

SYRIA

Torture by the security forces

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1. INTRODUCTION

Torture is illegal in Syria. It is prohibited by international covenants to which Syria is a party. Nevertheless torture is a regular experience for thousands of political prisoners in Syria.

For years Amnesty International has received reports that political prisoners are systematically tortured and ill-treated by Syrian security forces. The victims range from students to lawyers to housewives to soldiers. Anyone who opposes the government is at risk. People arrested or abducted by the security forces in those areas of Lebanon under Syrian control have described tortures similar to those suffered by detainees in Syria.

Torture is facilitated by the extensive powers of arbitrary arrest and detention conferred on the security forces by a state of emergency which has been in force in Syria since 1963. For example, they are empowered to detain without charge or trial anyone suspected of endangering security and public order'. These powers have been grossly abused, resulting in thousands of arbitrary arrests. The security forces have arrested people at will, without warrants, without any explanation of why they are being arrested and without reference to any central authority and held them incommunicado for long periods, in some cases for years. In Amnesty International's experience incommunicado detention all too often becomes an opportunity for torture.

Brutal methods of torture have been described to Amnesty International by former inmates of Syrian prisons. Similar methods have been described by former detainees tortured by Syrian forces in Lebanon. One, known as the Black Slave, involves strapping the victim onto a device which, when switched on, inserts a heated metal skewer into the anus. The Washing Machine is a hollow spinning drum, similar to that of a domestic washing machine, into which the victim's arms are pushed and spun until they are crushed. There is the Syrian Chair, a metal chair to which the victim is bound by the hands and feet. The chair's backrest is then bent backwards, causing acute stress to the spine. Meanwhile, metal blades fixed to the chair's front legs cut into the victim's ankles. People tortured on the Syrian chair are said to have suffered fractured vertebrae and near strangulation. A variation of this form of torture, known as the Confession Chair, is practised in Lebanon.

The range of torture methods used is such that it led one former detainee to describe a Damascus detention centre as a 'research centre' for new torture techniques. Amnesty International has received descriptions of no less than 35 different methods of torture, excluding the routine beatings which result in scenes such as this, described by an ex-prisoner: "One by one. . . each person was beaten between 200 and 400 times on his feet. Other members of the military police were busy beating the rest of the prisoners on their backs and other parts of their bodies. When they had finished beating us, we were lined up in single file. Holding onto each other's clothes, blindfolded and with our heads lowered, we walked into the prison. We reached the fourth courtyard, a cell door was

opened and we went in. Of course, until the cell door closed we continued to be whipped from every direction. 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. If a prisoner tried doing so, he would collapse from the intensity of the pain.”

Many detainees are tortured from the moment they are arrested and throughout their interrogation. If transferred to a prison they are usually tortured on arrival, a procedure so common that it has been given a nickname - “reception”. Many continue to be tortured and ill-treated throughout their subsequent imprisonment. In Tadmur prison, located in the searing heat of the Horns desert and notorious for the treatment of prisoners, detainees are routinely whipped, kicked and punched and have cigarettes stubbed out on their bodies when they enter or leave their cells, at mealtimes, and during their daily exercise period. When they are shaved, approximately every three or four weeks, their faces are slashed with razor blades and shaving knives.

Over the years Amnesty International has sent numerous appeals to the Syrian authorities on behalf of detainees whose lives were reported to be in grave danger as a result of torture. No response has ever been received. Amnesty International has received reports of prisoners dying under torture. However the secrecy surrounding political imprisonment in Syria makes it impossible to verify all such reports.

Detainees are tortured for a variety of reasons. During interrogation they are tortured to make them “confess” or to incriminate others. Some are tortured as punishment for the infringement of prison rules — for protesting about their conditions, for example. Others are tortured to intimidate and humiliate them. Prisoners are also tortured as punishment for refusing to sign statements renouncing their political views. Relatives of political prisoners have been tortured to try and make the prisoners “confess” or give information. Others have been taken hostage and tortured for information about a relative who was wanted by the security forces. Khadija Dib was 22 years old when she was taken hostage by the security forces who were searching for her husband. One month after her arrest she was taken to hospital, haemorrhaging from the uterus. She had been repeatedly tortured in an attempt to make her reveal her husband’s whereabouts.

Finally, there is yet another reason why political detainees are tortured. In the words of a former prisoner of conscience “Sometimes torture serves as an expression of sectarian hatred. For example, [name] was severely tortured because he was in the leadership cadre and a Sunni. The reverse also occurs, for sometimes the Alawite prisoner is tortured more. This happened to [name] because he had, in the words of some officers, ‘betrayed his sect’.”

This report is based on testimonies and information received by Amnesty International since 1983. Amnesty International has not been able to medically examine every former detainee who claims to have been tortured, but whenever this has been possible the results have been consistent with the tortures described. The extent of torture and ill-treatment in Syria goes beyond the specific cases described here. Amnesty International believes that in a great number of cases, allegations of torture or ill-treatment are never made for fear of reprisals against former detainees and their families. For this reason the detail of some of the cases in this report has been altered or omitted to prevent identification. Reference to other known cases has been omitted altogether. Reports of torture or ill-treatment are sometimes not received until long after the events have taken place. As far as Amnesty International knows there are no regular and independent visits of inspection to places of detention, nor is there any mechanism through which detainees can lodge complaints about their treatment. Allegations of torture or ill—treatment are therefore often only made months or even years after the detainee has been released.

Reports received by Amnesty International indicate that other fundamental rights in addition to the right not to be tortured or ill-treated are routinely infringed by the security forces. These include the right to legal assistance and to prompt medical examination after arrest. Nor do detainees receive adequate medical treatment.

Over the years Amnesty International has repeatedly urged the Syrian authorities to take steps to end torture and ill-treatment. The organization has submitted detailed accounts of human rights violations by the security forces to the authorities together with recommendations designed to end such abuses. The authorities have never responded. In this report Amnesty International once more presents the evidence that torture in Syria is widespread and systematic in the hope that the authorities will take action to prevent it.

2. LEGAL SAFEGUARDS AND INTERNATIONAL STANDARDS

Torture is illegal in Syria. Article 28 (3) of the 1973 Constitution of the Republic of Syria prohibits the use of torture in the following terms:

“No one shall be subjected to physical or moral torture or to humiliating treatment. The law shall define the penalties of such actions.”

In accordance with Article 391 of the Syrian Penal Code⁽¹⁾ any person who subjects another to any form of violence not permissible under the law for the purpose of obtaining a confession or information relating to an offence is liable to imprisonment for between three months and three years. If the violent act results in illness or injury to the victim, the law prescribes a minimum of one year’s imprisonment for the offender.

Article 7 of the International Covenant on Civil and Political Rights (ICCPR), to which Syria acceded on 21 April 1969, states:

“No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”

Article 9 of the ICCPR requires that no one should be subjected to arbitrary arrest or detention; anyone arrested should be informed at the time of arrest of the reasons for arrest and any charges against him or her, should be brought promptly before a judge and should be entitled to trial within a reasonable time or release. The same article also requires that anyone deprived of liberty has the right to take proceedings before a court to challenge the legality of his or her detention. Article 10(1) provides that all persons deprived of their liberty be “treated with humanity and with respect for the inherent dignity of the human person.”

The infliction of torture and ill-treatment, which Amnesty International opposes unconditionally is also prohibited under Article 5 of the Universal Declaration of Human Rights and a number of other international instruments, including the Standard Minimum Rules for the Treatment of Prisoners, adopted by the United Nations Economic and Social Council in 1957; the Declaration on the Protection of All Persons from Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the United Nations General Assembly on 9 December 1975; and the Code of Conduct for Law Enforcement Officials, adopted by the United Nations General Assembly on 17 December 1979.

On 10 December 1984, the United Nations General Assembly adopted by consensus the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Convention, which became directly binding on State Parties when it came into force on 26 June 1987, specifies a number of steps which governments should adopt to move towards the elimination of torture. Amnesty

International considers that the adoption of the Convention Against Torture is a significant step towards the worldwide elimination of torture. The Convention requires each State Party to "take effective legislative, administrative, judicial or other measures to prevent acts of torture" (Article 2). It also requires that there should be a prompt and impartial investigation whenever there is reasonable ground to believe that an act of torture has been committed (Article 12), that individuals have the right to have their case examined by the competent authorities and that the complainant and witnesses must be protected against consequential ill-treatment or intimidation (Article 13), that victims should be compensated (Article 14), and that no statement made as a result of torture should be invoked as evidence in any proceedings (Article 15).

On 11 March 1986, in a statement delivered before the 42nd Session of the United Nations Commission on Human Rights, a representative of the Syrian Arab Republic delegation traced the efforts made by the United Nations to eliminate torture, and declared the Syrian Government's intention to accede to the 1984 Convention Against Torture (see Appendix A for extracts from the statement). The representative cited the Syrian Constitution as an example of the government's effort to eliminate torture. He stated that the Constitution guarantees a number of internationally recognized human rights and freedoms, including the protection of all citizens from torture and humiliating treatment and the preservation of their personal freedom, dignity and security. He said that constitutional guarantees and legislation in force in Syria prohibited any citizen being subjected to torture or to cruel, inhuman or degrading treatment under any circumstances.

Amnesty International welcomes the Syrian Government's declaration of support for the Convention Against Torture, and believes that the practical implementation of its provisions would constitute a positive step towards the prevention of torture. However, numerous and consistent reports of widespread torture over many years, some supported by medical evidence, have led Amnesty International to conclude that the legal prohibition of torture in the Syrian Constitution and in national legislation, as well as in international human rights instruments, continues to be disregarded in practice. The elimination of torture depends not only on the formal existence of legal guarantees but also on the will of the government to ensure that they are observed in practice.

The Syrian Constitution defines the act of torture as an offence punishable in accordance with the law. Amnesty International knows of no instance where the government has instituted independent and impartial investigations into complaints of torture or other ill-treatment at the hands of the security forces. It knows of no instance where the perpetrators of such abuses have been prosecuted. Nor is it aware of any victim ever having been granted redress for the treatment suffered while in custody.

The Syrian authorities' failures in this regard reinforce Amnesty International's view that there is no genuine commitment to preventing the torture and ill-treatment of prisoners and to bringing those responsible to justice. It further demonstrates that they have not taken seriously the obligation of governments to intervene actively to ensure that allegations of torture are promptly and fully investigated, as established by the United Nations Declaration Against Torture and the Convention Against Torture.

As a State Party to the ICCPR, Syria undertook to ensure to all individuals under its jurisdiction those rights guaranteed by the Covenant. Although the ICCPR provides for State Parties to take measures derogating from certain of their obligations under the Covenant 'in time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed', the Syrian Government has not, as required under Article 4 (3), sent notification of derogation from any articles of the Covenant to the United Nations Secretary General. Furthermore, Article 7 prohibiting torture is one of the articles from which no derogation may be made under any circumstances. Other international instruments prohibiting torture and ill-treatment, including the Convention Against Torture, also emphasize that such practices can never be justified, even in exceptional circumstances such as a state of war, internal political instability or any other public emergency.

The state of emergency which has remained in force in Syria since 8 March 1963 gives the security forces wide powers to arrest and hold in preventive detention people accused of "endangering security and public order" (State of Emergency Law, Article 4a). In practice, these powers have been grossly abused, resulting in thousands of arbitrary arrests. In custody, those arrested are denied their fundamental rights and are held without trial for long periods, in some cases for over 16 years. Many of them have been non-violent political prisoners arrested without warrant and without being informed of the reason for their arrest. They continue to be held indefinitely by the security forces without official charge or a judicial review of their cases. They are routinely denied legal assistance and have no means of appealing against wrongful arrest or prolonged detention without trial. Political prisoners have also been held in prolonged incommunicado detention, a practice which Amnesty International believes creates conditions conducive to torture or ill-treatment. Incommunicado detention can last for months or years, during which time prisoners are denied the right to communicate with defence counsel or relatives.

3. TORTURE AND ILL-TREATMENT OF DETAINEES IN SYRIA

3.1 The arresting authority

Most political prisoners in Syria are arrested by members of the security forces, not the criminal police. Several networks of security forces still operate in Syria, and they hold wide powers of arrest and detention under the State of Emergency Law. The Martial Law Governor is the Prime Minister, who delegates martial law functions to his deputy, the Minister of Interior. In practice, the various security networks are said to operate independently of each other¹ with their respective heads being answerable solely to the President of the Republic.

Of the various security forces operating in Syria, those which have been largely responsible for carrying out arrests of a political nature of concern to Amnesty International are the following: al-Mukhabarat al-'Askariyya, Military Intelligence, headed by Brigadier General 'Mi Douba; Idarat al-Mukhabarat al-'Amma,, General Intelligence (otherwise known as Amn al-Dawla or State Security), formerly headed by Nazih Zrair and since 1984 by Fu'ad Absi; Idarat al-Ann al-Siyassi, Political Security, formerly headed by Ahmad Said Salih and since 1987 by Major General Adnan Badr Hassan; and Idarat al-Amn al-Dakhili, Internal Security, headed by Muhammad Nassif. Another security force, al-Wahdat al-Khassa, Special Units, headed by 'Ali Haidar, has also carried out many arrests of political suspects in Syria. However, for the past two years at least it has been operating largely in Lebanon (see Section 4 below).

Al-Mukhabarat al-'Askariyya, Military Intelligence, is reported to be the largest and most powerful of the security forces. It has several major branches, including Fara' al-Tahqiq al-Askari, Military Interrogation Branch, and Fara' Falastin, Palestine Branch, both based in Damascus. The latter has been responsible for the arrest in Syria of large numbers of Palestinians, and for the detention of Palestinians transferred to Syria following their arrest or abduction in Lebanon. The branch is headed by Lieutenant Colonel Mazhar Faris. Another force, known as al-Dabita al-Fida'iyya, Commando Police, also has under its jurisdiction large numbers of Palestinian suspects. It is headed by Colonel Abd al-Rahman Arafah, who is said to be directly answerable to the head of Fara' Falastin. Formerly known as Maktab Falastin Wal-Kifah al-Musallah, Office for Palestine and the Armed Struggle, this force was initially composed of Syrian officials as well as Palestinians belonging to groups which enjoyed the support of the Syrian Government. Its principal function was that of coordinating relations between the Syrian authorities and the various Palestinian groups. However, since 1982 when major changes in its personnel were said to have taken place, the force has been largely run by Syrians. All Palestinians entering Syria are reportedly required to obtain authorization for admission from the office of al-Dabita al-Fida'iyya in Damascus. Palestinians detained in Syria are also generally referred to this office prior to their release. According to information received by Amnesty International, members of al-Dabita al-Fida'iyya took part in several waves of arrests of Palestinians between 1985 and 1987. Many of those arrested were Palestinians thought to be supporters of Yasser 'Arafat, Chairman of the

Palestine Liberation Organization, and others who had participated in demonstrations against the war of the camps in Lebanon. Reports indicate that detainees under the jurisdiction of al-Dabita al-Fida'iyya are routinely tortured or ill-treated.

Each of the security forces has its own detention centres in Damascus as well as in the provinces. With the exception of the Province of Damascus, each of Syria's other 11 provinces have four main places of detention: al-Sun al Markazi, the Central Prison, (usually a civil prison), and three detention centres under the jurisdiction of al-Ann al-Siyassi, Amn al-Dawla, and Mukhabarat al-'Askariyya. Political detainees, as well as innocent civilians arrested as hostages in lieu of suspects being sought by the authorities, may be held in any one of these places. In the capital, Damascus, the major prisons used for political prisoners include al-Mezze Military Prison, Kafr Sousseh Prison, 'Adra Civil Prison (a new prison which replaced al-Qal'aa and Shaikh Hassan prisons following their closure towards the end of 1984) and Qatana Womens Prison. Some of the security forces also have several detention centres in Damascus. For example, al-Mukhabarat al-'Askariyya has three main detention centres: Fara al-Tahqiq al-'Askari located in the Jamarik district of Damascus; Fara' Falastin - located near Avenue 'Adnan al-Malki; and Fara' al-'Adawi. There is also reportedly at least one detention centre used by al-Dabita al-Fida'iyya, located near Boulevard Bagdad in the al-Qassa' district of Damascus.

3.2 Torture of political prisoners

According to Amnesty International's information, there is no formal separation of authority over the various security functions carried out from the moment political suspects are arrested until they are released. The procedures followed by the security forces permit cases to be investigated by the same authority which has arrested and is holding the detainee. In practice this has meant that throughout all stages of arrest, investigation, detention and release political detainees remain under the sole jurisdiction of the same agency, which invariably is one of Syria's security forces. The absence of external supervision of detainees' cases in such a situation facilitates torture and ill-treatment.

Families are given no official notification of the arrest, place of detention and subsequent movement of detainees and must obtain such information through their own efforts. During interrogation detainees are in the sole custody of interrogating officials. They are held incommunicado, and are routinely denied visits from family, friends, lawyers or independent medical doctors. Periods of incommunicado detention can last for several months or even years, a practice which in Amnesty International's view is incompatible with protecting the fundamental rights of detainees.

Upon arrest, political suspects are normally held in a local detention centre for short periods ranging between several days and several weeks. Most are then transferred to a central interrogation centre in Damascus, where systematic interrogation by the security forces begins. Political detainees are usually interrogated by officials from one branch of the security force in whose custody they are held. In exceptional cases,

however, officials from other branches may also participate in interrogation. This may occur with more “important” political detainees, or when several charges are made against a detainee and the expertise of another branch is required. In such cases, the interrogation committee (lajnat al-tahqiq) is said to be normally composed of three to five officials, each having specialist knowledge in one of the areas relating to the charges made against the detainee.

Amnesty International believes that torture is used systematically in interrogation, both in order to extract “confessions” and as punishment. The majority of testimonies given to Amnesty International by former detainees indicate that torture is most frequently inflicted during the early stages of detention, when detainees are held incommunicado and are undergoing interrogation by the security forces. It is at this stage that torture has been described at its most brutal, when the interrogation methods used by the security forces have sometimes resulted in permanent physical or mental damage. Some detainees have been repeatedly rushed to hospitals for urgent medical treatment following interrogation. Others have not survived, and have died in custody as a result.

A Palestinian prisoner arrested in Lebanon in 1986 and later interrogated by al-Mukhabarat al-’Askariyya in Damascus gave the following description of his experience:

“They took me to a room in the main building ... They began by beating me into confessing. They beat me for about two and a half hours continuously with sticks and whips. Then the interrogation itself began, and lasted for about four or five hours. I was blindfolded and my hands were tied behind my back throughout. With every question I received a blow to my chest and other parts of my body. After some time I was given a pen and a blank piece of paper and ordered to write down everything about myself ... Next day I was interrogated again for about five hours. The same procedure was followed ... After three days I was summoned again. I was whipped and humiliated ... I was interrogated daily for about two hours on each occasion, sometimes for about four or five hours. They always asked me the same questions and then beat me. After about sixteen days the interrogation stopped. The interrogator then began swearing at the Mukhabarat, and promised to secure my release. He said he would have a word with the Brigadier General [Ghazi Kan’an].”

Over the years, Amnesty International has sent numerous appeals to the Syrian authorities on behalf of detainees whose lives were reported to be in grave danger as a result of torture inflicted during interrogation. The organization has repeatedly expressed its deep concern about these reports, urging the authorities to ensure that the detainees in question receive immediate and necessary medical treatment and that they be allowed to contact their families and defence lawyers. It has also called upon the authorities to promptly investigate the allegations of torture and to bring those responsible to justice. The organization has received no response from the authorities to any of these appeals. One such case is that of Riad al-Turk, a 58-year-old lawyer and First Secretary of the prohibited al-Hizb al-Shuyu’i al-Sun - al-Maktab al—Siyassi, Syrian Communist Party -

Political Bureau (CPPB), held incommunicado without charge or trial since his arrest on 28 October 1980. He has been severely tortured on several occasions by al-Mukhabarat al-'Askariyya. In February 1981 he was admitted to al—Muwassat Hospital in Damascus for intensive care. In January 1982 he was admitted to al-Mezze Military Prison Hospital in Damascus again for intensive care; he was said to be unconscious and suffering from severe inflammation of the kidneys and renal failure as a result of torture. In December 1983 he was transferred from al-Mezze Military Prison to al-Mukhabarat al-'Askariyya headquarters in Damascus and severely tortured; his life was understood to be in grave danger. In December 1984 he was tortured once more during interrogation; according to reports, he continued to suffer from kidney failure, was totally deaf in his right ear and had a broken arm and leg. (He also suffers from diabetes and astigmatism). He is believed to be currently held at Fara' al-Tahqiq al-'Askari in Damascus.

Two other cases were those of 'Abd al-Karim Aslan and Khadija Dib, both members of the prohibited Hizb al-'Amal al-Shuyu'i, Party for Communist Action, (PCA) on whose behalf Amnesty International appealed in 1984. 'Abd al-Karim Asian, a 39-year-old teacher and leading member of the PCA, was held incommunicado after his arrest on 13 March 1984. He was initially detained in al-Mezze district of Damascus by al-Amn al-Dakhili. On 20 March 1984 he was taken to al-Mezze Military Prison Hospital for intensive care, reportedly as a result of torture. He was subsequently transferred to Tadmur Military Prison. Khadija Dib was 22 at the time of her arrest on 29 July 1984. She had been arrested as a hostage while the authorities searched for her husband. One month after her arrest she was transferred to a hospital in Lataqiyya, suffering from a haemorrhage of the uterus. She had reportedly been severely tortured on several occasions in an attempt to force her to reveal her husband's whereabouts. She was released in November 1984.

Several Palestinians and Syrians arrested between February and June 1986, on whose behalf Amnesty International sent numerous appeals to the authorities, were also reported to have been tortured shortly after arrest. One of them, a Syrian soldier, subsequently died in custody in April 1986 (see Section 3.3 below). One of the others was Amina Omar, a 19-year-old Palestinian student who was four months pregnant when arrested on 30 March 1986. Reports indicated that she had suffered a haemorrhage of the uterus after being ill-treated during detention. She was released two months later. Another Palestinian, 25-year-old student Mazin Rabi', was arrested on 1 April 1986. Both he and his sister Safa' were taken hostage for their brother Jamal, a journalist with the magazine al-Qa'ida (organ of the Palestine Liberation Front – Provisional Command), who was subsequently arrested on 29 April. Safa' Rabi' was released but Mazin remained in detention and is reported to have attempted to commit suicide twice after being severely tortured. Another case was that of Karim 'Akkari, a 26-year-old Syrian technician arrested on 3 May. According to reports received by Amnesty International, he was suffering from gunshot wounds sustained during his arrest in a Damascus street and was transferred to hospital several days later for intensive care after being tortured. All three torture victims had been arrested by al-Mukhabarat al-'Askariyya and detained in Fara' Falastin in Damascus.

Although torture is usually inflicted during interrogation, accounts received by Amnesty International indicate that detainees are also tortured or ill-treated at other stages of detention. Immediately after they are arrested detainees experience treatment ranging from the “traditional” kicking, punching, and being forced to stand naked for several hours while being insulted by guards, to more severe and systematic ill-treatment. For example, at Fara’ al- Tahqiq al-’Askari detainees are reportedly whipped or beaten for prolonged periods immediately upon arrival, and in some cases sexually abused. They are then taken to their cells for a few hours, after which torture resumes. This treatment can last for several days, and is intended to intimidate detainees and “prepare” them for interrogation. A Palestinian prisoner held in Fara’ Falastin in the first half of 1986 stated in his testimony:

“When we arrived at Fara’ Falastin, we were led through the main entrance. They made us kneel on the ground for several hours. They pushed us around like animals, and shouted insults at us. Every day they forced us to kneel on the ground for long periods. We were beaten frequently, for example when we were going to the toilets. After 14 days of such treatment, I was summoned for interrogation...”

Palestinian detainees held by al-Dabita al-Fida’iyya are also reported to be routinely tortured or ill-treated immediately after arrest, before they are transferred to another place of detention. Although most Palestinians, including those abducted from Lebanon by Syrian forces, are generally held for short periods by al-Dabita al-Fida’iyya, some have remained under the force’s jurisdiction for several months. A former Palestinian detainee, arrested at the end of 1985, reported:

“I was arrested at Damascus Airport ... and taken to a detention centre in the city belonging to al-Dabita al-Fida’iyya. After searching my clothes carefully, they took me to the basement, which was divided into three sections. One of these was used for interrogation ... At least 50 prisoners were held there ... There was no room to sleep in the cells, the prisoners were forced to crouch on the ground ... Every evening the guards used to come in after dinner to count the prisoners. While doing so they would insult and beat them ... Sometimes I could hear the screams of the prisoners being tortured in the interrogation rooms ... In the detention centre there were Palestinians from the Popular Front, the Democratic Front, the General Command and Fatah al-Intifada . .

Once interrogation comes to an end, detainees are usually transferred from the interrogation centre to a prison, though there have been instances of detainees being held in interrogation centres for several months or over a year. Even when detainees are transferred to a civil or military prison, the security forces retain overall jurisdiction over their cases. Although detaining officials in such prisons ⁽²⁾ are directly in charge of the conditions of detention and the treatment of detainees, they appear to have no jurisdiction over political detainees in their custody except in matters of prison routine such as providing food, exercise facilities and routine medical treatment. Decisions about family

visits, correspondence, medical treatment outside the prison, length of detention period and release remain the prerogative of the security forces.

Detainees are also commonly tortured upon arrival at the prison to which they have been transferred. The treatment they receive at that point is known as haflat al-istiqlal or “reception”, and differs between prisons. It usually ranges from the common insults, kicking and punching to more severe techniques. According to reports received by Amnesty International over several years, among the most brutal “receptions” are those in Tadmur Military Prison,⁽³⁾ and detainees have allegedly died from the resulting injuries. Many detainees there are believed to be those suspected of links to al-Ikhwan al-Muslimun, Muslim Brotherhood. The following separate accounts of the “reception’ at Tadmur, given to Amnesty International between 1984 and 1987 by three former detainees accused of having links with the Muslim Brotherhood, are typical of several various accounts the organization has received.

Testimony A

“The bus arrived at Tadmur Prison where the military police awaited us. The warders helped us off the bus, whipping us mercilessly and brutally until we were all out. They removed the handcuffs and blindfolds, and then we were taken into a courtyard overlooked by the prison’s offices, where our names were registered. All the while we were being whipped from all sides. Then we were taken through a metal door into a courtyard, known as the torture courtyard. The military police searched our clothes. One by one we were put into the dullab [tyre, and each person was beaten between 200 and 400 times on his feet. Other members of the military police were busy beating the rest of the prisoners on their backs and other parts of their bodies. When they had finished beating us, we were lined up in single file. Holding on to each other’s clothes, blindfolded and with our heads lowered, we walked into the prison. We reached the fourth courtyard; a cell door was opened and we went in. Of course, until the cell door was closed we continued to be whipped from every direction. 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. If a prisoner tried doing so, he would collapse from the intensity of the pain, and if he tried sleeping he could only do so on his side, since his back was covered with wounds. Some of the prisoners died during the ‘reception’...”

Testimony B:

“The ‘reception’ organized for us upon our arrival was terrifying and bloody ... [it] lasted for four hours during which we were whipped on our feet 100 times after being put in the dullab. I was beaten on my back, head, arms and legs no less than 50 times. My skin was badly cut, my feet became swollen ... bruises appeared on my body which was swollen in many places. My lip was cut and my nose bled. My left eye became black and swollen. I

was dealt a severe blow on my back with a stick approximately one-and-a-half metres long and seven centimetres in diameter, as a result of which I nearly died. The others were also tortured severely. We were led in single file with our heads lowered and our backs bent, each holding on to the other's back, as they whipped us. The whip was a piece of rubber 80 centimetres long and 3 centimetres thick."

Testimony C:

"On our arrival at Tadmur Prison we were confronted with the most terrible ill-treatment imaginable. The prison guards pounced on us and started punching and beating us brutally. They forced us to shut our eyes and prevented us from looking at anything around us. Then they organized a noisy and frightening torture session for us which lasted for four hours continuously. Each one of us was subjected to indescribable torture. Each one of us was whipped about 200 times on the hands and legs, in addition to random blows to the back, head and body. We were naked ... wearing nothing except our sirwal, inner clothing. So [the skin on] our legs, hands and back became torn, and our heads and faces became swollen. We were dealt terrible blows with a solid stick and many of us suffered serious fractures. All this while our screams and cries for help filled the place; we would scream and appeal to Allah and they would only respond with more torture, insults and threats. After that they led us in single file, each one holding on to the other's back, our heads lowered and our eyes shut, we could not see where we were going ..."

Many detainees continue to be ill-treated throughout their subsequent imprisonment. Ill-treatment is reported to be regular and frequent in Tadmur Prison, and is aimed at intimidating and humiliating detainees. Former detainees have stated to Amnesty International that they were beaten, whipped and otherwise ill-treated throughout the time they were in the prison. They said detainees were routinely beaten when entering and leaving their cells, sometimes when naked. When they are given their meals (three times a day) detainees are whipped, kicked, punched and slapped, and cigarettes are extinguished on sensitive parts of their bodies, particularly the genitals. This is usually accompanied by insults or threats. Detainees are also routinely ill-treated during their daily exercise period, of approximately half an hour. They are taken out into the prison courtyards and ordered to run around in bare feet while being simultaneously whipped on their backs or legs by prison guards supervising the "exercises". They are forced to crawl on their stomachs, with their elbows to the ground, their hands over their ears and their heads lowered. They are also forced to lie down and raise their legs which are then beaten, sometimes until they bleed. Alternatively, the guards force them to lie on their stomachs and then step on their heads, necks or backs, or whip them.

Detainees who refuse to carry out orders during the exercise period are "punished" with other forms of ill-treatment, such as the dullab (see Section 3.4 below). They are also ill-treated when they are shaved, approximately every three to four weeks. In addition to

being beaten while waiting their turn to be shaved, their faces, particularly the lips, ears and nose, are slashed with razor blades and shaving knives. Other forms of ill-treatment in the prison include deprivation of sleep; detainees are forced to stand in their cells with their heads erect and their arms raised. Guards observe them through two openings in the roof of the cells, which are also used to pour cold water on them in winter.

As a result of routine ill-treatment, most detainees in Tadmur are said to suffer frequently from swollen hands, feet, eyes and faces, flayed skin (particularly on the back), broken teeth and fainting spells. Their psychological health is said to be extremely poor, both as a consequence of such treatment and from having to watch others being ill-treated or hearing their screams.

In addition to routine torture or ill-treatment, political prisoners are also tortured to force them to sign statements renouncing their political affiliation and declaring their support for the regime. Signing such a declaration has effectively become a precondition for the release of political prisoners. Those who refuse remain in detention, as with Thuraya 'Abd al-Karim, a 52-year-old lawyer from Aleppo who is currently held in 'Adra Civil Prison in Damascus. In October 1986 he reportedly refused to sign such a statement. He is one of a group of lawyers detained without charge or trial since April 1980 following a one-day national strike. The strike took place on 31 March and was organized by the Engineers, Doctors and Bar Associations. Its demands included an end to the state of emergency, the abolition of state security courts and the release of all untried detainees.

Other detainees have been tortured as punishment for having refused to renounce their political affiliation. One who refused died in custody in April 1983 [see Section 3.3 below). In April 1986, Amnesty International appealed to the authorities on behalf of three other detainees after receiving reports that similar pressures were being exerted on them. One was Mufid Mi'mari, a 44-year-old teacher from the village Deir 'Atiya, Damascus Province, who has been held without charge or trial since his arrest in March 1980. He was transferred in early February 1986 from Kafr Sousseh Prison to a detention centre in Damascus where he was interrogated by al-Amn al-Siyassi. According to reports, he was held in solitary confinement in order to persuade him to renounce his affiliation to the CPPB. Two months later he was still in solitary confinement. His current whereabouts are unknown.

Pressure is also brought to bear on families in order to force their imprisoned relatives to sign such statements. The parents of a political prisoner who was adopted by Amnesty International as a prisoner of conscience and released in 1985 were arrested and threatened with torture in his presence to force him into signing a statement. In his testimony, another former political prisoner gave the following account of such treatment:

“There are infinite ways of putting pressure on political prisoners. For example, approximately every six months they gather the prisoners and bargain with them about ceasing their political activities and offering their support for the regime in exchange for promises of release. Of course this is

preceded by a series of pressures such as the denial of family visits (if any had been allowed). Then they put pressure on the parents by persuading them that they should themselves convince their sons to sign, by promising to facilitate visits or to secure releases. Or, for example, by threatening the parents that one of their other sons would be refused employment if the prisoner failed to give an undertaking. There are also the constant difficulties relating to visits..., for example, they make the families wait for hours from the early morning in the hope of seeing their detained relatives, and then they inform them that visits are not allowed ... "

Detainees have also been tortured or ill-treated for protesting about the conditions of their imprisonment, or about their continued detention without trial. One such case was that of Ghassan Najjar, a 48-year-old mechanical engineer from Aleppo, detained without charge or trial since his arrest in April 1980 by al-Amn al-Siyassi. A former member of the Syrian Engineers Association, he was arrested after participating in the one-day strike on 31 March 1980. In June 1984 Ghassan Najjar began a hunger-strike in protest against his continued detention without trial. He was said to have been beaten by prison guards to force him to abandon his strike, and to have been taken to al Muwassat Hospital in Damascus for treatment of the resulting injuries. At the end of 1985 while in 'Adra Civil Prison he joined in another hunger-strike in protest against prison conditions. In October 1986 he was said to be suffering from a spinal injury, a damaged heart muscle (myocardial infarct), a stomach haemorrhage and stomach ulcers, for which he was not receiving adequate medical care.

Finally, there is yet another reason why political prisoners are tortured. In the words of a former Syrian detainee adopted by Amnesty International as a prisoner of conscience:

“Sometimes torture serves as an expression of sectarian hatred. For example, [name] was severely tortured because he was in the leadership cadre and a Sunni. The reverse also occurs, for sometimes the Alawite [prisoner] is tortured more. This happened to [name] because he had, in the words of some officers, ‘betrayed his sect’.”

3.3 Death in custody

A number of detainees are reported to have died in prison in recent years. Some are said to have died as a result of torture during interrogation by the security forces, or through routine ill-treatment and appalling conditions of imprisonment. One prisoner of conscience adopted by Amnesty International died three weeks following his release in 1987 after being deprived of medical treatment (see Section 3.5 below).

Members of prohibited political parties are among those reported to have died in custody. In Tadmur Military Prison in the Horns desert, where conditions are notorious, detainees have allegedly died as a result of injuries sustained through routine torture or ill-treatment, compounded by the lack of regular medical attention. A number of those

who died in the prison were said to have been arrested on suspicion of involvement with al-Ikhwan al-Muslimun. Detainees have also died after being tortured for refusing to divulge information during interrogation, refusing to sign declarations renouncing their political affiliation, or for protesting about their conditions of imprisonment. They include PCA and CPPB members as well as Palestinians active in Fatah or thought to be supporters of Yasser 'Arafat.

Amnesty International has not been able to verify every report of a death in custody it has received. However, the organization has raised some cases with the Syrian authorities, urging them to set up inquiries to investigate the circumstances surrounding the deaths and to make the findings public. It has also urged the authorities to ensure, in cases where death is found to have resulted from torture or other ill-treatment, that adequate compensation is made to the victims' families and that the perpetrators are brought to justice. The Syrian authorities have never responded to such appeals. On the contrary, the authorities are reported to have attempted to conceal the cause of such deaths by claiming that the victims had committed suicide. Victims' bodies have also been returned to their families in coffins with instructions that they be buried immediately without a funeral or public mourning.

The following is an extract from the testimony of a former detainee who was released from Fara' Falastin in Damascus in the first half of 1986:

'There was a detainee in our cell who had been there for over seven months without being interrogated. Finally they summoned him for interrogation. When he came back he was in a terrible state. They interrogated him for about six or seven hours each time. We used to hear his screams undergoing torture, and on each occasion he would be carried back to the cell as he could no longer walk ... He died one day. His body had become blue and his chest and legs were swollen. We notified the guard who, after some persuasion, allowed us to clean the body. I made sure he was dead by stubbing out my cigarette on his body. They did not remove the body from the cell. When it started to smell, the guard ordered us to carry it out into the yard. I don't know what happened after that. The prison authorities claimed that he was suffering from exhaustion and had been transferred to a hospital for treatment.'

Below are details of the cases of seven detainees who are reported to have died in custody between 1983 and 1986 as a result of torture:

Amin Nassur, a student of engineering at Lataqiyya University and a member of the CPPB was detained without charge or trial after his arrest in October 1980. He was said to have been severely tortured at the end of April 1983 by al-Mukhabarat al-'Askariyya after refusing to sign a declaration renouncing his political affiliation. He was said to have been beaten with cane sticks, burned all over his body and given electric shocks and lapsed into a deep coma as a result. He was then transferred under heavy guard to a

hospital in Lataqiyya where he died the same night without regaining consciousness. His guards allegedly attempted to make his death appear a suicide by throwing his body from a third floor window. The coffin containing his body was handed over to his family for burial with instructions that it should not be opened. However it is said that the coffin was opened, and that the body bore marks of severe torture.

Ahmad Mahdi, a student of English language at Damascus University and also a member of the CPPB, was 28 years old at the time of his death. He was arrested by al-Mukhabarat al-'Amma in March 1980, reportedly after having been acquitted by a state security court of charges of distributing leaflets. In March 1984, while in al-Mezze Military Prison, he went on hunger-strike in protest against his rearrest and the ill-treatment of political prisoners. He died at the end of April apparently as a result of force-feeding and electric shock treatment. Amnesty International received accounts of his death which described his body as bearing several marks of this treatment, including a mark on his right temple and another on the left side of his chest, just below the heart. These appeared to be deep, charred holes, as though caused by piercing with an electric or heated instrument.

Ahmad al-Kabra, a Palestinian from al-Yarmuk refugee camp in Damascus, was aged 43 at the time of his death. A restaurant owner, he was married and had four children. He was arrested at the beginning of 1985 and detained in Fara' al-Tahqiq al-'Askari in Damascus. He reportedly died under torture several months later. His body was allegedly deposited in front of his house and his family were forbidden to hold a funeral for him. He was buried in al-Yarmulke camp.

Misbah 'Abd al-Haq, a 60-year-old Palestinian and an activist in Fatah, was married and had six children. He was arrested at the beginning of 1985 by al-Dabita al-Fida'iyya. His body was subsequently discovered in the morgue at al-Mujtahid Hospital in Damascus in April 1986. His family was forbidden to hold a funeral for him, and he was also buried in al-Yarmuk camp.

Mustafa Mahmud Hussain al-Khouri, a 50-year-old Palestinian from al-Yarmuk refugee camp was arrested in July 1985 by al-Dabita al Fida'iyya on suspicion of membership of Fatah. According to reports, he died under torture at Fara' al-Tahqiq al-'Askari. He was married and had six children.

Yahya Ahmad 'Abd al-Hafidh was a Palestinian aged 35, married and had one child. He reportedly died under torture in a detention centre in the town of Dar'a in January 1986.

Sulaiman Mustafa Ghaibur, a soldier from the village of 'Aqarib in the Province of Hama, was stationed at the Infantry School in Aleppo before his arrest. He was said to have been a supporter although not a member of the

PCA. On 1 March 1986 he was arrested by the Aleppo branch of al-Mukhabarat al-'Askariyya after PCA literature was found in his possession, and reportedly tortured while in detention. He was released two weeks later after having "agreed" to reveal the whereabouts of a PCA member who was sought by the authorities, and rearrested on 26 March after having "failed" to do so. According to reports, the coffin containing his body was returned to his family on 1 May for immediate burial, with instructions that it should not be opened. The family was apparently informed that he had committed suicide. Amnesty International understands that the coffin was opened and that the body had two bullet wounds on the neck and bruising around the wrists. It was alleged that Sulaiman Mustafa Ghaibur had been shot following his death under torture to make it appear that he had committed suicide.

3.4 Types of torture and ill-treatment reported to Amnesty International

The following are details of allegations of torture and ill-treatment which have been made to Amnesty International over several years by former detainees. It should be noted that not all of the methods listed below are widely used in Syria. Some are said to be exclusive to certain prisons or detention and interrogation centres. They are said to include:

1. Beatings on all parts of the body, involving punching, slapping and/or kicking, administered with fists, feet, leather belts, sticks, whips, hammers, braided steel cables or cables inside plastic hoses with the ends frayed;
2. Dullab (tyre): hanging the victim from a suspended tyre and beating him/her with sticks, clubs, cables or whips;
3. Falaqa: beating the soles of the feet;
4. Bisat al-Rih (Flying Carpet): strapping the victim to a piece of wood shaped like a human body and either beating him or her or applying electric shocks all over the body;
5. Al-Shabah (the Phantom): tying the victim's arms behind the back and suspending him or her by them or by the feet. In both cases the victim may also be beaten or given electric shocks;
6. Al-'Abd al-Aswad (the Black Slave): strapping the victim onto a device which, when switched on, inserts a heated metal skewer into the anus;
7. Al-Kursi al-Almani (the German Chair): a metal chair with moving parts to which the victim is tied by the hands and feet. The back rest of the chair bends backwards, causing acute hyperextension of the spine and severe pressure on the

victim's neck and limbs. This is said to result in difficulty in breathing almost to the point of asphyxiation, loss of consciousness and, in some cases, the fracturing of the vertebrae. A variation of this device is known as al- Kursi al-Suri or Syrian Chair. In this metal blades are fixed onto the front legs of the chair at the point where the victim's feet are tied, causing profuse bleeding from the ankles when pressure is applied. Both variations may be used in conjunction with beating or whipping.

8. Al-Ghassala (Washing Machine): a hollow spinning drum similar to that of a domestic washing machine into which the victim is forced to insert his or her arms, resulting in the arms and/or fingers being crushed;
9. Using domestic appliances to burn parts of the body such as the chest, back, genitals, buttocks and feet. The appliances include electric boilers (hot water tanks) against which the victim's body is pressed; paraffin stoves covered with a metal sheet on which the victim is forced to sit; electric irons; electric welding machines;
10. Placing a piece of cotton wool soaked in petrol on various parts of the body and setting it alight; pouring petrol on the victim's feet and setting them alight;
11. Piercing the victim's back or chest with a pointed heated metal rod;
12. Extinguishing cigarettes on sensitive parts of the body; using gas lighters to burn the victim's beard, moustache or other body hair;
13. Applying electricity to sensitive parts of the body including the ears, nose, tongue, neck, hands, genitals, anus and feet;
14. Applying salts and caustic substances (acidic and alkaline solutions) to the victim's wounds or burns;
15. Slashing the victim's face lips, ears, nose - with shaving knives and razor blades;
16. Forcing the victim to stand in bare feet against a wall with the hands tied together above the head. The top of the victim's foot and toes are then crushed with the heel of a boot in a grinding motion;
17. Administering blows to the same areas of the victim's body (including the head) for prolonged periods with a long thin rod tipped with a metal ball;
18. Suspending the victim by the hands and feet to bedposts or by the feet from a ladder, and beating or whipping him or her;
19. Al-Farruj (the Chicken): strapping the victim to a revolving wooden bar resembling a roasting spit and subjecting him or her to beating with sticks;

- 20 Hanging the victim for prolonged periods by the neck in such a way that the neck is not broken;
21. Suspending victims from a rotating fan in the ceiling and beating them as they rotate;
22. Forcing the victim to lie fully clothed in a bathtub filled with water for prolonged periods (sometimes overnight). Water may also be poured onto the victim at the same time;
23. Showering or pouring boiling hot or cold water alternately over the victim;
24. Plucking hair or skin with pincers or pliers;
25. Extracting finger and toe nails;
26. Sexual abuse or assault;
27. Forcing the victim to sit on bottle necks or inserting bottles or sticks into the rectum;
28. Forcing the victim to stand for long periods on one leg or to run carrying heavy weights;
29. Complete isolation in a small dark cell without any human contact at all for several days;
30. Switching on the light while the victim is asleep or keeping a bright light on for long or short periods day or night, possibly for several days;
31. Using loudspeakers to transmit noise, such as loud music and screams of people undergoing torture;
32. Subjecting the victim to mock execution, by holding his or her head below water almost to the point of suffocation;
33. Al-Miqsala (Guillotine), forcing the victim to lie on his or her back, facing a blade. A device on the machine ensures that the blade stops just before it touches the victim's neck;
34. Threatening the victim that his or her relatives or friends are in danger of, for example, torture, sexual abuse, assault, kidnapping, amputation of limbs and execution;
35. Torturing other detainees in front of the victim;

36. Torturing or sexually assaulting the victim's relatives in his or her presence;
37. Degrading the victim by using obscene language or insults or by forcing him or her to undress in front of guards of the opposite sex;
38. Depriving the victim of sleep, food, water, fresh air, toilet or washing facilities, visits by relatives or medical treatment;

3.5 Medical treatment

Detainees in the custody of the security forces are routinely denied the right to receive a prompt medical examination upon arrest. Requests to see a doctor or to have a medical examination thereafter are most often refused. This is in violation of Article 6 of the United Nations Code of Conduct for Law Enforcement Officials, according to which:

“Law Enforcement Officials shall ensure the full protection of the health of persons in their custody and, in particular, take immediate action to secure medical attention whenever requested.”

Medical facilities are reported to be minimal in most Syrian prisons, and totally inadequate in some. There is usually only one doctor in each prison, whose visits to detainees are said to be infrequent and irregular. In some prisons, the doctor may only be present once or twice a week. Prison doctors are generally said to be ill—equipped to treat detainees suffering from injuries or diseases requiring specialized medical care or hospital treatment. Medical prescriptions and medicines for detainees in prisons such as al-Mezze Military Prison or ‘Adra Civil Prison have to be obtained outside and brought in by visiting relatives. Political detainees’ requests for outside medical treatment must be approved by the branch of the security forces in charge of their custody. In civil prisons, such requests are made to the prison director who then passes them to the relevant branch of the security forces for approval, since he has no jurisdiction over matters pertaining to political detainees. Alternatively, he may simply refer the matter to the prison doctor. In practice, these requests can take several months or longer to be processed and are invariably denied. According to Amnesty International’s information, political detainees are generally only admitted to hospital when they are in a critical condition and in need of urgent medical care, usually after torture. In such cases they have been registered in hospitals under false names, which has made it difficult for their relatives to trace them.

In Tadmur Military Prison, official medical care is said to be virtually non-existent. Detainees who need medical treatment, including those suffering from wounds or injuries inflicted through torture, are reportedly not examined by a doctor for several months at a time. Wounds sustained during the “reception’ upon arrival at the prison or through the subsequent routine ill treatment, become inflamed and purulent after prolonged neglect. In the absence of adequate medical care¹ complications develop.

Consequently, detainees have reportedly been treated by fellow inmates who have medical training. Festering wounds, according to one doctor's testimony, have been treated with vinegar extracted from fermented apples or grapes, as well as a lotion produced from tetracycline capsules. Other injuries inflicted through torture, and which inmates have attempted to treat, are said to include severe and festering burns; fractured limbs and ribs resulting from beating with metal implements; severe bruising and sharp pains in the back caused by guards kicking detainees and jumping on their backs; hemiplegia (partial paralysis of the body); stiffness of the limb joints and chronic arthritis; osteomyelitis (inflammation of the bone); and various injuries caused by repeated blows to the head and face including broken teeth, inflammation of the middle ear and perforation of the eardrum (leading to partial or total deafness) and eye injuries and diseases (leading to partial or total blindness)

Amnesty International does not have detailed information about medical facilities in detention and interrogation centres. However, at Fara' al-Tahqiq al-Askari in Damascus, there are reportedly two doctors and at least one male nurse who examine detainees every one or two days. During their visits, the doctors allegedly try to persuade the detainees to "cooperate" with the interrogators in order to "save their lives". Their main role has been described as treating detainees for wounds and injuries inflicted through torture after each interrogation session, particularly those whom the interrogators have been instructed to keep alive. At Fara' Falastin, a male nurse is said to visit the detainees every evening. According to one former detainee, the only medicines detainees could obtain from the nurse were tablets such as aspro or the antibiotic ampicillin, irrespective of their condition. A former detainee held by al-Dabita al-Fida'iyya reported that a fellow inmate of the detention centre, charged with membership of Fatah, had been seriously ill and denied medical treatment for over seven months.

Detainees in Syria's prisons and detention centres are also said to suffer from a wide variety of diseases, often caused by the combination of poor diets, appalling prison conditions, inadequate medical care and routine ill-treatment. These conditions also lead to the deterioration in the health of detainees who had illnesses such as rheumatism, diabetes and pulmonary diseases before their arrest. Lice and scabies are said to be rife in prisons and detention centres due to filthy conditions in the overcrowded cells. Other common complaints include chronic diarrhoea caused by contaminated food, anaemia resulting from poor diets over prolonged periods, and stomach ulcers caused by stress and exacerbated by poor diets. A number of detainees with ulcers have suffered gastric bleeding. In Tadmur Military Prison, where conditions are notorious, detainees are said to suffer from a variety of other diseases, including infectious gastro-intestinal diseases such as typhoid, cholera and dysentery; chest diseases such as pulmonary tuberculosis; heart diseases; various skin diseases and stress-related problems such as ulcers and alopecia (loss of hair). Serious mental disorders are said to include schizophrenia and depression.

Over the years Amnesty International has sent numerous appeals to the Syrian authorities on behalf of detainees who were reported to be seriously ill and were being denied adequate medical care. One of them, adopted by Amnesty International as a prisoner of conscience, died at the end of June 1987 at the age of 35. A novelist from al-Raqqa,

Muhammad Haitham Kahoka had been arrested in October 1980 for membership of the CPPB, and detained without trial in Aleppo Central Prison. Amnesty International issued urgent appeals on his behalf in July 1985 and again in April 1986 after receiving reports that he was suffering from chronic inflammation of the kidneys, as well as trachoma of the eye and leukoderma. The Syrian authorities did not respond to the organization's appeals that he receive the medical treatment he needed. He was released in early June 1987 in poor health and was admitted to a hospital in Aleppo around 21 June. He died three days later.

Other detainees on whose behalf Amnesty International has appealed for medical treatment are listed below. Most of them have been detained without trial since their arrest and have been adopted by the organization as prisoners of conscience.

Munif Mulhim was born in 1950, in Homs. He was arrested in August 1981 and detained in Tadmur Military Prison without charge or trial. In August 1984 he was reported to be suffering from a malignant genital tumor.

'Abbas 'Abbas was born in 1938, in Misyaf, Province of Hama. He was arrested in January 1982 and detained in Tadmur Military Prison without charge or trial. In June 1985 he was reported to be suffering from peritonitis (inflammation of the peritoneum, the membrane lining the walls of the abdomen).

Safwan 'Akkash was born in 1953, in Hama. He was arrested in February 1983 and detained in Shaikh Hassan Prison, Damascus, without charge or trial. In June 1985 he was reported to be suffering from renal failure.

Husam 'Allush was born in 1952 in Hama. He was arrested in April 1980 and detained in Tadmur Military Prison without charge or trial. In June 1985 he was reported to be suffering from spinal osteoarthritis and an intervertebral disc lesion (slipped disc).

Jaffan Humsi was born in 1959, in Hama. He was arrested in April 1980 and detained in Tadmur Military Prison without charge or trial. In June 1985 he was reported to be suffering from nephritis (inflammation of the kidneys).

Hind Qahwaji was born in 1956, in Tal al-Nin. She was arrested in March 1984 and detained in Qatana Women's Prison without charge or trial. In June 1985 she was reported to be suffering from asthma.

Wa'il Sawwah was born in 1955, in Homs. He was arrested in August 1981 and detained in Tadmur Military Prison without charge or trial. In June 1985 he was reported to be suffering from a pulmonary disease.

Haitham Kamel Mustafa was born in 1966. He was arrested in May 1980, at the age of 14, and detained in Kafr Sousseh Prison, Damascus without

charge or trial. In October 1985 he was reported to be suffering from constant headaches, anaemia, malfunctioning of the kidneys, significant weight loss and loss of teeth. He was released in May 1986.

‘Abd al-Majid Manjouneh was born in 1938. He was arrested in April 1980 and detained in ‘Adra Civil Prison, Damascus, without charge or trial. In December 1985 he was reported to be suffering from rheumatism of the vertebral column, an intervertebral disc lesion (slipped disc) in the lumbar region of his back, diabetes and nephritis (inflammation of the kidneys).

Husain Tahir Zaidan was born around 1954 in Idlib. He was arrested in May 1970 and has remained in detention in al-Mezze Military Prison, following the expiry of his 15-year sentence in May 1985. In February 1986 he was reported to be in poor health and suffering from diabetes.

Mahmud Muhammad al-Fayyad was born around 1931 in Dar’a. He was arrested in May 1970 and has remained in detention in al-Mezze Military Prison, following the expiry of his 15-year sentence in May 1985. In February 1986 he was reported to be suffering from a number of ailments including a gastric ulcer and inflammation of the oesophagus.

Jalal al-Din Mustafa Mirhij was born around 1934 in Qunaitra. He was arrested in May 1970 and has remained in detention in al-Mezze Military Prison, following the expiry of his 15-year sentence in May 1985. In February 1986 he was reported to be suffering from kidney stones, and in need of hospital treatment.

Mahmud Jalbut is a Palestinian, born in 1954. He was arrested in October 1980 and detained in ‘Adra Civil Prison, without charge or trial. In March 1986 he was reported to be suffering from a stomach haemorrhage and to be in a critical condition.

4. TORTURE AND ILL-TREATMENT OF DETAINEES BY SYRIAN FORCES IN LEBANON

Syrian forces are also reported to have tortured and ill-treated detainees in areas of Lebanon under their control. People arrested or abducted in Lebanon are usually transferred to Syria soon afterwards. However, they are usually taken first to prisons or detention centres in areas under the control or jurisdiction of Syrian forces. It is at this early stage in their detention, while undergoing preliminary interrogation, that detainees first experience torture or ill-treatment at the hands of Syrian forces in Lebanon. As in Syria, torture continues throughout their subsequent detention.

Syria has had an official military presence in Lebanon since 1976, when the Arab Deterrent Force was deployed under the auspices of the Arab League. Syrian forces have been stationed principally in northern Lebanon, in the Bekaa Valley in the east, and periodically in Beirut and further south. They were deployed most recently in West Beirut in February 1987. Amnesty International has received reports of human rights violations committed by Syrian forces since their entry into Lebanon. These include the torture and ill-treatment of detainees and the deliberate killing of innocent civilians.

Many opponents and critics of the Syrian government have also been abducted from Lebanon since 1976 and transferred to Syria where they are still detained, in most cases without charge or trial. They include Syrian, Lebanese, Palestinian and other Arab nationals. Some have subsequently been adopted by Amnesty International as prisoners of conscience.

This section contains details on the torture and ill-treatment of detainees between mid-1985 and August 1987. It does not examine abuses perpetrated by Syrian forces in Lebanon before mid-1985. Also excluded from this report are details of torture and ill-treatment of detainees by the Shi'ite movement Amal, concerns which Amnesty International has repeatedly and publicly raised with Amal's leader, Justice Minister Nabih Berri. Some detainees currently being held in Syrian prisons were said to have been arrested in Lebanon by Amal and subsequently handed over to the Syrian authorities. They included hundreds of Palestinians held by Amal militiamen in Burj al-Murr in West Beirut, who were said to have been handed over to Syrian troops following their deployment in the city on 21 February 1987.

Most arrests or abductions are carried out by members of al-Istikhbarat al-Askariyya al-Suriyya, Syrian Military Intelligence, in Lebanon. The force is headed by Brigadier General Ghazi Kan'an, who is reported to be answerable to al-Mukhabarat al-Askariyya in Damascus. Commandos from al-Wahdat al-Khassa, headed by 'Au Haidar, also carry out numerous arrests. During the early 1980s al-Wahdat al-Khassa operated chiefly in Syria and were then estimated to comprise between 5,000 and 8,000 commandos and paratroopers. Since 1985, at least, they have been operating principally in Lebanon. In Syria, they were believed to have been involved in deliberate killings, some of whose victims were unarmed civilians. At the time, Amnesty International

received reports of such killings in the town of Jisr al-Shughur on 10 March 1980, the city of Aleppo on 11 August 1980 and the town of Hama on 24-25 April 1981 and in February 1982.⁽⁴⁾ Amnesty International has also been informed that al-Wahdat al-Khassa were partly responsible for the deliberate killing of civilians in Lebanon, most recently in the northern city of Tripoli in the last week of December 1986, when over 200 people were said to have died.⁽⁵⁾

Members of two Syrian-sponsored militia based in Tripoli, the ‘ Alawite al-Hizb al-‘Arabi al-Dimugrati, Arab Democratic Party, headed by ‘All ‘Eid, and al-Mugawama al-Tarabulsiyya, Tripoli Resistance, headed by Tareq Fakhreddin, are also reported to have carried out numerous arrests in the north and to have subsequently handed over the detainees to Syrian forces.

People arrested in the Beirut region are usually taken to the headquarters of al-Istikhbarat al-‘Askariyya in the Ramlet al-Baida district of West Beirut. They are initially held in a detention centre known locally as al-Mafraza where they are “sorted”. On average they remain there for several days (although some only stay for a few hours), during which time they undergo preliminary interrogation. Former detainees have reported being severely tortured during interrogation, although they stated that the “real” torture was “reserved” for ‘Anjar, a town in the Beka’ Valley on the Syrian-Lebanese border.

People arrested in the northern region of Tripoli, are usually taken to Madrasat al-Amrican, American School, which Syrian forces stationed in the area have used as a detention centre for a number of years. The school is located in the al-Kobbe district in east Tripoli, the location of the Syrian forces’ headquarters in northern Lebanon. Another school in al-Kobbe, Madrasat al Rahbat, Nuns’ School, is occasionally used as a detention centre. According to recent information, suspected opponents of the Syrians are now also being held at a detention centre in the al-Mina’ area of Tripoli, and al-Hizb al-‘Arabi al-Dimugrati use another detention centre in the Tripoli region. Suspects undergoing preliminary interrogation at Madrasat al- Amrican are said to be routinely tortured or ill-treated, and some have allegedly died in custody as a result. Detainees are generally held at the school for several days and sometimes weeks, after which they are either released or transferred to ‘Anjar for further interrogation.

For some years detainees transferred from Beirut, Tripoli and other areas were held in a detention centre in the town of Shtura in the Beka’ Valley, known locally as Ma’mal al-Basal. However, most detainees are now said to be held in another detention centre in the nearby town of ‘Anjar, where they usually remain for several weeks, undergoing interrogation. Those not subsequently released are transferred to Damascus where most are either taken to Fara’ Falastin, al Mezze Military Prison or a detention centre under the jurisdiction of al-Dabita al-Fida’ iyya.

In Damascus they are interrogated for the third time. Detainees on whose behalf people in influential positions intervene are able to secure early release. The rest remain in prison for longer periods, some for years, invariably without charge or trial. Amnesty

International knows of no case where people have been arrested with a warrant, or where judicial proceedings were subsequently instituted. Amnesty International also believes that the majority of arrests by Syrian forces are carried out without any reference to the central Lebanese authorities. Relatives are therefore frequently unable to trace detainees once they have been abducted and transferred to areas controlled by Syrian forces or to Syria itself. Tracing detainees is made more difficult because they are often arrested from their homes in the middle of the night or abducted from the streets by plainclothes security men, or “disappear” after being stopped at Syrian checkpoints. Families refrain from making inquiries for fear of reprisals, and may therefore remain in ignorance of detainees’ whereabouts until they have been released. Alternatively, the family may learn of a detainee’s whereabouts from former detainees who had been held in the same cell or detention centre. Amnesty International has been told that Syrian officers stationed in Lebanon have frequently approached detainees’ relatives with promises to facilitate visits or secure the detainees’ release in exchange for cash. The sums of money being requested were said to range from 25,000 to 50,000 Syrian Liras (US\$6,400 to US\$12,700) for visits and up to 200,000 Syrian Liras (US\$51,000) for releases.

Most accounts received by Amnesty International indicate that the torture and ill-treatment of detainees is largely carried out by members of al-Istikhbarat al-’Askariyya and al-Wahdat al-Kha5sa. Some victims are reported to have died as a result, or to have sustained permanent physical or mental damage. As in Syria itself, torture is said to be inflicted at all stages of detention, starting from the moment of arrest. It is said to be most severe at the detention centre in ‘Anjar, which former detainees have described as having an interrogation room containing specially designed torture equipment (see Appendix B). For example, a number of detainees held there are reported to be suffering from partial paralysis of the body caused by the fracturing of the vertebrae. This is said to result from strapping the victim to a chair which is specially designed to force the victim to bend backwards, causing acute stress to the spine and subsequent loss of consciousness. The chair, known as Kursi al-Istria (Confession Chair) is said to be similar to that used at Fara’ al Tahqiq al-’Askari (Military Interrogation Branch) in Damascus (see Section 3.4 above). According to information received by Amnesty International, several Lebanese detainees accused of membership of Harakat al-Tawhid al-Islami, Islamic Unification Movement, who were arrested in early 1987 in Tripoli and detained in ‘Anjar, are said to be partially paralyzed as a result of such treatment. It is not known whether the paralysis is temporary or permanent. A detainee who was held at ‘Anjar described another method in which the victim is made to stand inside the seat frame of a chair and then is forced to bend backwards far enough to cause severe stress to the spine, with the same result as described above.

Other methods of torture said to be routinely used include beatings on various parts of the body. Detainees have reported that they were repeatedly kicked, whipped and stepped on by guards and interrogators. They also said that they were subjected to the falaqa or suspended from the dullab (tyre) and then beaten repeatedly, in some cases over 300 times. In another method detainees are suspended by their hands or feet from meat hooks, and then whipped or beaten. One former detainee held in ‘Anjar in early 1987 reported that detainees were spread-eagled from their hands and feet from the ceiling, and

simultaneously beaten on their backs (a method known as al-Ankabout al-Ta'er or Flying Spider).

Electrical forms of torture are also said to be commonly used. Electrodes are placed on sensitive parts of the body, particularly the genitals. Alternatively, detainees are made to stand in a pool of water through which an electric current is passed. Cigarettes are extinguished on sensitive parts of the body. Another method said to be used at 'Anjar is that of placing a large lamp of approximately 5000 watts close to the skin, which burns as a result. Detainees have also allegedly been threatened that they would be blinded with the lamp.

Other techniques mentioned by former detainees include the following: forcing the victim to sit on bottle necks; burning the victim's beard or pulling out the hairs with pliers; forcing the victim to stand naked in very cold weather for several hours followed by whipping or by pouring icy cold water on the body; forcing the detainee to sleep in a cell filled with several inches of water; applying considerable pressure to the ankle bones by placing a Kalashnikov rifle across the ankles and twisting the rifle belt round the body of the rifle so that it is tightly drawn round the back of the ankles. According to several accounts received by Amnesty International, a leading member of al Tawhid al-Islami who was held in 'Anjar in early 1987 and has since been released, allegedly had one of his eyes gouged out with a knife. Detainees also report being denied medical treatment.

Detainees are also placed under considerable psychological stress by being forced to act as informers. They are taken out onto the streets, with a hood over their head to prevent identification, and forced to point out people who may have been involved in hostile acts against Syrian forces, as well as other named individuals wanted by the authorities. This practice is said to be commonly used. For example suspects arrested in Tripoli in the aftermath of the December 1986 events were reportedly forced to point out members or supporters of al-Tawhid al-Islami who had participated in armed clashes against Syrian forces in the area.

The following are extracts from the testimony of a former Palestinian detainee interviewed by Amnesty International who was arrested in Beirut in early 1986. He was held briefly at Syrian forces' headquarters in the city and was later transferred to 'Anjar in the Beka' Valley. His description of the period spent in detention is typical of the many accounts received by Amnesty International from former detainees:

"I was arrested at Beirut Airport and taken to the Beau Rivage Hotel where I spent about four hours. I was then taken to al-Mafraza. It was a building with a prison located in the basement. At 4am the following morning they took me for interrogation. They accused me of being a supporter of 'Arafat. They asked me about the cadres of Fatah and...I was blindfolded and subjected to the dullab. They tied me to a metal chair by the hands, feet and back. I sensed that there were about five people in the room. .Someone grabbed hold of my hair and pulled my head back. They asked me about...I denied everything, and then the beating started....They gave me electric shock

treatment by placing electrodes on my chest, near my heart. They threatened to kill me unless I confessed. They beat me with their fists and whipped me. The interrogator... ran across the room towards me (I was still strapped to the chair) and then kicked me on my heart. . .After four hours of interrogation with continuing beatings and insults, I was taken out of the room.

Shortly afterwards he was transferred to 'Anjar:

'We arrived at 'Anjar at about 6am. It was like a massacre, they beat us 24 hours a day. The building had only one floor. We were all blindfolded and our hands tied behind our back. We were taken into an office one by one. As each person went in, the rest of us could hear his screams. When my turn came, I went in. Again they accused me of being a supporter of 'Arafat. They beat me 19 times with a cane stick. As I was leaving the office they dealt me a final blow on the back (traces of which remain on my body). Afterwards they made us stand in the open courtyard. It was very cold, being winter, and they forced us to stand in the mud and snow for about 19 hours. We were naked and our hands were tied behind our back. Some of us were thrown in the mud. Again we were called in for interrogation, one by one. Each person spent about four or five hours in interrogation. They kept asking the same questions. When my turn came again, one person interrogated me. He took off the blindfold. He tried to put pressure on me to 'confess' as I had done in Beirut. He asked me to confess to being a supporter of 'Arafat, and...I denied everything. He beat me, slapped me and kicked me during interrogation. After about three or four hours I was taken out and put in the dullab and beaten. Someone asked me if I wanted to drink some water. When I replied 'yes' he poured icy cold water over my body. Then I was transferred to the cell. The following evening, I was interrogated and tortured again. This continued for about five or six days. There were 47 of us in one cell. All the cells were full of people from all over Lebanon. On the evening of the sixth day, they told us to prepare ourselves. There were about 35 of us. They put us in the back of a truck, which contained videos and other equipment stolen by Syrian intelligence men from Lebanon, and took us to Damascus''.

At Madrasat al-Amrican in Tripoli, detainees are reported to be routinely tortured or ill-treated when undergoing preliminary interrogation by Istikhbarat al-'Askariyya. Treatment includes prolonged beating or whipping on sensitive parts of the body, being subjected to the falaqa and the dullab, the extinguishing of cigarettes on the skin, electric shock treatment and sexual abuse. A number of detainees are reported to have died in custody as a result, among them three Lebanese nationals who were held at Madrasat al-Amrican at the end of 1986.

The three victims were among hundreds of people reported to have been arrested at the end of 1986 and early 1987 following earlier clashes between Syrian forces and members of al-Tawhid al-Islami in Tripoli. Many of those arrested at the time were taken

to Madrasat al-Amrican, and severely beaten and otherwise ill-treated in order to extract 'confessions' from them. Some were subsequently transferred to 'Anjar and others to Damascus. The three victims were:

Jihad 'Abs, from al-Tabbaneh district of Tripoli, who was approximately 25 years old and married with two children. His wife was expecting their third child at the time of his arrest in the last week of December 1986. He was reported to have died under torture several days later following interrogation.

Mahmud Ahmad Raslan, an arms dealer from the village of Belt al-Faqs in the Dinniyeh region east of Tripoli. He was in his early 60s, married and had six children. He was arrested on or around 24 December 1986 and taken to Madrasat al-Amrican. According to reports, he died three days later as a result of prolonged beating and electric shock treatment. His body was returned to his family with instructions to bury it immediately. The Syrian authorities did not respond to Amnesty International's call for an investigation into his death.

Jibril Idlibi, a student of medicine in the United States who was in Tripoli at the end of 1986. He was arrested in the last week of December after being wounded in the clashes in al-Tabbaneh, and was transferred to Madrasat al-Amrican for interrogation. According to reports, his body was found the following day in al-Mustashfa al-Islami (Islamic Hospital) in Tripoli. He had allegedly died under torture at the end of 1986 or early 1987.

5. AMNESTY INTERNATIONAL'S RECOMMENDATIONS

The Human Rights Committee, in its general comment 7(16) on Article 7 of the International Covenant on Civil and Political Rights, ⁽⁶⁾ pointed out that:

"It is not sufficient for the implementation of this article to prohibit torture or cruel, inhuman or degrading treatment or punishment or to make it a crime. Most States have penal provisions which are applicable to cases of torture or similar practices. Because such cases nevertheless occur, it follows from Article 7, read together with Article 2 of the Covenant, that States must ensure effective protection through some machinery of control'.

To that end, the Committee recommended that State Parties to the Covenant adopt a number of additional preventive and remedial measures to ensure effective control. Some of these measures, together with other safeguards elaborated by Amnesty International, are listed below. Amnesty International urges the Government of the Syrian Arab Republic to take immediate steps to ensure that no detainees are tortured or ill-treated by implementing these recommendations:

1. The government should carry out its stated intention to accede to the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the United Nations General Assembly on 10 December 1984, and should ensure its practical implementation.
2. An important safeguard against the torture and ill-treatment of detainees is that no one should be detained arbitrarily or illegally. The government should examine current legislation and practice designed to prevent such abuses by the security forces. In particular, it should review all provisions for the preventive detention of political prisoners specified in the State of Emergency Law of 1962, which has facilitated the arbitrary arrest and prolonged detention without trial of thousands of people and the suspension of their fundamental rights while in custody. The vast majority of political prisoners are arrested without a warrant and without being informed at the time of the reason for their arrest. They are held without any firm evidence against them or any further legal proceedings. Amnesty International urges the government to enforce existing legislation which requires the production of arrest warrants and prohibits the detention of suspects without warrants for longer than permitted in law.⁽⁷⁾
3. The government should end the practice of indefinite incommunicado detention and should consider this practice as creating conditions conducive to torture or ill-treatment. Since such abuses most frequently take place in the early stages of incommunicado detention during interrogation, Amnesty International urges the government to enact, as a matter of urgency, legal provisions granting all detainees prompt and regular access to legal counsel, relatives and doctor, and to a

- court of law. All detainees should be brought before a judicial authority promptly after being taken into custody, both to assess the legality and necessity of the detention as well as the treatment of the detainee. Amnesty International believes these are some of the most important safeguards against torture and ill-treatment.
4. In Amnesty International's experience, political suspects are frequently interrogated by the security forces in "secret" or unacknowledged places of detention, and their relatives remain ignorant of their whereabouts until they are transferred to an official prison. The government should ensure that all suspects are held in publicly recognized places, and that the names of those arrested or released be published regularly in the press. Accurate information on their whereabouts should be made available promptly after arrest to their relatives and legal counsel.
 5. According to information available to Amnesty International, political detainees are usually held in custody and interrogated by the same agency, although other agencies may also participate in the interrogation. Furthermore, detainees remain for the most part in the custody of the same agency following interrogation and transfer to an official prison, whether civil or military, until the moment of release. Amnesty International recommends that this practice be changed and believes that the formal separation of authority over detention and interrogation would afford detainees some protection against torture or ill-treatment by providing a degree of supervision of their welfare by an agency not engaged in interrogating them. Amnesty International further recommends that detaining authorities be directed to keep detailed records on the suspects in their custody, including such information as the time and duration of each interrogation session, requests or complaints made by detainees or on their behalf and instances of legitimate use of force against a detainee or of violence by the detainee against guards, interrogators or him or herself. In the absence of such records, there must be a presumption that claims of torture and ill-treatment are justified and that injuries sustained in custody are the result of illegal use of violence by officials. The records should be made available to detainees and their legal counsel.
 6. From all available information, there appear to be no regular and independent visits of inspection to places of detention. Political suspects in the custody of the security forces thus have no means of lodging complaints about their ill-treatment with an outside authority at any stage during their detention. Consequently, allegations of torture or ill-treatment have usually been made months or years after the detainees' release, in many cases only after they have left the country. This has sometimes made it difficult for former detainees to prove later that torture or ill-treatment took place. All places of detention, including those under the security forces' jurisdiction, should be open to regular independent inspection by the appropriate national authorities. Amnesty International recommends that mandatory visits by members of the judiciary to suspects, under Article 422 of the Code of Criminal Procedure, should be extended to all suspects in custody irrespective of the agency which is detaining or interrogating the suspect. If it is

not possible for these officials to visit places of detention other than those under their jurisdiction, mandatory visits should then be carried out by other independent officials to establish whether suspects were tortured and to prevent such practices occurring. The government should also invite the inspection of places of detention by an international humanitarian body with the appropriate expertise. Steps should be taken to ensure that detainees who lodge complaints about their treatment and witnesses are protected against ill-treatment or intimidation as a consequence of their complaints or any evidence given.

7. Although there is a constitutional and legal prohibition on torture in Syria, Amnesty International has no information which suggests that the government has made any attempt to prevent such violations and to bring the perpetrators to justice. In view of the numerous allegations of torture and ill-treatment made to Amnesty International over many years, the organization believes that there is an urgent need for the government to establish an impartial body to effectively investigate such claims, particularly in places of detention under the jurisdiction of the security forces. Impartial inquiries should also be conducted into all cases in which individuals have died in custody or shortly after release, from whatever cause and irrespective of whether allegations of torture or ill-treatment have been made. The government should determine criminal responsibility for any abuses found by such investigations and enforce existing legal provisions for the prosecution of all officials found guilty of such offences. Victims of torture should be afforded redress for their material and moral sufferings which should include any necessary medical rehabilitation and financial compensation commensurate with the abuse inflicted and damages suffered. In the event of a detainee's death being shown to be the result of torture or ill-treatment, his or her dependants should be awarded compensatory and exemplary damages against the state. These measures would be consistent with the obligation on governments laid down in the United Nations Declaration on the Protection of All Persons from Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Articles 9, 10 and 11) and the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Articles 4, 12, 13 and 14).
8. In view of reports of routine ill-treatment of political suspects and harsh conditions of imprisonment, particularly in places of detention controlled by the security forces, Amnesty International recommends that the government make every effort to ensure that conditions of imprisonment conform with those set down in the United Nations Standard Minimum Rules for the Treatment of Prisoners. In particular, adequate medical attention should be promptly given to all detainees whenever required. The government should also introduce a series of medical safeguards in prisons and detention centres which Amnesty International believes would provide protection from ill-treatment. These should include the permanent presence of fully qualified medical officers responsible to an authority other than the security forces or the prison administration; examination of detainees promptly after arrest and prior to interrogation; their examination every subsequent 24 hours while undergoing interrogation and immediately prior to

transfer or release; access by the detainee to the medical officer on duty at any time on reasonable request; and examination by the detainee's own doctor at the request of the detainee or of his or her relatives or defence counsel, without prison staff being present.

9. In order to reinforce the prohibition and punishment of torture by officials under national law, Amnesty International recommends that the government adopt and publish a code of conduct in accordance with the United Nations Code of Conduct for Law Enforcement Officials to be binding on all agencies involved in the custody, interrogation and treatment of prisoners. Besides a categorical prohibition against torture and ill-treatment and against obtaining statements by force or threats of force, the code would need to oblige security agents (a) to oppose the use of torture or ill-treatment, if necessary by refusing to carry out orders to inflict such treatment on detainees, and (b) to report such abuses of authority to their superior officers, and where necessary, to the authorities vested with reviewing or remedial powers. Proven breaches of the code would result in specified disciplinary penalties for the agents involved.

FOOTNOTES

- (1) Passed by Legislative Decree No. 148 of 22 June 1949.
- (2) Detaining officials in civil prisons are members of the Civil Police who are responsible to the Ministry of Interior. Their counterparts in military prisons are members of the Military Police who are responsible to the Ministry of Defence.
- (3) Located in the Homs Desert, approximately 250 kms northeast of Damascus, where an estimated 5-6,000 prisoners are held.
- (4) For further details, see Report and Recommendations from Amnesty International to the Government of the Syrian Arab Republic, published November 1983, pp. 34—38.
- (5) See Amnesty International's paper Lebanon: Arbitrary Arrests. "Disappearances" and Extrajudicial Executions by Syrian Troops and Syrian-Backed Forces in Tripoli (MDE 24/02/87, 28 February 1987).
- (6) The Human Rights Committee is the body created by the International Covenant on Civil and Political Rights to monitor implementation of the Covenant's provisions by State Parties. The Committee's "General Comment" on Article 7 of the Covenant was adopted on 27 July 1982.
- (7) Code of Criminal Procedure, Articles 105, 424, 425 and Penal Code, Articles 357, 358.

APPENDIX A

Extracts from a statement delivered by Second Secretary Fahd Salim, member of the Syrian Arab Republic delegation, before the 42nd Session of the Commission on Human Rights during the discussion of Item 10 of the Agenda (Geneva, 11 March 1986):

[Original statement in Arabic; unofficial translation by Amnesty International].

Mr President,

The international community attaches great importance and the highest priority to the fight against torture, and deems torture as a grave matter prohibited under international law, whether in time of peace or war. The fight against torture is a right which cannot be belittled. The International Court of Justice has described the respect for fundamental human rights, which undoubtedly include freedom from torture, as an obligation towards all people and the duty of every state towards the international community. The opposition to, and prohibition of, torture may be regarded as a legally binding principle, apart from the fact that international law prohibits its use.

Torture is usually committed in the absence or non-enforcement of legal provisions, or where the ruling authorities are non-democratic, thereby preventing people from exercising their political rights. The lack of independence of the judiciary also impedes resorting to a court of law, apart from the fact that the security authorities withhold the evidence of torture from doctors and lawyers.

On 9/12/1975 the United Nations General Assembly adopted the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Commission on Human Rights also adopted resolution No. 1985/18, confirming that the equal and inalienable rights of all members of the international family constitute, in accordance with the principle of the United Nations Charter, the foundation for freedom and justice in the world.

The Universal Declaration of Human Rights, in its preamble, laid down the bases of freedom and justice in the world and stressed their importance for the individual. Torture has many objectives, for in addition to violating the individual's integrity and his physical and psychological well-being, it inflicts physical pain which has repercussions on the individual's personality. Although torture is inflicted on the individual as a human being, its objective transcends this once that individual has been robbed of his humanity. Irrespective of the reasons and special claims [made] in time of war, occupation or captivity, torture must never be established as a means of obtaining information or enforcing submission. International cooperation by governments would have a positive effect in diminishing its use.

Recognizing the gravity of torture, the United Nations has sought through various means, to secure adequate protection from [its use] and has laid down standards through international conventions and declarations. Article fifty- five of the United Nations Charter emphasizes the obligation of member states to promote universal respect for human rights and fundamental freedoms. Article five of the Universal Declaration of Human Rights and Article seven of the International Covenant on 'Civil and Political Rights both stipulate that no-one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment, and that the protection of all persons from torture shall be deemed simultaneously a humanitarian and legal concern in order to safeguard the rights of man.

Article eight of the Declaration [Against Torture] adopted by the United Nations General Assembly in 1975 deems torture to be a crime against human dignity, a denial of the objectives of the United Nations Charter and a violation of human rights and fundamental freedoms enshrined in the Universal Declaration of Human Rights. In order to take measures for the elimination of torture or the mitigation of its effects, there is a need for strict international rules and cooperation between governments and specialised organizations and committees.

On 10/12/1984, the Convention Against Torture was drafted by the United Nations in accordance with General Assembly resolution No. 39/46. It was open for signing and ratification as from 4 February 1985, and states were called upon to sign it. The Convention calls for the prohibition of torture because of the suffering and severe pain, both physical and mental, intentionally inflicted on the individual in order to extract information and confessions, to punish him for an act he has committed or is suspected of having committed, or to intimidate him.

The Convention also stresses the need to contribute towards the eradication of torture through legislative measures giving the judiciary the power to convict and punish perpetrators of torture anywhere in the world. It calls for periods of detention to be kept to the absolute minimum, to give doctors and lawyers access to detainees, while respecting the right to be brought before a court of law and to enjoy protection under all circumstances. The conduct of law-enforcement officials must be monitored, and the training of police and security personnel must include educational programmes on the treatment of detainees and prisoners.

Mr President,

It transpires from the report of the United Nations Secretary General (Document No. E/CN.4/1986f 17----) that 41 states have signed the Convention. The Deputy Secretary General, on introducing this item, also mentioned that 6 states have acceded to it, thus making a total of 47 states.

I would like to refer here to the constitutional and legal provisions in force in the Syrian Arab Republic in that respect. The Syrian Constitution stipulates that freedom is a sacred right; that the state shall guarantee citizens their personal freedom and safeguard

their dignity and safety; that the sovereignty of the law is a fundamental principle of the society and the state; that all citizens are equal in rights and obligations before the law, exercising their rights and enjoying their freedoms in accordance with the law; that a citizen shall be deemed innocent until the final court judgment is rendered against him; that no person shall be investigated or detained except in accordance with the law; and that no one shall be tortured physically or morally, or be subjected to degrading treatment. The constitutional and legal provisions in force do not permit under any circumstances the subjection of any citizen to torture or other cruel, inhuman or degrading treatment or punishment.

In this respect, I would like to point out that the Convention Against Torture adopted by the United Nations General Assembly has won the interest of the Syrian authorities. The Ministry of Justice has drafted a legislative decree providing for accession to the Convention, and which is expected to be completed at the nearest possible occasion. We hope that when the Commission on Human Rights holds its next session, Syria shall be among the State Parties to the Convention, and that the relevant legislative provisions will have been issued.

Undoubtedly, the Commission's pursuance of this matter is both essential and positive. The accession by states to the Convention shall fulfill the human community's aspirations to eliminate the outrageous violation of human rights and the firm establishment of these rights....