and beating me, but I denied the charges. Then they put me face down on the floor and fixed some metal device, like a chair, on my back, and then flipped me over so that my back twisted—it was unbearable and I was ready to admit anything.<sup>79</sup>

Ali also said, crying as he was telling the story, that in the interrogation room, the guards undressed him and raped him by forcing a baton into his anus, while one of them urinated on him. His condition at the time of the interview was consistent with this account: he was in lot of pain, and could not sit down or stand up without assistance.<sup>80</sup>

Mustafa, a Jordanian national, told Human Rights Watch that during interrogations in Daraa he was subjected to torture on a metal “rack” which the interrogators used to pull his back backwards causing unbearable pain. He said that in Damascus he was also beaten and punched on the face during interrogations “but it was nothing compared to what they did to the Syrians.” He said that he spent eight days in a room, 4 by 4 meters, together with 65 other detainees where they had no room to even sit down, and had to sleep in turns.<sup>81</sup>

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<sup>79</sup> Human Rights Watch interviews, May 21, 2011, name and place withheld.

<sup>80</sup> Ibid.

<sup>81</sup> Human Rights Watch interviews, May 24, 2011, name and place withheld.

These and other witnesses told Human Rights Watch that they were forced to sign confessions “admitting” to participation in violence, membership in terrorist groups, and other fabricated charges. In some cases, they were forced to put their finger prints on blank pages or documents they could not see because they were blindfolded. Both Hussein and Ali were eventually brought before a judge in Damascus, who released them both despite the admissions they made during interrogations. The judicial review appeared quite arbitrary in terms of who was released and who was not.

Ali said that he was brought before a judge in the Justice Palace who “released everybody over 40 years old” (including Ali), and “sent some of the younger men back to jail, regardless of whether or not they participated in the protests and despite clear signs that they had been tortured.”<sup>82</sup>

Hussein said:

I was among 130 detainees who were brought before a judge that day. When it was my turn, the judge showed me the confession that I signed under torture. In response, I just took off my shirt—my entire back was covered in bruises. The judge immediately told the clerk, “Write that he confessed under torture and get a new statement.” And then he released me, and stamped my hand so that I could get back home through numerous checkpoints.<sup>83</sup>

The ban against torture is one of the most fundamental prohibitions in international human rights law. No exceptional circumstances can justify torture. 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. These include the International Covenant on Civil and Political Rights (ICCPR), and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment, which Syria ratified on July 1, 2004.<sup>84</sup>

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<sup>82</sup> Human Rights Watch interviews, May 23, 2011, name and place withheld.

<sup>83</sup> Human Rights Watch interviews, May 23, 2011, name and place withheld.

<sup>84</sup> **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.

### *Targeted arrests and “disappearances”*

In addition to large-scale sweep operations, Syrian security forces also conducted targeted arrests of activists, organizers of the protests, medical personnel, and people who tried to document the events in Daraa, as well as their family members.

Hassan Muhammad al-Aswad, a prominent lawyer from Daraa, told Human Rights Watch that on April 4, a joint group of different branches of the *mukhabarat* arrested him from his house in Daraa. He said he was first taken to the military intelligence department in Daraa, then to political security department, and the same day transferred to Damascus. Al-Aswad said that during all these transfers the guards beat him and electrocuted him with electric tasers. He was detained and interrogated in Damascus for several days and then the guards brought him back to Daraa. He said that in Daraa they brought him to a Baath party office where Rustum Ghazali and Hisham Bakhtiyar personally interrogated him and threatened him, saying the number of security forces in Daraa “is three times bigger than the number of demonstrators” and the protesters thus stand no chance against the authorities.<sup>85</sup>

Al-Aswad also said that when he was briefly detained again on April 12, 2011 he was interrogated by the head of military intelligence in Daraa, Col. Lo’ay Al-Ali, and the head of military intelligence for the southern region, whose name he could not remember.

Al-Aswad also said that at the end of March security forces arrested his colleague, the lawyer Samer Kasem al-Akrad, together with a medical doctor as the two were trying to rescue wounded from al-Omari mosque. He said that after Samer was released several days later there were visible marks of torture (burns marks and traces of whipping) on his body.<sup>86</sup>

One of the activists from Tafas, who remains in hiding, said that the security forces arrested his 75-year-old father on May 7, released him the next day, and then on May 22 arrested him again, along with the activist’s 20-year-old son.<sup>87</sup>

Another activist, “Abdallah” from Daraa city, said that on May 13, 2011 security forces arrested his 57-year-old brother, who is illiterate, has no political affiliation, and never took part in demonstrations. At the time of the interview he remained in detention. Abdallah said that they also arrested his wife and questioned her for six hours, forcing her to reveal his

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<sup>85</sup> Human Rights Watch interview with Hassan Muhammad al-Aswad, May 24, 2011, place withheld.

<sup>86</sup> Ibid.

<sup>87</sup> Human Rights Watch interviews, May 21 and May 23, 2011, name and place withheld.

whereabouts. He said his wife was taken to the ad hoc facility at the football field, where Major General Rustum Ghazali personally interrogated her.<sup>88</sup>

Omar, who was active in documenting the events and Daraa and eventually managed to flee the city, said that on April 29, security forces arrested three of his brothers who were businessmen and took no part in the protests. He believed they were arrested just because they were related to him. Omar said that at the time of the interview, three weeks after the arrest, the family still had no information on the brothers' fate or whereabouts despite their repeated inquiries with local authorities in Daraa.<sup>89</sup>

Another activist, "Muhammad" (not his real name), said that on the first day of the siege, April 25, security forces broke into his house in Daraa al-Mahata (he was not at home, knowing that the security forces may have been looking for him), and arrested his son, two brothers, and four nephews, two of whom are children. He said that the family still has no information on the fate and whereabouts of two of the nephews, both teenage boys, while the other relatives remain in detention in `Adra prison near Harasta.<sup>90</sup>

Almost all other witnesses also told Human Rights Watch that they knew of relatives, friends, or neighbors who had been arrested by the security forces and that since their arrests the families had been able to obtain no information about them.

Under international law, a person's arrest or detention followed by refusal to acknowledge the arrest or detention, or to provide information on the fate or whereabouts of the detained person, constitutes an enforced disappearance.<sup>91</sup>

## **Executions and mass graves**

Two witnesses independently reported to Human Rights Watch a case of an extrajudicial execution of detainees on May 1, 2011 at the ad hoc detention facility at the football field in Daraa.

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<sup>88</sup> Human Rights Watch interviews, May 21, 2011, name and place withheld.

<sup>89</sup> Human Rights Watch interviews, May 21, 2011, name and place withheld.

<sup>90</sup> Human Rights Watch interviews, May 23, 2011, name and place withheld.

<sup>91</sup> Convention against Enforced Disappearance, adopted September 23, 2005, E/CN.4/2005/WG.22/WP.1/Rev.4 (2005), art. 2. The convention took effect on December 23, 2010. Syria is not yet a party to the convention. See also United Nations Declaration on the Protection of All Persons from Enforced Disappearances (Declaration against Enforced Disappearances), adopted December 18, 1992, G.A. res. 47/133, 47 U.N. GAOR Supp. (No. 49) at 207, U.N. Doc. A/47/49 (1992), preamble.

One of the witnesses, Ali, said:

We were brought to the football field where I managed to take my blindfold off. There were about 2,000 detainees there.

They brought me there at around 6 a.m., and several hours later the guards went around the field, randomly picking some detainees. I counted them—they picked 26 people, all young, physically fit men. As they picked them, they would say “we found weapons on you.” I knew one man, his name is Taleb, his wife is from our neighborhood.

They lined them up in one line, facing away from us, from where I was standing. Six or seven soldiers were in front of us, some 2 meters away, and the selected detainees in front of the soldiers, facing away, about 10 meters in front of the soldiers. They were all blindfolded and handcuffed. The soldiers had Kalashnikovs.

One of the soldiers, I think he was an officer, but I don’t know for sure, raised his hand, and waved, and they fired, without saying anything. It was automatic gun fire, and the 26 men immediately fell on the ground.

Everybody was too scared to even move, let alone say anything. Many people were blindfolded and couldn’t see what happened.

The soldiers picked up the bodies and threw them onto a military truck. These are Russian military trucks that look like big Landrovers, they belong to military battalion 132. This battalion is stationed in Daraa, not far from the place where I live, so I’ve seen them before. They brought three of these trucks and loaded all the bodies on them, and drove away.<sup>92</sup>

Ali said that he did not know what happened to other bodies, but Taleb’s body was never returned to the family, and Taleb’s wife did not know what happened to him, as he and other witnesses were too scared to tell anyone about what they saw.

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<sup>92</sup> Human Rights Watch interview, May 23, 2011, name and place withheld.

Another witness, Hussein, interviewed independently, provided a similar account to Human Rights Watch. He said:

They brought me to the football field at around 9 a.m., I was blindfolded and handcuffed but could feel and hear that there were lots of people there already.

About 50 minutes later, I was standing with my face to the wall, and eventually managed to push my blindfold a little bit up by rubbing my forehead against the wall. I could then see the field by turning my head back and forth. There were more than 1,500 people there.

I saw the soldiers leading away a group of about 20 men, I couldn't tell exactly how many, at gunpoint. They took them to the side, about 50 meters away from where I was standing. I couldn't see much, but less than 15 minutes later I heard automatic gunfire and screams.

I knew immediately this group was killed. I was convinced we would be next. We were scared to even whisper.

Then the soldiers started screaming at us, saying, "Dogs, you want freedom, you'll have it." They pointed their guns at us, loading and unloading them, saying, "You are sentenced to death by gunfire." They didn't mention the guys that were just killed, but it was clear. I was convinced they would shoot us right there.

I didn't see what happened to the bodies; I didn't dare to turn my head any more.<sup>93</sup>

Human Rights Watch has not been able to further corroborate these accounts. However, the detailed information provided by two independent witnesses, and the fact that other parts of their statements, concerning their detention in the military intelligence facility in Daraa and then in Damascus, were fully corroborated by other detainees held in these facilities, support the credibility of the allegations.

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<sup>93</sup> Human Rights Watch interview, May 23, 2011, name and place withheld.



A number of Daraa residents and two Syrian activists interviewed by Human Rights Watch referred to the existence of mass graves in Daraa. The limited information available to Human Rights Watch is not sufficient to determine whether the mass graves are connected to the executions.

The discovery of bodies in a shallow unmarked grave in the Bihar area, around 200 meters from the southern cemetery of Daraa (in an area locally known as Tal`et Muhammad Assarie) was widely reported on May 16, 2011 after video footage was posted on YouTube showing a number of men pulling dead bodies from the ground. The footage shows earth-moving machinery with Daraa license plate number 977149 assisting in the digging.<sup>94</sup> A Daraa resident from the Abazeid family, currently in another Arab country, told Human Rights Watch that at least seven bodies were found and that five of the bodies were identified as members of the Abazeid family: 62-year-old Abdullah Abdul Aziz Abazeid and his four grown-up sons, Sameer, Samer, Muhammad, and Sulayman. The other two bodies had not been identified but were of a woman and a girl, the source said. He had received the footage from a close friend in Daraa and had helped post the footage on YouTube. He said:

On May 15, a Daraa man informed a number of local residents that a strong smell emanated from a patch of land around 200 meters from the Bihar cemetery. The next day a group of young men, including my cousin, went to the spot and found bodies close to the surface. They informed the local authorities who dispatched some people to dig them up.<sup>95</sup>

One of the witnesses told Human Rights Watch that on the day when the grave was discovered he was in the hospital and saw security personnel bringing in nine bodies in sacks. Five of the bodies, he said, were soon identified by relatives as members of Abazeid family (the witness knew two of the sons), while the others remained unidentified.<sup>96</sup>

## Effect of the siege

Witnesses told Human Rights Watch that during the siege Daraa residents experienced acute shortages of food, water (because the security forces shot and damaged most of the water tanks), medicine, and other necessary supplies. The electricity and all communications were

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<sup>94</sup> The footage is available at <http://www.youtube.com/watch?v=monI7Twd6Uo> (accessed May 29, 2011).

<sup>95</sup> Human Rights Watch interview with Abazeid family member, May 18, 2011, place withheld.

<sup>96</sup> Human Rights Watch interview, May 22, 2011, name and place withheld.

cut off for at least 15 days, and, at the time of this writing, remained cut off in several neighborhoods in the city.

One of the witnesses said:

There were tanks and other military vehicles almost on every street, checkpoints everywhere, and security patrols. They separated all neighborhoods from each other. It was a full-scale occupation. We heard constant gunfire and could see snipers on the roofs, and we could not get out. In order to move in between houses, people broke holes in the back walls of the houses.

For two days, I stayed inside. Then we started running out of food and I went out, trying to get some bread for my family, along with some neighbors. Suddenly, we saw a civilian bus. We tried to approach it, thinking it was carrying food, and waved to the driver. But as we approached, we saw there were *mukhabarat* agents inside. Without a word, they opened fire at us. We started running away. I know of at least one man who was wounded there, my 42-year-old neighbor, a bullet hit him in the leg.

By the fourth day, pharmacies ran out of supplies, and many of them were destroyed or looted by the security forces. All shops and bakeries were closed. We used whatever we had stored at homes, and shared among neighbors, but then everybody ran out of food. People tried to smuggle medications and food into the town by using secret roads.

There was no electricity and gas. We used firewood to cook, and candles to have some light, but we soon ran out, and there was nowhere to get them. Everything was off—TV, radio, landlines, cell phones. We did not know what was going on and could not contact even our relatives in other neighborhoods.<sup>97</sup>

Several witnesses told Human Rights Watch that during the siege they tried to get to nearby towns to buy bread and were turned away at the checkpoints where security forces told them

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<sup>97</sup> Human Rights Watch interview, May 22, 2011, name and place withheld.

that they “didn’t deserve bread.” They also referred to several cases where people who were caught bringing bread into the city were detained or even shot at (see above).

Human Rights Watch interviewed several drivers who described how during the siege they tried to smuggle in medical supplies requested by the doctors and food items. They also confirmed that those who were caught were detained and tortured.<sup>98</sup>

Witnesses told Human Rights Watch that from April 25, until at least May 22, the authorities forbade residents of Daraa from praying in mosques and banned the call to prayer. Security forces occupied all 15 mosques in the city and, according to witnesses who saw the mosques after they reopened, desecrated them by scrawling graffiti on the walls. Some of the mosques also came under heavy fire. Omar said, for example, that at least seven shells were fired at Abu Bakr Sadiq mosque, apparently in retaliation for efforts of the people to prevent snipers from occupying the mosque’s minaret.

One of the witnesses who went to Abu Bakr Sadiq mosque on May 22, said that the mosque was damaged by gunfire and was desecrated with alcohol bottles on the floor and graffiti saying, “Your god is Bashar, there is no god but Bashar” on the walls, a reference to Syria’s president Bashar al-Asad.<sup>99</sup>

As the killings continued during the siege on Daraa, residents also struggled to deal with the growing number of dead bodies. Due to the lack of electricity, the bodies could not be stored in morgues. At the same time, people were reluctant to bury the bodies before they could be identified by relatives, which in many cases was impossible due to lack of communication and restrictions on movement.

As a result, Daraa residents started storing the bodies in mobile vegetable refrigerators that could run on diesel. One of the witnesses, “Muhammad” (not his real name) told Human Rights Watch:

On the first day of the siege, we took one of the refrigerators and started using it to store the bodies. We parked it in the eastern cemetery and would bring the bodies there at night, secretly. On the first day of the siege, between 5 a.m. and 12:30 p.m., we put 14 bodies in this one truck. By the tenth day of the siege, there were about 50 bodies in there, including two

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<sup>98</sup> Human Rights Watch interview, May 22 and May 23, 2011, names and place withheld.

<sup>99</sup> Human Rights Watch interview, May 23, 2011, name and place withheld.

women, a 14-year-old girl, and four soldiers who refused to shoot at the protesters and got killed by *mukhabarat*. From people in other neighborhoods we heard there were at least two other refrigerators like this one where they stored the bodies.

On May 5, security forces confiscated the refrigerator. They arrived on two APCs, a soldier got inside and drove it away. They clearly knew what was inside. We know that they confiscated the other two refrigerators as well. We heard they took them to Damascus, but then most of the bodies were returned to the families—on the condition that they would bury them quietly, without a procession, and that they would sign papers saying that the deceased died from natural causes.<sup>100</sup>

Two other witnesses confirmed this account to Human Rights Watch. One of them provided video footage of the bodies stored inside the refrigerator that he said he filmed on May 4, a day before the military took the refrigerator away.<sup>101</sup>

While the authorities eased the siege on Daraa around May 5, they simultaneously expanded the large-scale military operation to other villages in Daraa district. Witnesses from Tafas said that in the early morning of May 7 they heard heavy gunfire and saw security forces moving into the town with about 60 tanks and APCs. The security forces then conducted a large-scale sweep operation (see above), breaking into houses and arresting large numbers of people.

The security forces imposed a curfew on the town, allowing the residents to move around only for a few hours a day and preventing them from leaving the town. According to the witnesses, they also confiscated and destroyed all of the motorcycles they found to prevent people from moving outside of town. Witnesses believed that Tafas was targeted because its residents took part in the protests and were among those who tried to break the siege on Daraa on April 29. Tafas also had one of the few functioning hospitals that was not taken under the control of the security forces and for that reason many of the wounded protesters had been brought there.

In Daraa the curfew was eventually moved to 7 p.m., but as of May 22, 2011 gatherings were prohibited and movement between neighborhoods remained severely restricted.

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<sup>100</sup> Human Rights Watch interview, May 23, 2011, name and place withheld.

<sup>101</sup> Human Rights Watch interviews, April 29 and May 22, 2011, names and places withheld.

The siege violates Syria's obligations, as a party to the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), to respect fundamental rights and the rules of law guaranteed in the treaties including freedom of movement and the right to health. Even during a genuine emergency, any restrictions on rights must be strictly limited and justified by the exigencies of the actual situation, conditions that Syria has not met.<sup>102</sup> Syria's state of emergency officially ended on April 21, 2011.

The siege also constituted collective punishment, which is any form of punitive sanctions and harassment imposed on families or other targeted groups for actions that they themselves did not personally commit.

### **Information blockade**

Since the beginning of the protests in Daraa, Syrian authorities put enormous efforts into ensuring that information about the events did not get out. No independent observers could enter the city and one journalist who managed to report from Daraa was arrested upon his return to Damascus.

Witnesses told Human Rights Watch that Syrian security forces confiscated cell phones that had footage of the events and arrested those who tried to get images or other information out.

After security forces imposed a siege on Daraa, getting information out of the city became virtually impossible. All means of communication were shut down, including Syrian cell phone networks. Many witnesses told Human Rights Watch that cell phones were the first thing authorities confiscated during searches in their houses or at checkpoints.

Some people had or managed to obtain Jordanian SIM cards for their phones, but the use of these soon became a very dangerous endeavor. One of the witnesses, a Syrian driver who used to transport goods from Daraa into Jordan, told Human Rights Watch:

At checkpoints and at the border, security forces now check everything on our phones—every message, every image, every video, every number. They are also looking for Jordanian SIM cards, examining every centimeter of your clothes, and if they find any it may well be a death sentence.

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<sup>102</sup> ICCPR, art. 4.

I was coming through the border in the beginning of May, and had two Jordanian SIM cards with me. They asked whether I had any, and I denied, but then they conducted a full body search and found them in a very sensitive area.

They also found a memory card from my phone; everything was erased, aside from one audio file—it was a song that people of Daraa wrote during the protests. Then they said, “You are in big trouble now.” They took me in for an interrogation, and I just started praising Bashar, and thanking them for protecting us from the trouble-makers. I convinced them, and they let me go. They need us, after all—who else would they get cigarettes and other stuff from, if not from the drivers? But they made me sign a pledge that I will never bring any Jordanian SIM cards with me.

In the interrogator’s office I saw four other drivers, all arrested for having Jordanian SIM cards, from what I understood. All four were on their knees, facing the wall, and the guards were beating them severely.<sup>103</sup>

Security forces also did not spare foreign nationals whom they suspected of collecting and disseminating information about the situation in Daraa, or anyone suspected of passing the information on to foreign media. Two released detainees independently described to Human Rights Watch the torture which the security forces inflicted on a national of the United Arab Emirates whom they detained in Daraa. One of the witnesses, Hussein, said he met the man after he was brought to Damascus (see above). He said:

About an hour after they brought me in, one of the guards came into the cell and asked, “Where is the eyewitness?” One man stepped forward and they took him away. An hour later they brought him back, unconscious, his back was bleeding. After he came to, he explained that he had been arrested from Daraa, and the security forces called him an “eyewitness” because they found phone numbers for Al Jazeera, Al Arabiya, and BBC on his mobile phone.<sup>104</sup>

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<sup>103</sup> Human Rights Watch interview, May 22, 2011, name and place withheld.

<sup>104</sup> Human Rights Watch interview, May 23, 2011, name and place withheld.

Another witness, Mustafa, corroborated this account. He spent most of his time in detention together with the “eyewitness.”<sup>105</sup>

On March 20, security forces detained Rami Sulayman from Da`el, a small town neighboring Daraa, because of a phone call he made to BBC Arabic to describe the situation, according to the Syrian Observatory for Human Rights.<sup>106</sup>

On March 22, security services stopped the car of an AFP photographer and videographer in the old city of Daraa, beating them and seizing their equipment.<sup>107</sup>

On March 29, two plain clothes security men arrested Suleiman al-Khalidi, a Jordanian journalist working for Reuters. Al-Khalidi had entered Daraa on March 18 and was the only journalist who succeeded in reporting from the city for 10 consecutive days. On March 29, he had gone to Damascus to meet an activist when the security forces detained him.<sup>108</sup> On May 26, al-Khalidi published an account of his ill-treatment during his four-day detention:

“We will make you forget who you are,” one of them threatened as I was beaten for the sixth time on my face. I could not see what hit me. It felt like fists. Twice in detention I was whipped on the shoulder, leaving bruises that stayed a week.<sup>109</sup>

He also described the torture of Syrian detainees that he witnessed.

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<sup>105</sup> Human Rights Watch interview, May 24, 2011, name and place withheld.

<sup>106</sup> “Syria: Security Forces Kill Dozens of Protesters,” Human Rights Watch news release, March 24, 2011, <http://www.hrw.org/en/news/2011/03/24/syria-security-forces-kill-dozens-protesters>.

<sup>107</sup> “UN calls for Syria probe as hundreds protest,” Al Jazeera, March 22, 2011, <http://english.aljazeera.net/news/middleeast/2011/03/2011322155925612161.html> (accessed on May 27, 2011).

<sup>108</sup> Human Rights watch interview with Suleiman al-Khalidi, April 28, 2011.

<sup>109</sup> Suleiman al-Khalidi, “Shattered humanity inside Syria's security apparatus,” Reuters, May 26, 2011, <http://www.reuters.com/article/2011/05/26/us-witness-syria-torture-idUSTRE74P2VD20110526>.

## **Recommendations**

### **To the Syrian Government**

- Immediately halt the use of excessive and lethal force against demonstrators and other persons by security forces. Carry out an independent and transparent investigation into the excessive use of force and shooting of protesters by the security services. Discipline or prosecute, consistent with international fair trial standards, those responsible, regardless of rank;
- Investigate allegations of enforced disappearances, ill-treatment and torture and abuse against detainees and, consistent with international fair trial standards, prosecute those responsible;
- Release unconditionally all detainees held merely for participating in peaceful protests or for criticizing the Syrian authorities;
- End repressive actions against, and intimidation of, members and supporters of the political opposition, civil society activists, journalists, and human rights lawyers by police and other state agents;
- Provide immediate and unhindered access to international organizations, UN special mechanisms, and members of the diplomatic community in Syria to hospitals, places of detention, and prisons;
- Grant access to Syria to the media and to independent observers to freely monitor and report on developments and human rights abuses in the country;
- Provide full cooperation and unhindered access to UN Office of the High Commissioner for Human Rights (OHCHR) team tasked by the UN Human Rights Council on April 29, 2011 to investigate alleged violations of international human rights law and crimes committed against civilians; and
- Facilitate, under international supervision, the exhumation, identification, and return to family members of the bodies disposed of by the security forces in the area of Daraa.

### **To the UN Security Council**

- Condemn in the strongest terms the Syrian authorities' systematic violations of human rights, including killings; arbitrary detention; disappearances; and torture of peaceful demonstrators, human rights defenders, and journalists. Demand an immediate end to these abuses and the lifting of the siege of Daraa;



- Recognize that these widespread and systematic violations of Syrian's obligations under international human rights law may amount to crimes against humanity and demand that they be investigated and those responsible be held accountable;
- Urge the Syrian government to provide the OHCHR team, charged with investigating human rights violations, immediate unrestricted access to Syria and to cooperate fully with their investigation, as set forth in HRC resolution A/HRC/RES/S-16/1;
- Request that the UN Secretary-General starts reporting regularly on the situation in Syria, and on the compliance of the Syrian authorities with any statement or resolution the Council might adopt;
- Encourage and support efforts to investigate and prosecute the grave, widespread, and systematic human rights violations committed in Syria since mid-March 2011. In the absence of adequate steps by the Syrian government to investigate and prosecute these violations, refer the situation in Syria to the International Criminal Court; and
- Adopt targeted sanctions on officials responsible for the ongoing grave, widespread, and systematic violations of international human rights law in Syria since mid-March 2011.

### **To the UN Human Rights Council**

- Remain seized of the situation as long as the repression of peaceful protests and critics continues, including through regular briefings from OHCHR;
- Ensure follow up to the recommendations arising from the investigation mandated by the Human Rights Council on April 29, 2011 and other UN mechanisms reacting to the situation; and
- Respond urgently to any credible reports of reprisals by Syrian authorities against those who cooperate and provide information to the investigation and other UN human rights mechanisms.

### **To United Nations Secretary-General Ban Ki-moon**

- Immediately appoint a special envoy for Syria and demand that he be allowed unimpeded access throughout the country; and
- Report to the Security Council on the situation in Syria at regular intervals or whenever serious developments occur on the ground, and if necessary, urge the council to take appropriate action;
- Continue to speak out against human rights violations in Syria and to use your access to Syrian authorities to urge them to bring an end to the violence and cooperate with your envoy and OHCHR investigators.

## **To the Arab League**

- Strongly and publicly condemn and demand an end to human rights violations by the government of Syria, including the use of excessive force and unnecessary lethal force against all persons; impunity for security forces abuse; arbitrary arrests of activists and protesters; the use of torture and other mistreatment; and the general climate of repression faced by Syria's citizens. Urge that all those responsible for such violations be brought to justice;
- Call on the Syrian authorities to build the institutions that ensure respect for human rights, democracy, and the rule of law, including an independent judiciary and a professional police force.

## **Acknowledgments**

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# “We’ve Never Seen Such Horror”

## Crimes against Humanity by Syrian Security Forces

Since the beginning of anti-government protests in March 2011, Syrian security forces have killed hundreds of protesters and arbitrarily arrested thousands, subjecting many of them to brutal torture in detention. The security forces routinely prevented the wounded from getting medical assistance, and imposed a siege on several towns, depriving the population of basic services.

This report, based on more than 50 interviews with witnesses and victims, focuses on the abuses in Daraa governorate in southwestern Syria, where some of the worst violence took place.

The nature and scale of abuses, which, as Human Rights Watch research indicates, were not only systematic but implemented as part of a state policy, strongly suggest these abuses qualify as crimes against humanity.

Human Rights Watch calls on the Syrian government to immediately halt the use of lethal force against peaceful demonstrators and unconditionally release those arbitrarily arrested. It calls on the Security Council to push for investigation and prosecution of the grave systemic violations committed in Syria, and, failing the appropriate governmental steps to do so, refer the situation in Syria to the International Criminal Court.

*Bodies of people killed by Syrian security forces during protests in Daraa city, stored in a mobile refrigerator, May 4, 2011.*

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