

# SYRIA'S TADMOR PRISON

## DISSENT STILL HOSTAGE TO A LEGACY OF TERROR

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## SUMMARY

In December 1995, some 1,200 political prisoners in Syria were released pursuant to an amnesty marking the twenty-fifth anniversary of the rule of president Hafez al-Asad, and additional prisoner releases were under consideration. It was widely reported that most, if not all, of the released prisoners were members or supporters of the Muslim Brotherhood. Dr. Hasan al-Huwaydi, a Syrian Muslim Brotherhood leader based in Jordan, estimated the number of released prisoners at 1,500, although he noted in December 1995 that the group did not receive official lists of those released and that its statistics were incomplete.

These releases, while a welcome human rights development, have been marred by reports that some sentenced political prisoners continue to be pressured to sign statements of support for the government, and repudiate their past political activities, as a condition for release. Furthermore, twenty-one prisoners who refused to sign such statements were recently transferred to Tadmor military prison, a facility infamous throughout Syria for the extremely brutal abuses that have occurred there since 1980. These prisoners were not Islamists, but members of two unauthorized leftist political groups -- the Party for Communist Action, and the Communist Party-Political Bureau. They had all been tried by the state security court in 1994 -- on vaguely formulated offenses such as "opposing the goals of the revolution" and "membership in a secret organization created to change the economic or social structure of the state" -- and sentenced harshly to prison terms ranging from eight years to fifteen years.

In February 1996, Human Rights Watch/Middle East wrote to Syrian President Hafez al-Asad, protesting the transfer to Tadmor of political prisoners who refused to sign "loyalty oaths." We called on President Asad to order an immediate halt to these practices, which violate international law, and to release all persons imprisoned in Syria because they exercised their right to peaceful freedom of expression and freedom of association.

We are issuing this report for two reasons. The Syrian government earns praise when political prisoners are released because such actions are viewed as an indicator of an improving human rights picture. We believe, however, that the U.S., the European Union states, and other members of the international community should be reminded that prisoner releases in Syria continue to occur in an atmosphere of formidable intimidation by the security apparatus, designed to discourage dissidents from undertaking independent political activity upon release.

Secondly, Human Rights Watch/Middle East believes that there must be a process of accountability for the gross human rights abuses that have occurred at Tadmor military prison since the early 1980s, from deaths under torture to summary executions on a massive scale. The government of Hafez al-Asad cannot turn a new page with respect to its human rights record unless there is accountability for the deprivations at Tadmor. Families suffer from the lack of transparency that continues to mark the government's approach to information about civilian detainees, sentenced prisoners, and deaths in custody at this military prison.

Families still do not know the circumstances of the deaths of relatives who were imprisoned and held there incommunicado for long years. To our knowledge, there has never been a public accounting of the fate of civilians who were executed at the prison throughout the 1980s or disclosure of where their bodies were buried. Families of victims who died under torture, or from medical neglect, similarly continue to suffer from a lack information about the circumstances that led to the deaths of their loved ones. For the families of all those who died at Tadmor, many unanswered questions remain and the past is still an open book. Tadmor prison was and still is under the command of Syrian military officers, some of whom have moved on to other positions of responsibility. Gross human rights abuses carried out during their tenure at Tadmor should be investigated, and these officers should be held accountable and prosecuted for transgressions of Syrian and international law.

## RECOMMENDATIONS

### To the Syrian Government:

- Release all prisoners in Syria who are detained or serving sentences because they exercised the right to freedom of expression and freedom of association, unless such prisoners are explicitly charged with weapons-related offenses, with participating in the planning or execution of acts of violence, or with other criminal offenses compatible with respect for internationally recognized human rights. If so charged, they are entitled to a fair trial in which their due process rights are safeguarded.
- Take immediate steps to end the intimidation of political prisoners by the security apparatus, including the ongoing practice of pressuring sentenced political prisoners to sign “loyalty oaths” to the government as a condition for release.
- Discontinue the practice of transferring civilian prisoners to Tadmor military prison, and relocate the remaining civilian inmates at Tadmor and other military facilities --such as Mezze prison -- to civil prisons that are under the full supervision of the Ministry of Justice and where there are procedures for periodic family visits.
- Make public the names of the civilian prisoners who remain incarcerated at Tadmor prison. This accounting should include each prisoner’s date and place of birth, date of arrest, and -- for all sentenced civilian prisoners - - the place and dates of trial, the name of the court and the presiding judge, the charges against the defendant, and the date and description of the court’s sentence.
- Permit families, lawyers and nongovernmental organizations access on a regular basis to the remaining civilian prisoners in Tadmor until arrangements are made for their transfer to civil prisons.
- Provide family members with full details about the circumstances of the death of relatives at Tadmor prison, including death certificates and medical records.
- Publicly release the names of the civilian prisoners who were executed at Tadmor military prison over the last sixteen years, along with the following information for each prisoner who was condemned to death: date and place of birth, date of arrest, the place and dates of trial, the name of the court and the presiding judge, the charges against the defendant, the date and description of the court’s sentence, the date and place of execution, and -- in cases where bodies were not returned to the families -- the place of burial.
- Publicly release the names of the civilian prisoners who died under other circumstances at Tadmor military prison over the last sixteen years, along with the following information for each prisoner: date and place of birth, date of arrest, date of transfer to Tadmor, complete medical records, death certificate and cause of death, and -- in cases where bodies were not returned to the families -- the place of burial.
- Investigate and prosecute, to the fullest extent of the law, the military officers in positions of responsibility at Tadmor prison when prisoners died from torture and medical neglect.

### **To the U.S. Government**

- Discontinue the policy of public silence concerning the human rights record of the Asad government, and direct appropriate U.S. State Department officials to express publicly the U.S. government's concern about specific rights abuses that have taken place and continue to occur in Syria.
- Raise the issues discussed in this report with Syrian officials at the highest levels, and press for the adoption of its recommendations.
- Vigorously urge Syrian authorities to remove civilian prisoners from all facilities administered by military personnel, including Tadmor and Mezze prisons, and begin the process of accounting for those civilians who were executed, or died in other circumstances, at Tadmor prison over the past sixteen years.
- Encourage the Syrian government to take appropriate legal measures to decriminalize peaceful political activity in Syria, including revision of the vague and overbroad statutes in the emergency law and penal code which are used to prosecute individuals for the peaceful exercise of their right to freedom of expression and freedom of association.
- Inform Syrian authorities that measurable progress on these matters will be reflected in the U.S. government's assessment of human rights conditions in Syria.

### **To the European Union and its Member States**

- The European Council of Ministers, the European Commission, and the European Parliament should vigorously urge Syrian authorities to remove civilian prisoners from all facilities administered by military personnel, including Tadmor and Mezze prisons, and begin the process of accounting for those civilians who were executed, or died in other circumstances, at Tadmor prison over the past sixteen years.
- The European Council of Ministers, the European Commission, and the European Parliament should encourage the Syrian government to take appropriate legal measures to decriminalize peaceful political activity in Syria, including revision of the vague and overbroad statutes in the emergency law and penal code which are used to prosecute individuals for the peaceful exercise of their right to freedom of expression and freedom of association.
- The European Council of Ministers and the European Commission should, without any further delay, present the progress report on human rights in Syria to the European Parliament, in accordance with the commitment made by the Commission during the debate on the Fourth Protocol on financial and technical cooperation with Syria in December 1993.
- Member states should press for the adoption of the recommendations in this report in bilateral and European Union discussions with Syrian government officials.
- In any visits to Syria by European Union officials, the recommendations outlined in this report must be discussed with Syrian government officials and pursued with determination.
- Member states should show restraint in arms export policy toward Syria until the Asad government makes measurable progress on the recommendations in this report. Human Rights Watch makes this recommendation based on the common criteria for arms exports agreed to by the European Council in its Declaration on Non-proliferation and Arms Exports issued at its 1991 Luxembourg meeting and in the

conclusions of its 1992 Lisbon meeting. These common criteria include the respect of human rights on the part of the country of final destination.

**To the United Nations:**

- The Working Group on Arbitrary Detention should investigate the situation in Syria and, in particular, examine the cases discussed in this report.

**PRESSURE ON POLITICAL PRISONERS PRIOR TO RELEASE:  
THE PRACTICE CONTINUES**

Human Rights Watch/Middle East reported in 1995 that pressure on political prisoners by Syria's security apparatus to "give up politics" begins prior to their release.<sup>1</sup> We learned that some political prisoners had been approached by a special committee of officers from Political Security, one of the internal security forces, to sign written pledges of allegiance to the Asad government and promise to abandon opposition political activities as conditions for release.

One former prisoner, who had been detained without charge since 1986, told us that in December 1991, he and other prisoners were brought in groups of fifteen to Political Security. They were informed that they would be released, pursuant to an amnesty, but first had to sign a typewritten statement. The former prisoner, who was a member of an unauthorized secular political party, said that the statement contained the following pledges:

[T]o cooperate with the regime and defend its political leadership; to cooperate with the security apparatuses and inform them of any communications addressed to me; and to abandon political work and withdraw from the party.

He refused to sign this document and, as a consequence, was not released in the amnesty. He was detained without charge for another two and a half years, and then was referred to the state security court, where he was tried and sentenced on vaguely formulated criminal charges such as "opposing the goals of the revolution" and membership in a secret organization "established to change the economic or social structure of the state or the fundamental fabric of society."<sup>2</sup>

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<sup>1</sup>See Human Rights Watch/Middle East, "Syria: The Price of Dissent," A Human Rights Watch Short Report, vol. 7, no. 4, July 1995.

<sup>2</sup>Human Rights Watch/Middle East interview, Aleppo, Syria, April 1995.

This intimidating practice is continuing. In January 1996, Amnesty International reported the names of twenty-one political prisoners who were recently transferred to Tadmor military prison because they refused to sign similar statements.<sup>3</sup> Most of them were detained without charge for lengthy periods for alleged membership in either the Party for Communist Action or the Communist Party-Political Bureau, both of which are unauthorized political groups in Syria. Some of these prisoners were arrested as long ago as 1980, and held without charge for over a decade. All twenty-one were tried by the state security court in 1994, in proceedings that did not meet international standards for a fair trial. They were sentenced to harsh prison terms ranging from eight years to fifteen years for “opposing the goals of the revolution” and membership in secret organizations “established to change the economic or social structure of the state or the fundamental fabric of society.”<sup>4</sup>

Almost half of the twenty-one men transferred to Tadmor have served, or are close to completing, their full terms of imprisonment. Their names are:

- Abdel Karim ‘Issa, Yassin al-Haj Salih, and Yusha al-Khatib, arrested in 1980. According to our information, they were not sentenced by the security court until April 1994, when each of them received terms of fifteen years. These men should have been released no later than the end of December 1995.
- Safwan ‘Akkash, who was arrested in 1981 and sentenced to fifteen years by the security court in April 1994, should be released this year.
- Firas Yunis, Usama ‘Ashour al-’Askari, and Mustafa al-Hussein -- all arrested in 1982 and sentenced to fifteen years by the security court in 1994 -- should be released next year.
- Bassam Bedour and Taysir Hasoun, both arrested in 1989 and sentenced to eight years by the security court in 1994, also should be released next year.

Syrian authorities violate the right of every person to freedom of thought and to hold opinions without interference by conditioning his or her release from prison on the signing of a loyalty oath.<sup>5</sup> Once prisoners are informed that their freedom depends on endorsing a particular political viewpoint, their continued imprisonment constitutes a form of discrimination on the basis of their beliefs -- regardless of the acts for which they were initially imprisoned. Such ideological litmus tests are objectionable because they show that the criminal justice process is not based on objectively defined criminal conduct, but is openly used as a weapon to intimidate and silence political opponents of the state. Loyalty oaths and forced recantation of one’s beliefs should not be factors in the government’s deciding issues of amnesty, pardon, or early release.

Such procedures violate the provision in the International Covenant on Civil and Political Rights that all persons are equal before the law, by effectively making an individual’s political opinions the deciding factor in amnesty or release.<sup>6</sup> Where imprisonment of an individual would be justified at all under international law, requiring a loyalty oath as a condition of timely release would also violate the right not to be deprived of one’s liberty arbitrarily.<sup>7</sup>

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<sup>3</sup>The names of almost all of these men -- many of them university students at the time of their arrest in the 1980s -- were mentioned in our report “Syria: “The Price of Dissent.”

<sup>4</sup>Their names, dates of arrest, and sentences are listed in Appendix A of this report.

<sup>5</sup>Article 19(1) of the International Covenant on Civil and Political Rights (ICCPR), which Syria has ratified, states: “Everyone shall have the right to hold opinions without interference.” Article 19(2) states: “Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.”

<sup>6</sup>Article 26 of the ICCPR states: “All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and

In a letter to President Asad dated February 14, 1996, Human Rights Watch/Middle East requested information about the reasons for the transfer of these twenty-one prisoners to Tadmor military prison. We protested their intimidation at the hands of internal security forces, and their punishment by transfer to Tadmor, for asserting the right to freedom of thought and the right to hold opinions without interference. We urged that they be released unconditionally, unless they are charged with criminal offenses compatible with respect for internationally recognized human rights. As of the date of the publication of this report, we have not received a reply to the letter from Syrian authorities.

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effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”

<sup>7</sup>Article 9(1) of the ICCPR states in its pertinent part that: “No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.”



This was not the first time that political prisoners were transferred to Tadmor, to a prison regime considered punitive even within Syria's harsh prison system. In 1988, nine members of the central committee of the Party for Communist Action (PCA) were moved to Tadmor and held there for five years, until May 1992, when they were transferred to Sednaya, a civil prison north of Damascus, where conditions are better and regular family visits are permitted.<sup>8</sup> More recently, in 1993, thirty-three-year-old writer and human rights activist Nizar Nayouf was transferred to Tadmor. Detained in January 1992, he was convicted by the state security court and sentenced to ten years imprisonment in March 1992, following an unfair trial.<sup>9</sup>

Nayouf was held in Tadmor for six months, in apparent retaliation for his hunger strikes at Sednaya prison. He was first held in Sednaya prison with nine co-defendants from the Committees for the Defense of Democratic Freedoms and Human Rights in Syria (CDF), who were sentenced to prison terms ranging from five to nine years. According to information received by Human Rights Watch/Middle East, Nayouf went on hunger strike three times at Sednaya prison and then, in February 1993, was moved to Tadmor. Conditions at Tadmor were harsh. Nayouf was not provided with medical care or medication for continuing pain in his right leg, which had been injured when he was tortured under interrogation after his arrest and which made it difficult for him to walk unassisted. After six months at Tadmor, Nayouf's punishment continued. He was not returned to Sednaya prison, but was placed in an isolation cell in Mezze military prison in Damascus.<sup>10</sup>

The continuing practice of moving to Tadmor military prison civilian political prisoners who have not bent to the will of Syria's internal security forces is a cause for urgent concern. Information is slowly emerging about gross human rights abuses that were committed at this facility, which held as many as 6,500 civilian prisoners in the 1980s and about 2,500 in 1992. Thus thousands of inmates were sealed off from the outside world for over a decade. The Syrian government should immediately halt the transfer of political prisoners to Tadmor. Instead, it should make public

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<sup>8</sup>Their names are: Akram al-Buni, Wajih Ghanem, Faraj Beraqdar, Nizar Maradni, Muhamed Mi'mar, Yousef al-Buni, Samir Khalid al-Hassan, Rashid Satouf, and Abbas Abbas. Also transferred with this group were seven suspected PCA members who were serving in the Syrian army at the time. Their names are: Bassam Johar, Muhamed al-Ali, Nabil Homsy, Muhamed al-Smoudi, Adnan Khadour, Suleiman Mansour, and Nu'man Habib. Human Rights Watch/Middle East interview with Akram al-Buni in the Supreme State Security Court, Damascus, Syria, April 1995.

<sup>9</sup>For information about the trial of Nayouf and the other Syrian human rights activists, see Middle East Watch, "Syria: Human Rights Workers on Trial," vol. 4, no. 5, March 1992.

<sup>10</sup>In a letter to Syrian Interior Minister Muhamed Harba dated April 1, 1995 and hand delivered to his office in Damascus, Human Rights Watch/Middle East requested permission to visit Nizar Nayouf in Mezze prison. The request was refused.

The ongoing imprisonment of Nizar Nayouf was the subject of a letter to President Hafez al-Asad on January 25, 1996, by PEN American Center, an affiliate of International PEN, the association of writers, poets, playwrights, essayists, editors and novelists. The group urged the Syrian president to reevaluate Nayouf's case and release him.

the names of those civilians who remain incarcerated in this facility, and permit families, lawyers, and nongovernmental organizations access to these prisoners on a regular basis until arrangements are made for their transfer as soon as possible to civil prisons with full oversight of the Ministry of Justice.

### **ABUSES AT TADMOR MILITARY PRISON: "THE KINGDOM OF DEATH AND MADNESS"**

Tadmor military prison is located in the Palmyrene desert approximately 200 kilometers northeast of Damascus. The facility is exempt from oversight of the Ministry of Justice, which is responsible for the supervision of civil prisons. Tadmor is infamous throughout Syria not only for its harsh conditions but also for the deprivations against civilian political prisoners that have occurred within its walls since 1980, such as torture and summary executions. Syrian poet Faraj Beraqdar -- who has been detained as a political prisoner since March 1987 and was held in Tadmor for five years, from 1988 to 1992 -- described the prison as a "kingdom of death and madness."<sup>11</sup>

An estimated 500 prisoners were killed in cold blood at Tadmor on June 27, 1980, the day after an assassination attempt in Damascus on the life of President Hafez al-Asad. Commando forces from the Defense Brigades and the 138th Security Brigade were helicoptered to the prison and murdered prisoners in their dormitories.<sup>12</sup> It is unknown how many other civilian prisoners at Tadmor subsequently were tried and sentenced there by an exceptional military field court, in grossly unfair proceedings, and how many of those sentenced to death by the court were executed by hanging.<sup>13</sup> Nor is it known how many died from torture or medical neglect.

The ferocious brutality unleashed against civilian prisoners at Tadmor had its origins in a bloody political context. Discontent simmered in Syria following the Asad government's military intervention in the Lebanese civil war in 1976 on the side of right-wing Christian militias against Lebanese leftist and Palestinian forces. A broad-based secular movement inside Syria began to agitate for democracy and the rule of law. At the same time, the Muslim Brotherhood was gaining increased support, and its underground armed factions carried out acts of political violence, targeting public buildings, military posts, and government officials and leading supporters. The anti-regime violence included the murder of eighty-three young 'Alawi<sup>14</sup> military cadets at an artillery school in Aleppo in June 1979, and

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<sup>11</sup>Beraqdar used this term in a lengthy defense memorandum that he submitted to the state security court during his trial. The court sentenced him to a fifteen-year prison term in October 1993. In a letter to Interior Minister Muhamed Harba dated April 1, 1995 and hand-delivered to his office in Damascus, Human Rights Watch/Middle East requested permission to visit Faraj Beraqdar at Sednaya prison, where he has been held since May 1992. The request was refused.

On November 16, 1995, we wrote to President Asad about the forty-three-year-old poet's health. He reportedly has been denied proper medical care for injuries he sustained while tortured under interrogation and is unable to walk unassisted. He has been held in Sednaya prison since May 1992. The letter went unanswered.

<sup>12</sup>"In an attempt to pull a veil of legality over the massacre, it was later said that the prisoners had been condemned to death by a field tribunal with emergency powers," wrote British author Patrick Seale in his biography of President Asad. *Asad of Syria: The Struggle for the Middle East* (Berkeley and Los Angeles: University of California Press, 1990), p.329. For additional information, see Middle East Watch, *Syria Unmasked*, Human Rights Watch Books, (New Haven: Yale University Press, 1991), p. 15-16.

<sup>13</sup>See "Summary Justice: Military Field Court Trials," below, for additional information about this tribunal.

<sup>14</sup>"The Alawis, or Nasyris, who number about 1.4 million, constitute Syria's largest religious minority....When Christianity flourished in the Fertile Crescent, the Alawis, isolated in their little communities, clung to their own pre-Islamic religion. After hundreds of years of Ismaili [a sect that broke away from mainstream Shia Islam] influence, the Alawis moved closer to Islam....For centuries, the Alawis constituted Syria's most repressed and exploited minority. Most were indentured servants and tenured farmers or sharecroppers working for Sunni landowners. However, after President Assad, an Alawi, and his retinue came to power in 1970, the well-being of the Alawis improved considerably...Because many of the tenets of their faith are secret, Alawis have refused to discuss their faith with outsiders." Federal Research Divison, Library of Congress, *Syria: A Country Study*, (Washington, D.C.: U.S. Government as represented by the Secretary of the Army, 1988), pp. 96-97.

three car bomb attacks in Damascus between August and November 1980 that killed several hundred people. In July 1980, membership in the Muslim Brotherhood was made a capital offense punishable by death, with the ratification of Law No. 49.

Since 1980, authorities incarcerated thousands of civilian detainees at Tadmor, including untold numbers detained solely on political grounds. Prisoners of every political stripe have been held there, from pro-Iraqi Ba'athists to suspected members and supporters of the Muslim Brotherhood. Hundreds of Palestinians were imprisoned at Tadmor as well. Severely overcrowded at times, the facility held up to 6,500 civilian prisoners.

Tadmor was reportedly built by the French as a military barracks. According to testimony obtained by Human Rights Watch/Middle East from former inmates, the part of Tadmor used to house civilian political prisoners contains forty-two one-story dormitories and smaller cells configured around seven courtyards.<sup>15</sup> The courtyards are covered overhead with barbed wire, except Courtyards One and Two. Courtyard Five, heavily covered with barbed wire because the cells abut the exterior wall, is flanked by twenty-eight punishment cells on one side and rooms for "special cases" on the other. Dormitory Four, which opens to Courtyard One, is the largest, and was a theater when Tadmor was used as a barracks. "It still has the stage," a former prisoner told us. This dormitory, measuring about eight by twenty-four meters, typically held between 200 and 250 men. The dormitories surrounding Courtyard Seven were used to isolate prisoners with tuberculosis, beginning in 1985.<sup>16</sup>

### ***Arbitrary Arrest and Long-Term Detention***

Among those arbitrarily arrested and brought to Tadmor in the early 1980s were large numbers of young men, including teenagers, who were relatives, friends or acquaintances of suspected or known Muslim Brothers, or individuals whose names were elicited when suspects were tortured during interrogation. One former prisoner, who was detained at Tadmor from 1983 to 1987, told us that as many as 2,000 of these young men were held together in special dormitories, separated from adults. In March 1995, Syrian Muslim Brotherhood sources in Jordan said that they had compiled the names of 932 students -- who were between the ages of sixteen and twenty years old at the time of arrest in the early 1980s -- whom they believed to be alive and imprisoned in Syria as of January 1995.<sup>17</sup> Some of these former students, we later learned, were among the 500 to 600 political prisoners released by authorities in March 1995. We asked Syrian authorities in Damascus for a list of these released prisoners, but to date we have not received this information.

One of these students, Bara al-Sarraj, was twenty years old when he was abducted by plainclothes security officers from a lecture hall at the University of Damascus on March 5, 1984. His case is illustrative of the Syrian government's complete lack of transparency with respect to political suspects taken into custody and the paucity of information provided to family members and other governments who inquire about specific cases.

At the time of his arrest, Bara al-Sarraj was a student in the electrical engineering department at the university, where his twin brother studied medicine. Human Rights Watch/Middle East learned about the case from Bara's twin, Dr. Al Sarraj, who now lives and practices medicine in the U.S. "He was never involved in any activity. Our circle of friends was not involved in politics," Dr. Sarraj told us. After his arrest, Bara was first held by Military Intelligence in

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<sup>15</sup>See Appendix B for a plan and elevation of the prison provided to Human Rights Watch/Middle East in 1995 by a former prisoner whom we interviewed in Damascus.

<sup>16</sup>A former prisoner held at Tadmor from 1983 to 1987 said that there were about 1,000 inmates suffering from tuberculosis during this time. "When they started to move people to Sednaya [prison] at the end of 1987, some were left behind because they had tuberculosis. Now there is a tuberculosis wing in Sednaya for them." Human Rights Watch/Middle East interview, Damascus, Syria, May 1995.

<sup>17</sup>Human Rights Watch/Middle East interviews, Amman, Jordan, March 1995. A copy of this list is on file at Human Rights Watch.

the city of Hama. For twenty days, the family heard nothing about his whereabouts, but then learned through a well-placed source that Bara was under interrogation. The family used connections to visit Bara at an underground detention center. "He was pale and shaky," his brother recalled. "He whispered to my mother that people were tortured at night and that he could not sleep."

The family managed to visit Bara five times over the next five months. "Then, all of a sudden, we heard that he was accused of being a member of the opposition and had been sent to Tadmor prison," his brother said. This was confirmed by a prisoner, released from Tadmor in 1985, who contacted the family. Two years later, a senior military officer confided to Bara's mother that he had seen her son in Damascus, in the Military Intelligence building next to the medical school. Before the family left Syria in 1988, they learned -- unofficially -- from a high-ranking officer in Military Intelligence that Bara's file was empty. "He told us that there were no charges, no trial, but that my brother had been labelled a member of the opposition. The officer said that his fate was in the hands of Hafez al-Asad," his brother said.<sup>18</sup>

Beginning in 1991, Dr. Sarraj, Bara's brother, and colleagues in the U.S. medical community mobilized prominent members of Congress to press the U.S. State Department to make inquiries about Bara's case. But it proved impossible to obtain information from Syrian authorities. "I regret that we cannot confirm the information contained in your letter about the nature of Mr. al-Sarraj's offense or the condition of his imprisonment," U.S. Ambassador to Syria Christopher Ross wrote to Sen. Edward M. Kennedy in November 1991. "The Syrian government considers expressions of interest by other governments in human rights cases as interference in Syria's internal affairs." Sen. Alan Dixon received a similar response from the State Department in December 1991: "It has been virtually impossible for the U.S. Embassy in Damascus to obtain any information about individual detainees, especially those held on political grounds. The Syrian government does not respond to requests for such information, terming them interference in Syria's internal affairs." In 1994, however, the Syrian embassy in Washington, D.C., did provide some information to the State Department about al-Sarraj. "He was arrested on March 5, 1984, because of his belonging to an armed terrorist group which committed several assassinations and explosions in Syria. He was referred to the Court on July 25, 1984 and was condemned to 20 years in prison on April 24, 1989." The letter did not name the court to which al-Sarraj had been referred, nor did it explain the reason for the long period of time between his referral to the court and its sentence.<sup>19</sup>

In the summer of 1993, the Sarraj family finally learned through informal contacts in Syria that Bara had been moved from Tadmor to Sednaya prison. They were holding out hope that, after more than a decade, this move may have been an indication that authorities were preparing to release him. In a letter to Interior Minister Muhamed Harba dated April 1, 1995, and hand delivered to his office in Damascus, Human Rights Watch/Middle East requested permission to visit Bara al-Sarraj in Sednaya prison. The request was refused.

### ***Torture***

Inmates at Tadmor throughout the 1980s were subjected systematically to torture and other forms of cruel, inhuman and degrading treatment.<sup>20</sup> Released prisoners interviewed by Human Rights Watch/Middle East have unanimously agreed that since the early 1980s known or suspected Islamists were consistently singled out for the most brutal treatment at Tadmor. Some of them did not survive the prison's harsh regimen. The case of one of them, Ahmad

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<sup>18</sup>Human Rights Watch/Middle East telephone interview, February 1994.

<sup>19</sup>Letter from Minister Counselor Souad M. Al-Ayoubi of the Embassy of the Syrian Arab Republic to Liane Dorsey, U.S. Department of State, June 30, 1994.

<sup>20</sup>Such treatment is a violation of Article 7 of the ICCPR, which categorically prohibits torture and cruel, inhuman or degrading treatment or punishment.

Khoula, who was arrested in 1980 and died in Tadmor in 1994, is discussed below.<sup>21</sup> It is difficult to assess the extent to which torture and other forms of mistreatment continue at Tadmor today because access to the facility is impossible. Our requests to Syrian government officials in 1995 to visit Tadmor were denied.

A political prisoner from an unauthorized secular political group, who was transferred from Tadmor to Sednaya prison in May 1992, estimated that at that time there were about 2,500 prisoners in the facility, most of them suspected Muslim Brotherhood members, supporters or relatives. This prisoner, who was in medical school at the time of his arrest in 1987, described their treatment as "horrific." He explained: "They were beaten daily. We could hear the voices of people being beaten and tortured. Their health conditions were poor."<sup>22</sup>

In a separate interview, a former prisoner from an unauthorized secular political party who was held at Tadmor from 1983 to 1987, described the brutality there as "unbelievable." He elaborated:

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<sup>21</sup>See "The Need for Accountability."

<sup>22</sup>Human Rights Watch/Middle East interview, Damascus, Syria, April 1995.

They used incredible methods to kill people. Courtyard Four had a raised basin, for plantings. Tens of people died there. They were hit with the sharp edge of an axe, and then cut up into pieces. Prisoners were also roped and dragged until they died. This would be done randomly, to those who were found innocent by the court as well as to those who were sentenced to death. Whenever a Muslim Brother left the dormitory, we would never be sure if he was coming back. Courtyard Five was the punishment courtyard. They would whip prisoners selected at random. Sometimes there were organized beatings or *falaqa*<sup>23</sup> on a specific prisoner.<sup>24</sup>

Newly arrived inmates were first brought to Courtyard One. "We would try to count the number of men from their footsteps," said a former prisoner who was held in Dormitory One during his first six months at Tadmor. He added that the men were brutally beaten with metal pipes and large pieces of wood, and that some died from the injuries before reaching the dormitories. He said that this type of "reception" was common between 1980 and 1982. Other former prisoners have described hours of beating and whipping upon arrival at the prison. "Everyone was in a bad condition, their legs bleeding and covered with wounds, as were other parts of their bodies. The pain was very intense, and none of the prisoners was able to stand up as a result....Some of the prisoners died during the 'reception,'" a former prisoner told Amnesty International in the 1980s.<sup>25</sup>

The brutality continued in later years. Another former prisoner recounted his transfer to Tadmor in November 1987 with forty-seven other detainees who had been held with him in an underground detention facility in Damascus run by Military Interrogation, a branch of Military Intelligence, one the internal security forces. He told us that they were blindfolded, manacled in pairs, and transported to Tadmor in a bus with armed guards. When the bus arrived at the prison gate, military policemen took over. The prisoners were herded into a hallway, where the manacles were removed. The men were called by name, and beaten in a martial arts style. After a body search and haircuts, they were suspended in tires and whipped with hundreds of lashes.<sup>26</sup> The prisoners were then dispersed to various courtyards and specific dormitories. The whipping was so severe that for one week the men could move only with great difficulty, this former prisoner said.<sup>27</sup>

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<sup>23</sup>The Arabic word used to describe repeated beating on the soles of the feet.

<sup>24</sup>Human Rights Watch/Middle East interview, Damascus, Syria, May 1995.

<sup>25</sup>Amnesty International, "Syria: Torture by the Security Forces," October 1987, AI Index: MDE/24/09/87.

<sup>26</sup>This method of torture, known as *dullab* in Arabic, is widely used in Syria. It involves placing the victim in a suspended tire, and beating him or her with sticks, clubs, cables or whips.

<sup>27</sup>Human Rights Watch/Middle East interview, Amman, Jordan, August 1995.

Whipping was also used by prison personnel to coerce confessions. A lawyer in Latakia told us about his interview in April 1995 with a recently released prisoner who was detained at Tadmor after his arrest in 1980, when he was fifteen years old. He was held there without charge for eleven years, and then was asked to sign a prepared confession, admitting to crimes that he said he had not committed. He refused. He was held for another year, and whipped each morning, according to the lawyer. At the end of the year, he was again asked to sign the confession. He again refused, and once more was subjected to whipping. When he was summoned again to sign the confession, he agreed. "He finally realized that he would never leave Tadmor if he did not sign," the lawyer said.<sup>28</sup>

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<sup>28</sup>Human Rights Watch/Middle East interview, Latakia, Syria, April 1995.

Prisoners were permitted to leave the dormitories daily for thirty minutes of fresh air in the courtyards, according to a former detainee who was transferred to Tadmor in 1987 and spent eight years there. Noting that this was the only time outside their cells when prisoners were not required to wear blindfolds, he said that guards beat prisoners in the courtyards with pipes, cables, and pieces of wood.<sup>29</sup>

A variety of brutal techniques were used to break inmate solidarity. Prisoners were asked to inform on their cellmates and, if they refused, would be whipped violently until they fainted. One former long-term prisoner told us that inmates in the crowded dormitories were ordered to sleep only on one side of their bodies. In the morning, the prisoner in charge of each dormitory -- an inmate selected by the prison administration -- would be asked to name ten cellmates who had not slept according to the instructions. It was a no-win situation: if the prisoner in charge did not provide ten names, he himself would be beaten until he lost consciousness.<sup>30</sup>

It appears that there was some recognition on the part of authorities of the cumulative effect of the regimen of brutal abuse, combined with inadequate food and medical care, on prisoners at Tadmor. In order to reduce evidence of mistreatment, and upgrade the physical and psychological condition of inmates prior to release, they have been transferred from Tadmor to facilities where conditions were less abusive. A former prisoner described the condition of arriving prisoners from Tadmor:

I met a group of them at Sheikh Hassan prison [after they had been transferred there from Tadmor]. They were pale and their bones were sticking out. They reminded me of survivors of Nazi concentration camps. For two months, we tried to coax them just to look at us when they spoke. They always kept their heads and eyes down when they talked, because this was what they had to do when speaking to guards at Tadmor.<sup>31</sup>

In October 1987, according to another former prisoner who was held at that time in Sednaya prison near Damascus, some suspected Islamists were transferred there from Tadmor. He explained that these were men who had been found innocent by field courts or whose sentences were not lengthy.<sup>32</sup> They were not released until late 1991.

### ***Summary Justice: Military Field Court Trials***

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<sup>29</sup>Human Rights Watch/Middle East interview, Amman, Jordan, August 1995.

<sup>30</sup>Human Rights Watch/Middle East interview, Amman, Jordan, August 1995.

<sup>31</sup>Human Rights Watch/Middle East interview, Aleppo, Syria, April 1995.

<sup>32</sup>Human Rights Watch/Middle East interview, Damascus, Syria, May 1995.



Civilian political prisoners, including teenagers, were tried and sentenced at Tadmor by closed-door military field courts throughout the 1980s. Human Rights Watch/Middle East obtained a copy of a secret February 1983 decree, issued by the general command of the Syrian army and armed forces, that ordered the formation and staffing of field courts nationwide.<sup>33</sup>

By all accounts, the proceedings of these courts were perfunctory, lasting seconds or minutes, and wholly unfair, in absolute disregard of international standards of minimum fairness.<sup>34</sup> A Syrian intellectual told us that his brother had been sentenced by the field court at Tadmor in the early 1980s:

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<sup>33</sup>The decree, in the original Arabic and unofficial English translation, is in Appendix C of this report.

<sup>34</sup>These standards, spelled out in Article 14 of the ICCPR, include the right to a fair hearing before a competent, independent and impartial tribunal; the right to prepare a defense and communicate with counsel of one's choice; the right to examine, or have examined, witnesses; and the right to review of a conviction and sentence by a higher tribunal.

His trial lasted for five seconds. They had a hood over his head. The judge asked him one question: "Is this your name?" My brother said yes. Then the judge told him: We have sentenced you to life in prison.<sup>35</sup>

One former political prisoner, who was released in 1995, spent eight years in Tadmor and was tried there by a field court in 1988. He described how detainees were summoned to the court. Soldiers knocked on cell doors, calling out names and telling the prisoners to wear their slippers and blindfolds.<sup>36</sup> "My number for court was thirty-eight. They placed me in a hallway with my back against the wall, and tugged on my hand when it was my turn. They brought in about five of us at a time. Inside, I was allowed to take off the blindfold," he told us. He said that army Gen. Hassan al-Qa'qa presided, in the presence of the prison warden and his assistant. The judge informed him that he was before a court, and instructed him to sit down in a small chair. The entire proceeding took only a few minutes. After asking the prisoner for his name, date of birth and other personal information, the judge said that he was accused of intent to commit criminal activities. The prisoner denied all the charges, the judge responded that he was "a liar," and told him to leave the court. He said that he was never informed of the court's verdict.<sup>37</sup>

Another former prisoner, in a separate interview, also told us that the prison director attended the field court trials. "The sentences were according to whim. The files would be empty. A person could be sentenced to death simply because he was a member of a certain family," he said.<sup>38</sup> Families in Hama<sup>39</sup> that were targeted, according to one well-informed clandestine political activist from that city, included the Alawani, Jawad, Arnaout, Jumbaz, Hawa, Qumbar and Taifour. He added: "It is hard to find a family in Hama that does not have relatives missing until now. There has never been an accounting of those killed or disappeared in the events."<sup>40</sup>

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<sup>35</sup>The man's brother was eventually released when his health deteriorated significantly. Human Rights Watch/Middle East interview, Damascus, Syria, April 1995.

<sup>36</sup>Each prisoner had his own blindfold to wear when outside the dormitory.

<sup>37</sup>Human Rights Watch/Middle East interview, Amman, Jordan, August 1995.

<sup>38</sup>Human Rights Watch/Middle East interview, Damascus, Syria, May 1995.

<sup>39</sup>Hama, the fourth largest city in Syria, was one of the centers of political opposition during the turbulent late 1970s and early 1980s. Political violence by the state and armed opposition groups claimed hundreds of lives in April 1981 and thousands during the uprising in February and March 1982. See Middle East Watch, *Syria Unmasked*, pp. 17-21.

<sup>40</sup>Human Rights Watch/Middle East interview, Damascus, Syria, May 1995.

In April 1995, a lawyer in Latakia told us about his meeting earlier in the day with five prisoners who had just been released after imprisonment for over a decade in Tadmor:

They are all from my neighborhood and they all were juveniles when they were arrested. They were taken from their tenth-grade examination halls. Their only crime was that they had relatives in the Islamic groups. Some were tried and sentenced by the field court to six years, the maximum term for juveniles. But when their sentences expired, they were kept in prison for seven more years. They were held for over thirteen years.

The lawyer emphasized the unfairness of the field court proceedings: "They were not really tried. No lawyers attended. The prisoners were blindfolded. They were informed of their crime, and then they were sentenced. These were not trials."<sup>41</sup>

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<sup>41</sup>Human Rights Watch/Middle East interview, Latakia, Syria, April 1995. The lawyer told us that since late 1991 he has interviewed over 200 released prisoners who had been incarcerated at Tadmor.

The gross unfairness of these proceedings is particularly significant in light of the harsh sentences, including the death penalty, handed out by the military field court. Another lawyer mentioned the case of Tawfiq al-Weidani from Duma, who was released in March 1995. Al-Weidani was a sixteen-year-old high school student at the time of his arrest in 1981, and was sentenced by a field court to fourteen years imprisonment for alleged membership in the Muslim Brotherhood. He did not have his first family visit until 1994, after he was transferred from Tadmor to Sednaya prison.<sup>42</sup>

The field court apparently did find innocent hundreds of prisoners brought before it, but -- as with men convicted by the court who had served their full terms -- they were not released. "There were entire dormitories of people who had been found innocent," a former Tadmor inmate said. Many of these men reportedly were among the several thousand released in the late 1991 amnesty, after serving up to eleven years in arbitrary detention.

### ***Executions***

According to testimony collected by Human Rights Watch/Middle East, executions by hanging were supervised by the prison warden and a senior army officer who also served as a judge in the prison's field court. Military policemen, most of them members of President Asad's 'Alawi religious sect, served as the executioners.

A former political prisoner, who was detained in Tadmor from 1983 until the latter half of 1987, said that executions took place in a large rectangular area of Courtyard Six, usually after midnight. He said that between 1980 and 1983, there were executions twice a week, on Tuesdays and Saturdays, or on Wednesdays and Saturdays: "Each time, between thirty-five and fifty people were executed, but sometimes there were more." He added: "No family in Syria has been left untouched by what happened in Tadmor. And the majority of families still do not know what happened to their relatives." He noted that by 1982 and 1983, executions at the prison were routine: "When prisoners' names were called, their cellmates would say goodbye to them, and then would just continue whatever they were doing. Executions had become ordinary." He said that during the period that he was in Tadmor, "a guard in each courtyard would call out names. If it was after midnight, you knew that you were about to be executed. The only times you were called by name at Tadmor were when you were being summoned to the field court, or when you were going to be executed."

According to this former prisoner, the largest "execution party" was on New Year's Eve of 1983-84, when 180 men were hanged. "They erected fifty of the execution apparatuses, and emptied out one dormitory to put in ten gallows."<sup>43</sup> After this, he said, the rate of executions declined, and in 1985 the hangings "stopped for a while." But the

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<sup>42</sup>Human Rights Watch/Middle East interview, Damascus, Syria, April 1995.

<sup>43</sup>His sketch of the gallows is in Appendix D.

executions resumed in 1986, following a wave of political violence in Damascus and other parts of the country, he told us.<sup>44</sup>

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<sup>44</sup>Human Rights Watch/Middle East interview, Damascus, Syria, May 1995.

There were no claims of responsibility for the acts of political violence that shook Syria in March and April 1986. "Syria...came under terrorist attack which it variously blamed on Iraq, on Israeli agents from Lebanon, on the Muslim Brothers, and on the CIA. On 13 March 1986 there was a massive car bomb explosion in central Damascus, the opening shot in a terrorist campaign which seemed designed to destabilize Asad's regime. On 16 April, the day after the US attack on Libya, bombs on trucks and trains in different parts of Syria killed no fewer than 144 people and wounded many more. It may not have been unconnected that in late 1985 the NSC's Colonel Oliver North and Amiram Nir, Peres's counter-terrorism expert, set up a dirty tricks outfit to strike back at the alleged sponsors of Middle East terrorism." *Asad of Syria, The Struggle for the Middle East*, pp. 473-74.

An eyewitness to some of the executions, who was detained in Tadmor from November 1987 until March 1995, also said that victims received no notice and would be called by name. During the executions, by his account, inmates in the dormitories were forced to lie on their stomachs, with soldiers watching so that they would not move. This former prisoner said he witnessed executions when he was moved to Courtyard Six, into a dormitory known as *nadweh*, which was old and dilapidated, with holes in the metal door facing the courtyard.<sup>45</sup> When the prisoners were ordered onto their stomachs, they would try to lie as close to the door as possible, in order to see through the holes of the welding. Since there were so many men in the dormitory, the former prisoner explained, it did not seem unusual that some of them were lying in front of the door. He told us that between ten and thirty men would be executed at a time. One day in July 1989, he said, 160 men were executed.<sup>46</sup>

Another former prisoner said that juvenile inmates at Tadmor -- most of them fifteen and sixteen years old at the time of their arrest in the early 1980s -- witnessed many executions. "They would climb up to the windows and watch. They remember the names of those who were executed. They told us all about it when we were [later transferred to] Sednaya prison."

Human Rights Watch/Middle East is unable to confirm the allegations of former prisoners about thousands of executions at Tadmor. We believe, however, that there is a burden of accountability on Syrian authorities to disclose information about the prisoners who were executed at Tadmor over the last sixteen years. We therefore have recommended to the Syrian government that it make public the names of the civilian prisoners executed at Tadmor, along with the following information for each prisoner who was condemned to death: date and place of birth, date of arrest, the place and dates of trial, the name of the court and the presiding judge, the charges against the defendant, the date and description of the court's sentence, the date and place of execution, and -- in cases where bodies were not returned to families -- the place of burial.

Executions carried out pursuant to judgments of the military field court at Tadmor violate the provisions of the International Covenant on Civil and Political Rights (ICCPR). The field court deprived those brought before it of their right to a fair hearing by a competent, independent and impartial tribunal, including the right to have their convictions and sentences reviewed by a higher tribunal.<sup>47</sup> Trials by an incompetent court that result in sentences of capital punishment expressly violate Article 6 of the ICCPR.<sup>48</sup>

### ***Burial of Victims: Mass Graves***

The bodies of those executed at Tadmor were not returned to their families, according to testimony of former prisoners whom we interviewed in 1995. One former political prisoner, who was detained at Tadmor for eight years, told us that victims of executions, as well as others who died in the prison, were buried in a valley near the prison. The bodies were transported to the site by truck, he said. In a separate interview another former prisoner, who was held at the facility until 1987, said that bodies were buried in mass graves in a valley known as Wadi al-Kils. He said that the information about the site was leaked to inmates by military policemen who buried the victims. He too affirmed that

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<sup>45</sup>See plan of Tadmor in Appendix B for the location of *nadweh* dormitory.

<sup>46</sup>Human Rights Watch/Middle East interview, 1995. Date and place of interview withheld by Human Rights Watch to protect the identity of this eyewitness.

<sup>47</sup>See Article 14 of the ICCPR.

<sup>48</sup>Article 6(1) states: "Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life." Article 6(2) states: "In countries which have not abolished the death penalty, sentence of death may be imposed only for the most serious crimes in accordance with the law in force at the time of the commission of the crime and not contrary to the provisions of the present Covenant and to the Convention on the Prevention and Punishment of the Crime of Genocide. *This penalty can only be carried out pursuant to a final judgement rendered by a competent court.*" Emphasis added.

the mass graves were used to bury not only those executed but also inmates who had died under torture or from illness.<sup>49</sup>

### *Isolation of Inmates*

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<sup>49</sup>The bodies of some prisoners have been returned to their families, albeit without explanation by authorities of the circumstances of death. *See* "The Need for Accountability," below, for the case of Ahmad Khoula, whose body was returned to his family in October 1994.

International standards for the treatment of prisoners mandate that every prisoner has the right to inform his family of his place of incarceration and to have regular access to family members and friends.<sup>50</sup> Syrian authorities systematically violated these minimum standards by holding prisoners in Tadmor in almost complete isolation from the outside world. "The men released with me in 1991, who came from Tadmor, had not seen their families in eleven years," a former political prisoner told us in May 1995. Another former prisoner, arrested in 1985 and released ten years later, said that during his eight years at Tadmor he never had a visit from anyone. His family had assumed that he was dead and held a mourning ceremony.

A political activist from Hasakeh governorate, a predominantly Kurdish area in northeastern Syria, told us about two prisoners in Tadmor from Ras al-'Ain, a town east of Qamishli, who have been held incommunicado for over a decade:

Shukri Muhamed was detained by Military Security<sup>51</sup> in 1980. He is still in Tadmor and has never had a visit. His family learned that he was tried by a field court, but his sentence is not known. Ibrahim Muhamed Kasha was detained by Military Security in 1975. He has had no visits at Tadmor. His son has finished high school, but does not know his father.<sup>52</sup>

For some prisoners, family visits were an arbitrary privilege, and depended on bribery of officials and the politics of the prisoners, according to former inmates whom we interviewed. Suspected communists and members of the Democratic Ba'th Party were allowed visitors, while visits were prohibited for suspected Muslim Brothers and members of the pro-Iraqi Ba'th Party. Faisal al-Ghanem reportedly was the warden of Tadmor from 1980 to 1984. During his tenure, prisoners were kept in complete isolation. "No one had visits when he was warden, not even the communists. His mother, who lived in Latakia, spread rumors that she could organize visits. She would take money or gold from families, especially relatives of Muslim Brotherhood [suspects]," said a former prisoner from Damascus.<sup>53</sup> In a separate interview, a former prisoner from Aleppo made a similar allegation: "Ghanem's mother traded in prison

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<sup>50</sup>Rule 44(3) of the U.N. Standard Minimum Rules for the Treatment of Prisoners states: "Every prisoner shall have the right to inform at once his family of his imprisonment or his transfer to another institution." Rule 37 states: "Prisoners shall be allowed under necessary supervision to communicate with their family and reputable friends at regular intervals, both by correspondence and by receiving visits."

<sup>51</sup>"Military Security is a branch of the regular armed forces....Though its primary focus is the armed forces, the agency has arrested many civilians over the years, especially in the period 1980 to 1982." Middle East Watch, *Syria Unmasked*, p. 53.

<sup>52</sup>Human Rights Watch/Middle East interview, Qamishli, Syria, April 1995.

<sup>53</sup>Human Rights Watch/Middle East interview, Damascus, Syria, May 1995.



visits. Families paid a quarter-kilo or a half-kilo of gold, just to see a relative. One family gave a Mercedes [Benz automobile], just to see their son walk in front of a window."<sup>54</sup>

For those relatives who managed to obtain permission to visit, the time allotted was brief. A family member who visited a relative in 1993 described her experience:

The bus ride from Damascus took four hours. You get off in the center of town, but the prison is far away, at the end of town. The checkpoint is twenty meters from the prison gate. They take the permission [slip] and make you wait. It takes one hour to ninety minutes. Then there is a thorough search -- nothing is allowed in.

She observed no other relatives visiting prisoners while she was inside the facility. She met with her relative for twenty minutes in a room off a small courtyard:

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<sup>54</sup>Human Rights Watch/Middle East interview, Aleppo, Syria, April 1995.

There were three guards, plus an officer from the military police. They sat with us. When I wanted to give [my relative] money, they inspected it to be sure that nothing was written on it. Pictures with writing are not permitted. Pens are not permitted. I could not even give him a cigarette while we were sitting together.<sup>55</sup>

According to one former prisoner, the overwhelming majority of political prisoners remaining in Tadmor are those who have been sentenced to fifteen years imprisonment or longer, presumably by military field courts. Beginning in April 1995, he said, authorities permitted family visits for prisoners serving fifteen-year sentences. Those sentenced to life imprisonment, on the other hand, appeared to be allowed visitors only if their relatives bribed officials.<sup>56</sup>

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<sup>55</sup>Human Rights Watch/Middle East interview, 1995. Place and date of interview withheld by Human Rights Watch.

<sup>56</sup>Human Rights Watch/Middle East interview, Damascus, Syria, May 1995.

## THE NEED FOR ACCOUNTABILITY

The release of civilian prisoners who spent long years at Tadmor military prison in no way exculpates Syrian authorities from responsibility for the gross human rights abuses that took place within the walls of this facility. The nightmare continues for families who lost relatives due to torture, summary execution or death sentences handed down after perfunctory, unfair military field court trials. Based on testimony that we have received from former prisoners, the bodies of some of the victims have never been returned to the families but may be buried in mass graves near Tadmor. The government of Hafez al-Asad cannot turn a new page with respect to its human rights record unless there is accountability for the deprivations at Tadmor. Families suffer from the lack of transparency that continues to mark the government's approach to information about civilian detainees, sentenced prisoners, and deaths in custody at this military prison.

As recently as October 1994 Syrian authorities traumatized a family whose relative died in Tadmor. We learned that the body of Ahmad Khoula was delivered to his family in Aleppo on October 28, 1994. Khoula, a teacher of Arabic, was thirty-one years old when he was arrested by security forces in Aleppo on June 5, 1980. His family did not know if he was alive or dead until over eleven years later, when prisoners released in late 1991 brought news that Khoula was being held in Tadmor. They told family members that he walked with a limp because one of his legs, fractured when he was tortured under interrogation in 1980, had never been properly treated. When Khoula's body was returned, authorities did not provide the family in Syria with any explanation about the circumstances of his death or the basis for his detention for over fourteen years.<sup>57</sup>

Human Rights Watch views these actions as unconscionable and unjustifiable. As one step toward the most minimum form of accountability, Syrian authorities should release the names of the civilian prisoners who were executed at Tadmor, accompanied by information about date and place of birth, date of arrest, date of trial, presiding judge, charges and sentence, date of execution, and, in all cases where bodies were not returned to families, the place of burial. The names of all prisoners who have died in custody, including those who died from torture and medical neglect, should also be released publicly, along with the date and place of birth, date of arrest, death certificates, complete medical records, and place of burial, in cases where bodies were not returned to families. Such actions are required to conform with minimum international standards for the treatment of prisoners, which specify the following:

Upon the death or serious illness of, or serious injury to a prisoner, or his removal to an institution for the treatment of mental affections, the director shall at once inform the spouse, if the prisoner is married, or the nearest relative and shall in any event inform any other person previously designated by the prisoner.<sup>58</sup>

Moreover, the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment mandates that authorities investigate and report on all deaths in custody:

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<sup>57</sup>Human Rights Watch/Middle East interview with a relative of Ahmad Khoula, Zarqa, Jordan, March 1995.

<sup>58</sup>Rule 44(1) of the U.N. Standard Minimum Rules for the Treatment of Prisoners.

Whenever the death or disappearance of a detained or imprisoned person occurs during his detention or imprisonment, an inquiry into the cause of death or disappearance shall be held by a judicial or other authority, either on its own motion or at the instance of a member of the family of such a person or any person who has knowledge of the case. When circumstances so warrant, such an inquiry shall be held on the same procedural basis whenever the death or disappearance occurs shortly after the termination of the detention or imprisonment. The findings of such inquiry or a report thereon shall be made available upon request, unless doing so would jeopardize an ongoing criminal investigation.<sup>59</sup>

In the absence of independent institutions in Syria and a strong human rights movement, and due to the pervasive fear of security forces reprisals against perceived critics, it is clearly impossible for local advocates to call publicly for the investigation and prosecution of the military officers who administered Tadmor prison and either directly ordered or sanctioned gross human rights abuses against thousands of inmates. Nevertheless, former prisoners speak bitterly in private about the brutality at Tadmor, and hold military officers Faisal al-Ghanem and Nazih Ibrahim, in particular, directly responsible for some of the most depraved behavior.

Faisal al-Ghanem, an 'Alawi officer from Latakia who still serves in the Syrian military, served as warden of Tadmor between 1980 and 1984, according to testimony we received. "Faisal was a butcher," one former prisoner told us. "He would kill prisoners with his own hands. He would visit the dormitories every few months. In one of the Muslim Brotherhood dormitories, a prisoner confronted him and Faisal ordered that he be beaten. The man did not utter a sound during the beating, so Faisal killed him."<sup>60</sup>

Ghanem was succeeded by Barakat al-Ish, also an 'Alawi officer, who had been his second in command at the prison. He reportedly was the director of Tadmor until 1987, when he was transferred to head newly opened Sednaya prison, a post he held until 1991. (Al-Ish reportedly is now the director of Mezze prison.) One former prisoner at Tadmor said that there was a marked difference between the way Ghanem and Ish administered Tadmor:

Ish was considered a humane director by the prisoners. He tried to restrict the daily torture. He was military, but was more like an academic, a man of science and a humanitarian. For us [communists] and the Muslim Brotherhood, he would come and visit and ask about our demands. We had newspapers, radio, a library with hundreds of books. He would permit these things in through visits. We even asked him for a television, but he said that televisions were not permitted in military prisons.

The authority of Ish, however, was reportedly undermined by his assistant Nazih Ibrahim, an 'Alawi officer from Latakia who reportedly now serves as the first assistant at Sednaya prison. "Ibrahim was really in charge at Tadmor," the former prisoner told us. "He had the first-hand contact with the prisoners, and was the liaison between the prisoners and the prison director. He had the power to punish the prisoners, and people would die because of his orders."<sup>61</sup>

Nazih Ibrahim was held to be particularly brutal with suspected Muslim Brothers. "We would hear him beating them in the courtyard next to ours, then he would come into our dormitory and chat and laugh with us, as if everything was normal," a former prisoner told us. This prisoner said he witnessed Ibrahim's brutality in Courtyard Five, known as the "punishment courtyard" because of the punishment cells around its perimeter. "It was here that prisoners were beaten in the morning, afternoon and night, when they went to get their food." He added that some prisoners died from

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<sup>59</sup>Principle 34, Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, General Assembly Resolution 43/173 of December 9, 1988, adopted without a vote.

<sup>60</sup>Human Rights Watch/Middle East interview, Damascus, Syria, May 1995.

<sup>61</sup>Human Rights Watch/Middle East interview, Damascus, Syria, May 1995.

physical abuse meted out when they left their cells for air. “They were beaten with cement blocks and pieces of wood,” he said.<sup>62</sup> This former inmate, a soft-spoken and thoughtful activist with an unauthorized secular political group, strongly recommended that Human Rights Watch call for Nazih Ibrahim’s prosecution.

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<sup>62</sup>Human Rights Watch/Middle East interview, Damascus, Syria, May 1995.

Ibrahim, former prisoners said, was intelligent and had an excellent memory. "He could remember the names of 300 to 400 prisoners who had visits. He made money off the prisoners. He would allow visitors to bring us prohibited materials, then would confiscate them during a search, and then re-sell them to us," one former prisoner said.<sup>63</sup>

A former prisoner released from Tadmor in June 1995 told us that Gen. Muhamed Ghaza al-Jihni was the warden of the prison at least since November 1987, when this prisoner was transferred to the facility. He said that al-Jihni's assistant was Muhamed Nai'meh.<sup>64</sup> As testimony in this report indicates, abuses took place at Tadmor in 1987 and subsequent years.

## THE RESPONSE OF THE SYRIAN GOVERNMENT

Syrian government officials continue to pledge publicly that human rights are respected and the rule of law is upheld in their country. In a statement before the Third Committee of the United Nations General Assembly on November 29, 1995, Dr. Fayssal Mekdad, first secretary of the Syrian mission to the United Nations, said:

The Syrian Arab Republic attaches special importance to safeguarding and protecting cultural, social, economic, political and civil rights. This firm position of principle has been entrenched in the constitution which affirms the right of the citizen to exercise all of his/her rights. It provides for the primacy of the rule of law and for the independence of the judiciary in order to preserve its integrity. Moreover, it obligates the state to defend the security of society and of the individual through the application of the law and of the judicial acts.

Dr. Mekdad also stated that Syria "has committed itself to the Universal Declaration of Human Rights," and noted that Syria has ratified over eleven human rights instruments, including the International Covenant on Civil and Political Rights.

Human Rights Watch/Middle East wrote to Syrian president Hafez al-Asad on February 14, 1996, expressing concern about the continuing pressure on political prisoners prior to release and the punitive transfer of prisoners to Tadmor military prison. We inquired specifically about the justification for the recent transfer of civilian political prisoners to Tadmor. We gave our assurances that any relevant information received from the Syrian government by March 4, 1996, would be included in this report. The letter went unanswered.

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<sup>63</sup>Human Rights Watch/Middle East interview, Damascus, Syria, May 1995.

<sup>64</sup>Human Rights Watch/Middle East interview, Amman, Jordan, August 1995.

## ACKNOWLEDGMENTS

This report was written by Virginia N. Sherry, associate director of Human Rights Watch/Middle East. It is based primarily on information collected by Ms. Sherry in Syria and Jordan during fact-finding missions from March to May 1995. Testimony from Jordan in August 1995 was obtained by Brian Owsley, an attorney who was the Leonard Sandler Fellow at Human Rights Watch in 1994-95.

### *Human Rights Watch/Middle East*

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## **APPENDIX A**

### **Twenty-One Political Prisoners Transferred to Tadmor Military Prison**

*(Note: Prison sentence and date of state security court judgment appear in parentheses.)*

#### **Arrested in 1980**

Abdel Karim 'Issa (fifteen years, 1994)

Yassin al-Haj Salih, medical school student (fifteen years, 1994)

Yusha al-Khatib, teacher (fifteen years, 1994)

#### **Arrested in 1981**

Safwan 'Akkash (fifteen years, 1994)

#### **Arrested in 1982**

Mustafa al-Hussein, teacher (fifteen years, 1994)

Firas Yunis (fifteen years, 1994)

Usama 'Ashour al-'Askari, university student (fifteen years, 1994)

#### **Arrested in 1983**

Ratib Sha'bu (fifteen years, 1994)

'Aziz Tabsi [or 'Aziz Tassi] (fifteen years, 1994)

#### **Arrested in 1984**

Al-Harith al-Nabhan (thirteen years, 1994)

#### **Arrested in 1987**

'Umar al-Hayak (fifteen years, 1994)

Muhamed Kheir Khalaf (twelve years, 1994)

Abdallah Qabbara, lawyer (fifteen years, 1994)

Hikmat Mirjaneh (fifteen years, 1994)

Mazin Shamsin (fifteen years, 1994)

#### **Arrested in 1989**

Taysir Hassun, medical school student (eight years, 1994)

Bassam Bedour (eight years, 1994)

#### **Arrested in 1990**

'Ammar Rizq

#### **Date of arrest not confirmed**

Abid al-Jani (twelve years, 1994)

Hussain al-Subayrani

Bakri Fahmi Sidqi



**APPENDIX B**  
**Elevation and Plan of Tadmor Prison, Drawn by a Former Prisoner**



**APPENDIX C**  
**February 1983 Military Order on Formation of Field Courts**

HIGHLY SECRET

Syrian Arab Republic  
General Command of Army and Armed Forces  
Division of Organization and Management  
Branch of Military Management -- Department of Military Discipline  
Number/319/27/1  
Date 3/5/1403 A.H.  
Corresponding to 15/2/1983 A.D.

TO: Chief of Division of Intelligence

--It has been decreed to form a field court in every area command (eastern - northern - coastal - middle) except the area of Damascus in which two field courts exist.

--Requesting the nomination of names of the president and the members of each court in each area, from your side, so that the necessary instructions may be issued. Keeping in mind that we recommend that the military [individual] judge in each area be the military prosecutor-general of the court. And inform us.

Brigadier Jamil Hassan  
Commander of the Division of Organization and Management

## **APPENDIX D**

Sketch of the apparatus used to hang prisoners at Tadmor, drawn by a former prisoner for Human Rights Watch/Middle East in May 1995 in Damascus. It was configured “like the Mercedes symbol,” he said.