

2014-11-06

## Fråga-svar

### Syrien. Underrättelseavdelningen al-Far' al-Mantiqa och straff för ordervägran

#### Fråga

- Information om enheten al-Far' al-Mantiqa i Damaskus i den syriska militära underrättelsetjänsten, främst under åren 1987-1990.
- Vilket straff riskerade en soldat som gjorde sin militärtjänstgöring vid ordervägran?

#### Svar

##### al-Far' al-Mantiqa

Den militära underrättelseavdelningen i fråga benämns i olika källor som al-Far' al-Mantiqa, Far' al-Mantiqa, Fara' al-Mantiqa, Almantiqa eller al-Mantiqa branch/interrogation centre. Avdelningen kallas i samma källor för the Regional Branch och i nyare källor betecknas the Regional Branch som Branch 227, en militär underrättelseavdelning belägen i Damaskus. Det är sannolikt att alla dessa hänvisar till samma avdelning.

En sammanställning av den information som finns tillgänglig på engelska om al-Far' al-Mantiqa följer här. Eftersom frågan gäller situationen på 1980-talet står källorna i stigande kronologisk ordning, med den äldsta informationen först.

Human Rights Watch (HRW) (1990):

Syria's human rights record has been difficult to document because of the lack of local rights monitors and the difficulty of gaining access to local sources. Syrian monitoring organizations sprang up in the late 1970's but they were short-lived. In 1980, the government dissolved them all and threw their leaders in prison.

Throughout the 1980's, Syrian authorities refused to allow international human rights organizations to conduct any kind of investigation in the country; they have even failed to answer

inquiries from human rights organizations. For eleven years, from 1978 to 1989, Amnesty International received no answers from the Asad regime to any of its dozens of communications, nor were its representatives allowed to enter the country. The Arab Organization for Human Rights also sent many communications to the Syrian government and received no answers. Even the International Committees of the Red Cross had no access to provide humanitarian services to Syrian prisoners. During this time, the Syrian government did not even fulfill its basic reporting requirement to United Nations human rights committees. (s. 2)

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Another branch of increasing importance is the Regional Branch [Fara' al-Mantiqa], headed by Col. Hisham Akhtiar. This department, which oversees the Damascus region, has made many arrests in the past two years. Like the powerful Internal Branch of the General Intelligence Agency, the Regional Branch may operate relatively autonomously from its parent. (s. 48)

HRW (1992):

### **The Interrogation Branches**

In mid-1992, hundreds of longterm and recently arrested detainees were believed still held in extremely harsh conditions inside interrogation centers, usually located in the basement of the intelligence service administrative offices. In most branches, visits are restricted or prohibited altogether; in cases in which visits are permitted, the detainee is accompanied by guards and separated by a screen from the visitors. Interrogation facilities almost never provided fresh air or exercise, and most cells are located underground with no outside air or light except what comes through iron grates near the ceiling.

Most intelligence services have branches in each of the country's eleven provinces (*muhafizat*). There are said to be at least forty such underground centers in the country. Middle East Watch has details about twenty-one interrogation branches in Damascus alone, in addition to the five civil and military prisons. Most have held political cases in the past.

There are at least ten under the agency for Military Intelligence, headed by Gen. Hisham Bakhtiar:

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- Regional Branch-Damascus (al-Far' al-Mantiqa), also located on Mukhabarat Street; cases of torture have been reported there. (s. 12)

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### **Regional Branch-Damascus (al-Far' al-Mantiqa)**

The Regional Branch of Military Intelligence lies just down the street from MIB [Military Interrogation Branch], the Palestine Branch and the Raids Task Force (another Military Intelligence

branch). This building, like the others, is surrounded by well-kept gardens. Windowless, airless cells holding up to 300 people detained on political charges are located six feet below the offices. One former detainee said that, in 1985, the cells included a large block that held between 170 and 200 detainees; two rooms approximately thirteen- by twelve feet that held roughly sixty detainees each, and sixteen single cells. The head of the branch was said to be Gen. Hisham Bakhtiar.

Detainees arrested by Military Intelligence include the full spectrum of suspected opposition party members as well as PLO members. Most detainees are held for a few days;sto [sic] weeks before transfer to a prison, but several are known to have remained for as long as eight years. They include 'Arafat Duwaik, known as Abu-Fatih, a PLO leader arrested in 1984; and Hany al-Hassan, a PLO member.

Abu-Fatih, 54, a father of three, was head of a local Fatah office in Yarmuk Camp. A former detainee interviewed by Middle East Watch said Abu-Fatih suffered from severe torture at the beginning of his detention, during which his hands and teeth were broken, and one of his toes was amputated. He is said to be in solitary confinement without charge or trial, and reportedly suffers from diabetes and poor eyesight. (s. 17-18)

#### Syrian Human Rights Committee (2006):

##### 5.1- Torture and Abuse

Syrian authorities employ physical and mental torture as well as other degrading methods on a systematic and routine basis, particularly during the initial periods after arrest. Such methods - amounting to more than 40 approved torturing methods used in interrogation centers, custody cells and prisons- and are used in the cases of political detainees as they are used in the case of criminal detainees, and irrespective of whether the subject was a minor. Many detainees ultimately lose a limb or one of his or her senses, or may become permanently disabled. In some cases, detainees have died under torture or as a result thereof. No information has ever emerged on holding individuals implicated in such activities or methods responsible, indeed legislation absolves such individuals from the rule of law, as they are considered to be carrying out official duty to which they are assigned. Nor has any indication been noted regarding the improvement of conditions or the reduction of torturing methods at the Palestine Branch for Military Interrogation, or Al-Fayha' Branch or Al-Mantiqa Branch or any other intelligence and security center.

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There are other branches within these complex bodies and which are also renowned for using torture, such as the Palestine branch for Militray [sic] Interrogation, Al-Fayha' branch and Al-Mantiqa branch.

HRW (2012):

Branch 227 – Damascus

OFFICERS IN CHARGE OF FACILITY:

Maj. Gen. Rustom Ghazali (head of branch)

LOCATION:

Coordinates: 33.510586N, 36.274689E

Damascus city. May 6 Street on the corner with Omar Bin

Abdulaziz Street, near the Ministry of Higher Education.

DOCUMENTED METHODS OF TORTURE AND

ILLTREATMENT

Beating; falaqa; shabeh; exposure to cold; stress positions.

GENERAL COMMENTS

Branch 227 is the Military Intelligence branch responsible for Damascus governorate outside of Damascus city. One former detainee said that the underground detention facility included both individual cells and a big room measuring about 100 square meters, which held about 400 people when he was there. At some point, according to this detainee, some of the older detainees were transferred to a different cell with slightly better conditions.

Violation Documentation Center in Syria (VDC) (2013a)

Department 227 or Almantiqa (district) Security Department as known to Syrians is a branch of the military security establishment "Military Intelligence Department ", headed by Maj. Gen. Rustom Ghazaleh who was degraded to Vice-President.

Department 227 is located in Mezze ,Damascus in the "Street of political guidance - Carlton" in front of the Ministry of Higher Education in Damascus, where this street has many branches of other security departments, including (Department 291 and Department 293 of Military Intelligence as well, and Department 248 with its four divisions 1, 2, 3 and 4).

This branch is responsible for thousands of cases of arbitrary detention, enforced disappearances, in addition to the mass murder of dozens of detainees under torture since the beginning of the Syrian Revolution (...) (s. 2)

VDC (2013b):

These sections are, in turn, divided into central branches in the capital, Damascus, in addition to regional branches in the governorates, and local branches in the cities and across the country. each branch central, regional or local has one or more detention centers, that differ in number and size, according to the "importance" of the region.

\* Practically, the Military Intelligence Division manages many different branches, especially in Damascus. VDC has managed- through a dissident officer of the Department of State Security - Damascus – to identify most of its branches.

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11 - Branch 227: Damascus Governorate Branch (also known as the Region Branch) it is a special branch since the central departments don't have a special branch in the capital; in the State Security, the Political Security and the Air Intelligence, there is no so-called Damascus Branch.. There are only branches of the rest of the governorates because the Central Administration is higher and more important and located in the capital.

UN Human Rights Council (UNHCR) (2013):

Victims in these centres were subjected to previously undocumented torture methods. Military Intelligence officers used water torture, such as simulated drowning, at Branch 227. (s. 12)

Euro-Mediterranean Human Rights Network (2013):

Randa, a university student from Damascus and a friend were held at branch no. 227 of the military intelligence in the customs area in Damascus. They remained in that branch for the first five months of their detention which spanned from June 2012 to January 2013. Randa recounts that *“they would stop torturing the male detainees when we wanted to go to the bathroom, so we didn’t see what they were doing, but the proof of the torture was clear on their bodies. We could hear crying, beating, screaming, electrical shocks. The smell of torture and blood hung in the air, and almost every other day they would arrest a new group of gunmen and hold what they called a “torture party”. They would assemble the detainees and beat them repeatedly. In every “party” at least two or three would die. Their cries will be imprinted in my memory forever.”*

UNHCR (2014):

Widespread and systematic use of torture was documented in multiple facilities in Damascus, including Mezzeh airport detention facility, Military Security Branch 215, Military Security Branch 235 (also known as Palestine branch), Military Security Branch 227, Damascus Political Security Branch, Adra prison, Harasta Air Force Intelligence branch and Harasta Military Hospital. (s. 10)

Office of the UN High Commissioner for Human Rights (OHCHR) (2014):

The Commission has collected accounts of torture committed between 2011 and 2014 in Government prisons, bolstering its finding of the crime against humanity of torture and murder. Widespread and systematic use of torture was documented in multiple facilities in Damascus, including Mezzeh airport detention facility, Military Security Branch 215, Military Security Branch 235 (also known as Palestine branch), Military Security Branch 227, Damascus Political Security Branch, Adra prison, Harasta Air Force Intelligence branch and Harasta Military Hospital. Documented victims’ physical injuries were consistent with a pattern of torture. Conditions of detention were characterized by a lack of food, water,

space, sleep, hygiene and medical care and denial of life-saving medicine. The collected information indicates the existence of a State policy. (s. 4)

### **Ordervägran i den syriska armén**

United Nations (UN) (1985):

Syrian Arab Republic: There is no recognition of conscientious [sic] objector status (Government reply).

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Syrian Arab Republic: There is no known case [of conscientious objection] (Government reply).

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Syrian Arab Republic: According to the law, conscientious objectors may face imprisonment (PC). (s. 25-29)

Council of Europe (1994):

According to the applicant, he took up his military service in the Syrian army in 1986. (...) [H]e was imprisoned on 23 August 1988 for having refused to attack a refugee camp. He was detained in the Chtoura prison in Lebanon and subsequently in the Tadmur military prison in Syria. During his detention he was allegedly assaulted and tortured three to four times a week. He was hung from his feet and flogged.

In June 1989 the applicant signed, allegedly against his will, a declaration that he would always obey military orders. His military service was further prolonged from 30 to 60 months.

US Department of State (2000):

There are credible reports of military corruption and mismanagement. There were reports of the corporal punishment of army recruits that led to injury or death.

HRW (2011):

### **III. Repercussions for Disobeying Illegal Orders**

Consequences for disobeying orders and challenging government allegations about the protests were severe. Eight defectors told Human Rights Watch that they had witnessed officers or intelligence agents kill soldiers for refusing to carry out orders. Three defectors interviewed by Human Rights Watch said that they had been arrested and tortured for disobedience, and one defector said that a close relative had been arrested as a means of putting pressure on him to return to his unit. There are no comprehensive numbers about the numbers of soldiers killed for refusing to carry out illegal orders.

### Executions

Virtually all defectors interviewed by Human Rights Watch said that they were convinced that officers or intelligence agents would kill them if they refused to follow orders. In standard operations to suppress protests, conscript soldiers from the army or intelligence agencies lined up in front, while officers and intelligence agents stayed behind, giving orders and making sure they followed orders. Many of the defectors said that they tried to aim above the heads of the protesters when they received orders to shoot, but that they were always afraid that the officers or the security agents would notice. Several defectors also told Human Rights Watch that snipers on rooftops targeted both protesters and soldiers who disobeyed their orders. "Ameen," a sniper interviewed by Human Rights Watch, confirmed that he had received orders to target defectors. (s. 62)

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### Detention and Torture

Three defectors told Human Rights Watch that they had been detained because they refused to follow orders or challenged government propaganda. Two of them said that security forces beat and tortured them. Other defectors interviewed by Human Rights Watch also said they were detained and tortured as a result of participating in protests during leave or before they started their military service.

The defectors interviewed by Human Rights Watch were detained for relatively short terms in detention centers on their base or in detention facilities relatively close to their base. Other defectors, according to witnesses, were sent to the notorious Tadmor military prison in Homs governorate.

A prison guard from Tadmor told Human Rights Watch that (...) all prisoners were beaten and tortured, but that defectors were given particularly harsh treatment (...) (s. 66-67)

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Denna sammanställning av information/länkar är baserad på informationssökningar gjorda under en begränsad tid. Den är sammanställd utifrån noggrant utvalda och allmänt tillgängliga informationskällor. Alla använda källor refereras. All information som presenteras, med undantag av obestridda/uppenbara fakta, har dubbelkontrollerats om inget annat anges. Sammanställningen gör inte anspråk på att vara uttömmande och bör inte tillmätas exklusivt bevisvärde i samband med avgörandet av ett enskilt ärende. Informationen i sammanställningen återspeglar inte nödvändigtvis Migrationsverkets officiella ståndpunkt i en viss fråga och det finns ingen avsikt att genom sammanställningen göra politiska ställningstaganden. Refererade dokument bör läsas i sitt sammanhang.

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(alla källor hämtade 2014-10-31)

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