

CRACKDOWN IN SYRIA: TERROR IN TELL KALAKH

**AMNESTY
INTERNATIONAL**



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1. INTRODUCTION

“My father was shocked by the death of my brother... we all were. When he went to the military hospital in Homs to identify his body, the officer there said to him: ‘He’s a pig who suffocated.’”¹

Brother of a young man who died in custody after being arrested by Syrian forces from a house in the al-Hayy al-Sharqi neighbourhood of Tell Kalakh

As part of the wave of protests sweeping the Middle East and North Africa region in recent months, relatively small demonstrations in Syria in February developed into widespread mass protests in the country from mid-March.² These spread across the country after the security forces used excessive force to suppress what were largely peaceful demonstrations. On 14 May, a devastating security operation began in Tell Kalakh, a town in the western governorate of Homs near the border with Lebanon. According to Amnesty International’s findings, scores of men were arbitrarily arrested and tortured, including people already wounded, and at least nine died in custody. The security operation prompted thousands of people to flee to Lebanon, some of whom were shot at as they fled.

The security operation began the day after a large demonstration in the town’s central Abu Arab Square called for the downfall of the regime. During the protest, 12 members of the ruling Ba’th Party announced their resignation as junior officials to a cheering crowd.

Protests had begun in Tell Kalakh in late March 2011 after security forces violently suppressed demonstrations in the southern city of Dera’a. The Tell Kalakh protests initially called for the release of some 250 local people believed to be detained, most of them incommunicado, by Air Force Security, one of several security forces operating in Syria. Air Force Security had reportedly arrested them in batches in late 2009 or early 2010, mainly on suspicion of smuggling goods to and from Lebanon.

In April and May 2011, according to reports, around 70 detainees held by Air Force Security for months without charge were released.³ However, the protests in Tell Kalakh continued and began to call for the downfall of the regime. They were largely peaceful apart from one incident, as far as Amnesty International is aware. The incident happened on 27 April after Sheikh Osama al-Akkary, an influential local cleric who preaches at a mosque in Tell Kalakh, was arrested at the Immigration and Passports Directorate in the city of Homs when he was seeking to renew his passport. His arrest sparked violent clashes in Tell Kalakh between his

supporters and security forces, resulting in the deaths of two members of the security forces. Amnesty International has not been able to establish whether the cleric's supporters had firearms nor whether the subsequent security operation in Tell Kalakh was linked to the two deaths.

Syria has closed its borders to organizations such as Amnesty International as well as to international journalists and other independent observers. A UN Office of the High Commissioner for Human Rights team assigned by the UN Human Rights Council on 29 April 2011 to investigate all alleged violations of international human rights law and crimes committed against civilians in Syria has also not been able to visit the country. To research reports of abuses in Tell Kalakh, Amnesty International visited Lebanon between 20 May and 8 June and spent the majority of this time in the border area with Syria, where it conducted interviews in person with Tell Kalakh residents who had fled across the border. It also interviewed residents by phone later in June, speaking to more than 50 people in total. Those interviewed included individuals who said they had been subjected to torture and other ill-treatment, relatives of people killed, and witnesses to abuses.



Oqba al-Sha'ar, one of at least nine men believed to have died in custody © Private

On the basis of this and other research, Amnesty International considers that the Syrian army and security forces committed crimes and other violations during the security operation in Tell Kalakh that, when taken in the context of other crimes and human rights violations elsewhere in Syria, amount to crimes against humanity. This is because they appear to be part of a widespread, as well as systematic, attack against the civilian population involving multiple commission of a range of crimes against a multiplicity of victims in an organized manner and pursuant to a state policy to commit such an attack. These crimes include murder, torture, arbitrary detention and other severe deprivation of liberty, and other inhumane acts committed intentionally to cause great suffering or serious damage to mental or physical health. Most of the crimes described in this report would fall within the jurisdiction of the International Criminal Court provided that the UN Security Council decides to refer the situation to the Court's Prosecutor.

As is the case with documenting human rights violations in other parts in Syria, people who speak to international human rights organizations risk severe repercussions. Amnesty International therefore exercises extreme caution while collecting and publicizing information on Syria, and, where necessary in this report, does not name or give any other information that may identify interviewees or put people at risk.

2. THE SECURITY OPERATION IN TELL KALAKH

On 14 May, Syrian forces with military vehicles carrying heavy artillery gathered at the entrances to Tell Kalakh. Residents who had fled to Lebanon said that snipers positioned themselves at the Radar security post and al-Bassel Hospital, both in the Haret al-Borj neighbourhood.

According to witnesses, Ali al-Basha, aged 24, was killed in the morning apparently by snipers at the Radar security post, which overlooks al-Mashfa Street where he was walking. As he lay on the ground, people took cover in side streets and alleys for about 10 minutes while the shooting continued, so no one could provide him with the assistance he so urgently needed. During this period, a group of snipers left the Radar post, walked towards al-Bassel Hospital and positioned themselves on its rooftop, witnesses said. When the shooting stopped, Ali al-Basha was rushed to a clinic belonging to Jam'iyat al-Birr wa al-Khadamat, a charitable association, which provided an ambulance to take him to hospital in northern Lebanon. He was pronounced dead on arrival.

The same ambulance came under fire on the main road linking the Syrian village of al-'Arida to Tell Kalakh as it was bringing home the body of Ali al-Basha later in the day, according to his relatives and the ambulance driver.⁴ Ali al-Basha's mother, brother and brother-in-law, who were accompanying the corpse, were wounded. Amnesty International has received video footage of the ambulance clearly marked with a red crescent and the name of the association. At least five bullet holes can be seen on one side of the ambulance.



Munira, 7, who was injured when fleeing Tell Kalakh with her family
© Amnesty International

The heavy military presence around Tell Kalakh on 14 May and the sound of gunfire prompted many families to flee. On at least two occasions, Amnesty International was told that Syrian forces fired at fleeing families, injuring people. Among them was a 35-year-old woman who was shot in the lower leg as she, members of her family and another family were heading towards the Lebanese border, all crammed into her brother's car.⁵ She was sitting in the backseat with her sister-in-law on her lap. They were travelling on the main road towards al-'Arida, where they planned to park their car on the Syrian side of the border and cross a bridge over al-Kabir River into Lebanon. Minutes outside Tell Kalakh, near the village of Mashta Mahli, the road was blocked with big rocks. At this point the car came under fire, apparently from security forces stationed there. Her brother sped off and they drove to al-'Arida. After they crossed into Lebanon, the injured woman was taken to hospital and treated.

That night, on its second journey to al-'Arida, a large truck carrying dozens of frightened families came under fire when it reached the same roadblock near Mashta Mahli.⁶ A seven-year-old girl, called Munira, sustained injuries to her buttocks, right thigh and foot. Her twin brother was wounded in his lower leg.

During the day of 14 May, Syrian forces also damaged Tell Kalakh's main source of water, al-Hawoz water tank. The few families that had wells shared water with neighbours and relatives, and some residents went into abandoned houses to fill bottles from tanks that still had water in them.⁷

Throughout 15 May, the army shelled the Haret al-Borj neighbourhood and the outskirts of Tell Kalakh with heavy artillery, and again during the morning of 16 May.⁸ Amnesty International did not document or come across cases of injuries or deaths resulting from this shelling, and could not assess damage to homes and businesses. However, the use of artillery shelling in the course of conducting a policing operation in a residential neighbourhood is, on the face of it, a flagrant violation of international human rights law.

LOOTING BY SOLDIERS

Soldiers looted and vandalized many houses and shops on 16 and 17 May after their deployment in Tell Kalakh, according to consistent testimonies by displaced families in northern Lebanon. "Mariam"⁹, for example, who had fled al-Hayy al-Sharqi neighbourhood on 15 May and was staying at her daughter's house in a safer neighbourhood, decided to risk returning to her home the following day to collect the family's identity cards. When she reached Abu Arab Square in central Tell Kalakh, she saw military vehicles and soldiers and noticed that houses and shops had been and were still being vandalized. She quickly left. On 19 May she went again to check on her home. She told Amnesty International:

"Many of the houses I saw while walking home had been vandalized. I reached my house and everything there was broken or smashed. My fridge had been struck repeatedly with a solid instrument... The taps damaged... I had a big vitrine cabinet in the living room with a TV set - all of it was thrown to the floor... We have to start again from scratch."

Many of those interviewed complained that soldiers had stolen cash, including from houses still occupied by families. "Mona" said that her husband and brothers-in-law, who fled with their families to Lebanon, left money with their elderly parents, who refused to leave Tell Kalakh:

"They left with their parents around 1 million Syrian pounds [around US\$21,000] in cash and my mother-in-law hid the money in a jar of cracked wheat. When the soldiers came to their house, they threw the contents of all stored food on the floor, including the jar of cracked wheat, found the cash and took it."

3. MASS ARRESTS

On 16, 17 and 18 May, Syrian troops carried out house-to-house searches in Tell Kalakh. According to Amnesty International's findings, scores of male residents, including some aged over 60 and boys aged less than 18 years, were arbitrarily detained and some tortured or otherwise ill-treated at the moment of arrest or in detention, including during interrogation.

Many other men were detained as they were trying to flee Tell Kalakh after the shelling stopped on 16 May. Troops intercepted fleeing families on al-Kherbeh Road, the only accessible route leading out of Tell Kalakh, separated the men from the women, and then arrested the men or let them go without explanation. Also, some of those who risked returning to Tell Kalakh were arrested, such as a coffee vendor who was taken away on al-Kherbeh Road in the last week of May while he was returning with his wife and child to check on his house after hearing that it had been vandalized.



Abd al-Rahman Abu Libdeh, one of scores of men arrested on 17 May. Two weeks later, his corpse was delivered to his family © Private

Every family from Tell Kalakh that Amnesty International met in Lebanon had at least one relative in detention. Those arrested included retired army officers, sheikhs, lawyers, carpenters, electricians, drivers, butchers, students, shopkeepers, farmers, painters, construction workers and hairdressers.

Consistent descriptions of arrests during the house-to-house searches indicate that beatings began the moment a man opened the door, usually with an immediate blow to the face. According to accounts given to Amnesty International, victims were then punched, slapped, kicked and hit with rifle butts, twisted wires and batons. After arrest, the men were generally dragged outside, had their hands tied with plastic wires and were blindfolded. Some had their shirts lifted from the back over their head and face, and were forced to kneel or to lie on the floor on their stomach. Many detainees were taken to Abu Arab Square or Ibliss Square, which the army used as collection points before the detainees were taken away in buses or military vehicles.

Amnesty International was told that, in the buses and military vehicles, soldiers hit the detainees and insulted them, their families and their religious beliefs. On at least one bus on 18 May, soldiers counted those arrested by stabbing a lit cigarette on the back of the detainees' necks. An Amnesty International delegate saw the burn mark on the neck of a 20-year-old man who had fled to northern Lebanon after his release.¹⁰

Many of the buses stopped in villages known to be loyal to President Bashar al-Assad, such as al-Hajar al-Abyad, al-Makhtabiyeh and Tell Sarin. Detainees were taken out of the buses and forced to kneel, and then the villagers were apparently allowed to beat them, spit at

them and insult them. Finally, the detainees were taken to Homs, where they were interrogated and, according to a number of sources, tortured or otherwise ill-treated, mainly by Military Security, another security force operating in Syria. In some cases, they were subsequently transferred to Damascus.

Families did not know where these detainees were until some of them were released in late May and in June, or were told by released detainees that those still held were in Homs. At the time of writing at the end of June, some detainees arrested during the security operation in Tell Kalakh remained held, including a child who turned 17 a few days after his arrest.

4. TORTURE AND OTHER ILL-TREATMENT

ADULT DETAINEES

Five released detainees and relatives of other former detainees interviewed by Amnesty International said that all adult detainees suffered torture or other ill-treatment, including those who were already wounded. According to the accounts received by Amnesty International, the detainees were first taken to the Military Police-run detention centre known as “al-Boloneh Prison” in Homs where they were hit and insulted and then transferred to Military Security’s detention facility in Homs, where they were tortured. The methods of torture to which they were reportedly subjected included *shabah* (ghost), whereby the detainee is forced into a stress position for long periods and beaten, in these cases by being tied by the wrists to a bar high enough off the ground to force the detainee to stand on the tip of the toes; electric shocks; and *dulab* (tyre), whereby the victim is bent over and forced into a tyre and then beaten.

“**Mahmoud**”, a 20-year-old detainee arrested on 16 May in the Haret al-Borj neighbourhood and released after nearly a month in detention, described to Amnesty International the torture he suffered at the Military Security detention facility in Homs:

“The interrogator asked me if I was married. I said I wasn’t, so he said he was going to cut off my male organ. He beat me hard on my body until I fainted. I regained consciousness after water was splashed onto me, and without warning he applied an electric shock to my testicles. It was so terrible that I cannot describe it. I think I stayed five days at Military Security in Homs - each day the same story. They tied me up in the shabah position and applied electricity to my body and testicles. Sometimes I screamed very loudly and begged the interrogator to stop. He didn’t care. They made me put my thumb prints on documents I hadn’t read; I was blindfolded.”

"I was then transferred to a detention facility in Damascus, which was easier... Then I was sent to Homs central prison for a while before they finally took me to a judge, I don't know his exact title, but he was gentle. He said to me: 'My son, you have taken part in four demonstrations.' I told him I had taken part in only two protests. The judge said that I had confessed to four. I explained to him that I had confessed to two only, which was the truth, and complained to him how they had tortured me terribly and that I had had to put my thumb print on documents I hadn't read, but he did not respond and remained silent..."

"The lawyer was able to get us out until my trial begins... The lawyer told me I might spend three to five years in prison. So I came to Lebanon and I don't know what to do."¹¹

"Wael", a 28-year-old man accused of filming demonstrations on his phone, was seized from his home in al-Hara al-Gharbiyeh neighbourhood on 16 May along with over 50 other people. They were taken to al-Boloneh Prison in Homs and ordered to strip naked in front of each other so that their clothes could be searched. He told Amnesty International:

"They placed us all in a big room and there I saw the bruises and cuts on the faces of people detained with me caused by the beatings we received during arrest. Everyone started pressing their hands against their arms and moving them to get rid of the numbing effect resulting from having their hands tied; some of their arms had turned blue."

"Then someone called out the names of 26 detainees, including mine, and handed us over to Military Security, who took us to their detention facility in Haj Atef Square in Homs. There, they beat us up and called us names, such as 'donkeys'..."

"They blindfolded me, tied my hands up and took me to an interrogator... He said: 'Why do you want the fall of the regime?' I said: 'We don't, we just want our freedom.' As soon as I said that, beatings from all directions began and I felt I had no energy, and then they threw me in a room filled with dozens of other detainees."

"The following day... [the interrogator] dragged me to the guard and asked him to place me in the shabah position. I remained dangling like that for around six hours. The interrogator would come and go and ask: 'Who called for jihad? Who incited the people in Tell Kalakh against the regime?' I repeatedly said that no one did. The interrogator threatened that I would receive the same torture as those people whose shrieks of pain could be heard. He then splashed water on my back and applied an electric shock to me, which made my body jerk involuntarily and slam against a wall hard... He applied electric shocks to my body four times during the six-hour period when I was hanging from my wrists..."

"He took me to another room and ordered someone to tie my hands behind my back. Then he brought a vehicle wheel and folded me in a way so that my feet and head and neck were inside the tyre. He turned me on my back so that my feet were pointing upwards, and used a stick with ropes on both edges to bring both feet together. He then hit me hard on the soles of my feet with a baton. As he hit me, he shouted: 'Who incited the people of Tell Kalakh against the regime?' At this point, I was screaming from pain, then I shouted back: 'Everyone in Tell Kalakh was an inciter, everyone in Tell Kalakh was an inciter'..."

"I was transferred with a group of detainees to the Military Police-run al-Qabun prison in Damascus, stayed there for around four hours and then was taken to the Palestine Branch [a Military Security-run detention centre in Damascus] where we were received with their special welcome of beatings and swearing. A man in our group had been giving testimonies to Al Jazeera as an eyewitness and, as soon as he was identified, they took him to a solitary confinement cell and he told me later that for the eight days he spent there, he was placed in the shabah position..."

"When we were finally being released, a senior prison official warned us that if we spoke with anyone about who was inside the prison or what had happened, we would return to prison."¹²

"Said", a 66-year-old retired public servant, was taken from his home in the al-Hara al-Gharbiyeh neighbourhood early on 16 May wearing only his pyjamas and slippers, and detained until 22 May. He told Amnesty International that he was denied his medication for high blood pressure during his detention, and that no consideration was given to his age by the soldiers who seized him or by Military Security officers in Homs. However, he said the interrogator at Military Security's detention facility, who questioned him for hours, was generally polite. When he complained that the guards were hitting and insulting him, the interrogator denounced their behaviour and said he would tell them to stop, which they did.¹³

CHILDREN

At least three children were seized during the mass arrests in Tell Kalakh, including one who remained held at the time of writing. A 16-year-old girl told Amnesty International that on 16 May soldiers stopped her family on al-Kherbeh Road as they were fleeing Tell Kalakh and took away her 17-year-old brother. She said that seven soldiers dragged him to the side of the road, beat him up and threatened to shoot her if she did not get back into the car and leave. Her parents confirmed to Amnesty International that their son remained in detention as of 23 June 2011. The girl told Amnesty International:

"When they took him, I started crying and shouting, asking them to let him go. A soldier pointed the rifle at me and said: 'You cheeky girl! Get in the car or I'll shoot you! I swear to God I will shoot you.' My grandmother and the driver pushed me back into the car... I saw the soldiers hitting him with their rifle butts and kicking him - him and another five men who were lying on the ground with their faces down."¹⁴

According to two released detainees interviewed separately, the two other children detained in the security operation, both reportedly boys aged less than 16 years, were transferred to Homs after their arrest and held in al-Boloneh Prison and the Military Security detention facility before being released. Amnesty International was unable to contact the boys or their immediate families and could not find out if they had been ill-treated. However, it appears that at least one of the two boys heard the screams of others being tortured. One of the released detainees, who said he was with the boy at the Military Security detention facility in Homs, told Amnesty International:

"[The boy] was terrified when he heard the shrieks. He started begging security members not to torture him, saying: 'I'll tell you everything I know, just don't beat me up, please.'"¹⁵

WOUNDED PEOPLE

“**Wassim**”, a 21-year-old man seized with his friends from a house in the al-Hayy al-Sharqi neighbourhood on 17 May, said that a soldier stabbed his buttocks with a bayonet. He was taken to al-Bassel Hospital, which had been occupied by Syrian forces since 14 May, and then transferred to the military hospital in Homs. He told Amnesty International:

“As I was carried inside al-Bassel Hospital, male and female nurses wearing green or white uniforms swore at me and hit me. I remember one woman wearing a white uniform took off her shoe and hit me so hard with it on my head that I started bleeding.

“I was taken to a room and there someone poured a bottle of surgical spirit all over my face. I started coughing hard so a nurse wearing a green uniform admonished me, saying: ‘You pig, you’re pretending that you’re unconscious.’

“They removed my clothes and asked me to lie on my stomach as my wounds were on the back of my hips and tied my feet together with a plastic wire. Some people blindfolded me and they stood over my head, smoking and tipping the cigarette ashes onto the side of my forehead, and then they hit me on the calves of my legs with a stick.

“They left me on the bed like that for the following day and then took me in an ambulance to the military hospital in Homs. When we arrived there, a soldier told those taking me out of the ambulance that they had found me shooting at soldiers, which was not true.

“The nurses, men and women, again swore at me and beat me hard and one female nurse punched me repeatedly with all her strength on my chest. Some were taking off their shoes and slapping me with them. I could hear many voices asking: ‘You want freedom, eh?’

“I was scanned and then someone stitched my wounds without giving me any anaesthesia. I gasped in pain and I was shivering; the doctor or nurse placed a medical gauze on both wounds and then a man came and started hitting me on my wounds and ordered me to get up. He and others dragged me across the floor and then took me to a detention facility in Homs. Guards there threw me on to the floor and said: ‘He was shooting at the army’...

“I showed [the interrogator my wounds], and they started beating me on the wounds and also elsewhere all over my body until I thought I was going to die. I then felt a warm liquid running down from my wounds to my leg...

“[The guards] took me to someone who ordered me to lie down on the floor on my stomach and put my feet up, and he beat me hard with a stick on the soles of my feet. He also kicked my body and accused me of being a saboteur and spy.”¹⁶

“Wassim” was released in the first week of June after putting his thumb print on documents he said he had not read.

Both “Wassim” and “Mahmoud” told Amnesty International separately about “Walid”, a wounded young man from Tell Kalakh, who they said was tortured with a heated skewer to his testicles at an unidentified detention facility in Homs, probably run by Military Security.

“Wassim” said:

“I heard some of the men shrieking from pain I peeked out from under the blindfold and saw one of the interrogators heating an iron skewer over a gas fire. I trembled with fear that he would come towards me and burn me. But then he went to someone else, [‘Walid’], who was wounded in his thigh and was lying naked in bed and he placed the skewer on his testicles. [‘Walid’] shrieked loudly with pain and started screaming: ‘I beg you, no, please!’”

“Mahmoud” met “Walid” in Homs central prison in June and said that “Walid” was unable to stand because of his injuries.

INHUMAN AND DEGRADING TREATMENT

Detainees reported that Syrian soldiers and members of the security forces demeaned them and caused offence by belittling them, their relatives and their religion.

One man who was detained on 16 May told Amnesty International that after arrest he was forced to kneel on the road and then a grey-haired soldier broke wind in his face. Shortly afterwards, as the man was standing with his hands tied waiting with other detainees to board a military vehicle in the al-Hara al-Gharbiyeh neighbourhood, a soldier poked a stick between his buttocks. Afterwards, he said, the detainees were taken to a nearby village known to be loyal to President al-Assad and beaten by men and women there. He told Amnesty International that as he was getting back on the bus:

“A soldier beat me and said I was a son of a bitch. As I was still on the ground, the soldier said: ‘Say: I am a son of a bitch.’ I did not say it. He beat me hard and others joined in with sticks and kicks as he repeated his order three times, and each time I remained silent, triggering additional beatings. I was about to faint, so he dragged me to the vehicle and threatened to deal with me later.”¹⁷

Another detainee who was arrested on 16 May and released on 13 June told Amnesty International that when he was at the Military Security detention facility in Homs, two members of the security services ordered him to lie on his stomach. They then sat on his back as they smoked an *argileh* (water pipe) and asked him provocative questions about the type of clothes his mother and sister wore.¹⁸

Several former detainees described how soldiers offended their religious beliefs by asking them who their God was and forcing them to replace the word “Allah” with “Bashar”, the name of the President. One said that a group of soldiers ordered detainees to say that Bashar was their God. Blindfolded and with their hands tied, the detainees remained silent, he said, whereupon they were pounded by what seemed to be a metal rod, causing some of them to lose consciousness.

5. DEATHS IN CUSTODY

At least nine men died in custody after being apprehended during the security operation in Tell Kalakh, according to witnesses who either saw these men as they were arrested by Syrian forces or in detention.¹⁹

Ahmed Hamsho, a lawyer in his thirties, was arrested at a checkpoint, probably near the village of al-Hajar al-Abyad, between 14 and 18 May when he was on his way to pick up his wife, according to neighbours and a released detainee who met him at the Military Security detention facility in Homs.²⁰ The released detainee told Amnesty International that he saw Ahmed Hamsho, whom he knew well, in an overcrowded cell at the Military Security facility a few days after the start of the security operation. He said that Ahmed Hamsho was conscious but in a bad state: foam was coming from his mouth, he had a deep cut on his chest, and there was swelling on his head. He said that Ahmed Hamsho told him that he had been stabbed in the chest as soldiers dragged him around a village and a mob beat him. The released detainee said that he and others tried to clean his chest wound with their shirts. The guards noticed and then subjected the released detainee to the *dulab* method of torture while asking him what Ahmed Hamsho had told him. The last time the released detainee saw Ahmed Hamsho was when, having pleaded with guards who were beating him to leave him alone, he fell silent and was promptly taken away. Ahmed Hamsho's body was handed to his family in late May.



Mohamed al-Rajab, whose body was returned to his family on 6 June © Private

Brothers **Majd** and **So'dat al-Kurdy**, brothers **Abd al-Rahman** and **Ahmed Abu Libdeh**, **Mohamed Adel Halloum**, **Kifah Haidar**, **Oqba al-Sha'ar** and **Mohamed al-Rajab** – most of them in their twenties – were reportedly seized by soldiers on 17 May along with scores of other men during the security operation in Tell Kalakh.

Relatives and friends told Amnesty International that the eight men had gone into hiding the previous day after seeing soldiers seizing and beating men. All eight were upstairs in a house in the al-Hayy al-Sharqi

neighbourhood of Tell Kalakh when soldiers arrived and ordered them out. Majd al-Kurdy, Abd al-Rahman Abu Libdeh, Mohamed Adel Halloum and Mohamed al-Rajab apparently decided to surrender. As they opened the door, according to reports, the soldiers opened fire, wounding Majd al-Kurdy's hand and Abd al-Rahman Abu Libdeh's shoulder. Mohamed Adel Halloum and Mohamed al-Rajab fell down but it was unclear if they were wounded. So'dat al-Kurdy and Ahmed Abu Libdeh ran down the stairs to check on their brothers, along with Kifah Haidar and Oqba al-Sha'ar. According to the reports, they were also shot at and fell to the ground. It is not clear whether all were hit by bullets or whether some were seeking cover. However, Ahmed Abu Libdeh appeared to be unconscious having been shot in the waist. As the men lay on the floor, the soldiers allegedly beat them with rifles despite their wounds and pleas to stop. The soldiers then apparently dragged them outside while beating them, and then bound their hands with plastic ties and blindfolded them, before taking them away.

Around two weeks later, the authorities told relatives to go to a military hospital in Homs to identify the bodies of the eight men. They were reportedly given no explanation of the men's deaths when they did so. Shortly afterwards, the bodies were given to their families in nylon sacks. The bodies of Majd and So'dat al-Kurdy were handed over and buried on 29 May; those of Abd al-Rahman and Ahmed Abu Libdeh on 30 May; those of Kifah Haidar, Mohamed Adel Halloum and Oqba al-Sha'ar on 31 May; and that of Mohamed al-Rajab on 6 June.

People who attended the funerals gave similar accounts separately to Amnesty International about the bodies, which they saw at least partly naked because mourners had opened the nylon sacks. They said that the bodies of both Majd and So'dat al-Kurdy had cuts to the chest and long vertical slashes on the thighs, as well as what seemed to be gunshot wounds on the back of the legs. Majd al-Kurdy's face was severely disfigured, but was identifiable by a tattoo on his upper arm bearing his girlfriend's name.²¹



Majd al-Kurdy, who was identifiable by a tattoo on his upper arm bearing his girlfriend's name © Private

Majd and So'dat al-Kurdy were active in demonstrations against the regime in Tell Kalakh. Video footage seen by Amnesty International shows the two brothers at the 13 May demonstration in Abu Arab Square, with Majd leading chants against President al-Assad and holding a loudspeaker. Later at the demonstration, around 12 junior members of the ruling Ba'th Party came forward one by one and announced their resignation. When it was Majd's turn, he said: "I announce my resignation from the corrupt Ba'th Party."

Two witnesses interviewed separately said that the skin on the right side of Kifah Haidar's face appeared to have been burned or torn off, exposing the bone, and that there appeared to be a bullet wound to his chest.²² The bodies of Mohamed Adel Halloum and Abd al-Rahman Abu Libdeh both had cuts to the chest.



Kifah Haidar, the right side of whose face appeared to have been burned or torn off © Private

Two photographs and video footage show the bodies of Ahmed Abu Libdeh, Abd al-Rahman Abu Libdeh and Mohamed al-Rajab. Despite the limitations of these images, a forensic pathologist who reviewed them for Amnesty International said that traumatic lesions could have been present in all three; Abd al-Rahman Abu Libdeh in particular showed signs of blunt force trauma inflicted when he was alive. In a written statement to Amnesty International regarding Abd al-Rahman Abu Libdeh's case, the forensic pathologist concluded:

“There is greenish discoloration of the skin of the torso, but larger parts of the body and the face are without this feature. The discoloration shows a conspicuous pattern as there is a linear dark staining of the lower borders of the neck. It may be due to a string being in position with the victim alive. The direction of the mark does not fit with regular hanging, rather with the victim hanging upside down or a heavy weight tied around the neck. The left upper arm seems deformed, possibly due to fracture. There are a number of excoriations on both shoulders and in the face as a result of blunt force trauma while the victim was alive.”



So'dat al-Kurdy, whose corpse bore cuts to the chest and thighs
© Private

The circumstances of the eight men's deaths remain unclear. It appears that soldiers apprehended most if not all of them alive, although wounded, in some cases seriously, on 17 May. Nothing else is known until the bodies were seen nearly two weeks later in the military hospital in Homs.

Given the many reports of torture and deaths in custody in suspicious circumstances elsewhere in Syria during the unrest in 2011, Amnesty International is concerned that all nine deaths in custody described above were the result of torture or other ill-treatment. These and other reports must be investigated fully, impartially and independently and anyone involved in the commission of crimes should be brought to justice.

6. ILL-TREATMENT OF RELATIVES

Parents learned about the deaths of their sons from Tell Kalakh's mayor and *mukhtar*, a municipal official who issues birth and death certificates, both of whom were apparently contacted by the authorities. Some families received contradictory information about the fate of their children and the location of the bodies, adding to their distress. In addition, relatives told Amnesty International that they were verbally abused when they went to identify the bodies and were put under pressure to say that their relative had been killed by “armed gangs” in order to receive the body. Families were not told the circumstances and causes of death.

On hearing the news about their sons' deaths, women family members of three of the eight young men who died in custody following their apprehension on 17 May visited al-Bassel Hospital, which was taken over by the army on 14 May. Hospital employees told them that they were not storing corpses in the morgue there because of the power cuts imposed in Tell Kalakh during the security operation.

Some women relatives went to Homs to try to find the bodies, as the male members of the family were either in detention or remained in Tell Kalakh fearing for their safety if they travelled. The mothers of two of the men who died went to Homs three times between 20 and

25 May trying to find out where the bodies were, but without success. At one point, they called the Public Prosecutor in Homs, who said their sons were alive in detention, raising their hopes. Two days later he told them that they were in fact dead. One of the mothers described how they were treated at the hospitals in Homs during their search:

“We asked about our sons at the military hospital, the molazim awwal [officer approximately equivalent in rank to a lieutenant] looked at the papers he had and said the names we were asking for were not there. He spoke impatiently and sometimes shouted at us when we were persistent. He ordered us to leave, and my relative pleaded with him to help us, saying that I was a mother in mourning and suffered from diabetes and difficulties in walking. He said: ‘What shall I do for her? Get her legs to walk on?’”²³

Male family members of the deceased who eventually went to identify the corpses were verbally abused. The brother of one of the victims said that they were told at the military hospital in Homs: “You are dogs coming to collect dogs.” Another man told Amnesty International that the officer at the military hospital told his father that his dead son was “a pig who suffocated”.

Two families said that, in order to receive the body, they were forced to submit a written statement saying that opposition armed elements had killed their relative.²⁴ Other relatives said they were forced to pledge that they would not refer to the dead men as *shuhada* (martyrs) when announcing their funerals at the mosque.²⁵ They also said they were told that the number of mourners must not exceed 10, and that the funeral procession must be silent (Muslim mourners usually chant “there is no God but Allah” as they walk from the family home to the cemetery).²⁶



Ahmed Abu Libdeh, one of those believed to have died in custody. Families said they were verbally abused when they went to identify their relatives' bodies © Private

7. CONCLUSIONS AND RECOMMENDATIONS

Amnesty International considers that crimes committed in Tell Kalakh, taken in the context of other crimes and human rights violations elsewhere in Syria, amount to crimes against humanity as they appear to be part of a widespread, as well as systematic, attack against the civilian population involving multiple commission of a range of crimes against a multiplicity of victims in an organized manner and pursuant to a state policy to commit such an attack. These crimes include murder, torture, arbitrary detention and other severe deprivation of liberty, and other inhumane acts committed intentionally to cause great suffering or serious damage to mental or physical health. If such crimes, as well as physical violence and destruction of personal property, were committed by reason of Tell Kalakh residents' political opposition to the regime, they would also amount to persecution as a crime against humanity.

While the burning or application of electric shocks to prisoners' testicles is part of torture as a crime against humanity, it may also qualify as a crime against humanity of enforced sterilization, if it is committed as part of a widespread or systematic attack against the civilian population and results in the deprivation of the victims' biological reproductive capacity.

Since the beginning of mass protests in March 2011, Amnesty International has researched and documented unlawful killings, torture, arbitrary detention and other human rights violations against Syrian and other citizens across the country and has argued that they indicate a pattern of widespread, as well as systematic, crimes constituting crimes against humanity. It has repeatedly urged the Syrian authorities to conduct thorough, prompt and impartial investigations into crimes and human rights violations across the country. However, the Syrian authorities have failed and appear unwilling to do so. President Bashar al-Assad has so far given no indication in his public speeches that the authorities are investigating crimes and other human rights abuses or intending to hold accountable members of the army and security forces who are allegedly responsible for them.²⁷

In the light of such concerns of the gravest nature, the Syrian authorities must completely change its approach and take a series of urgent measures to prevent future crimes and other human rights violations against the civilian population across Syria and refrain from any deprivation of people's fundamental rights on account of their political opposition to the regime. In particular, Amnesty International calls on the Syrian authorities to:

Regarding security operations

- End the use of artillery and other heavy weapons in security operations as this is contrary to international standards on the use of force by law enforcement officials;

Regarding detainees

- Release all persons arbitrarily arrested and those detained for taking part in peaceful demonstrations or expressing views of dissent;
- Immediately and unconditionally release all children detained for the peaceful exercise of their human rights; ensure that children are only imprisoned as a measure of last resort and for the shortest appropriate period of time; and, pending release, separate children in detention from adults unless it is considered in the child's best interest not to do so;
- Provide immediate medical attention to all wounded detainees, treat them humanely, and hold accountable health professionals who deny wounded detainees the required medical treatment or who torture or otherwise ill-treat them;
- Ensure that any detainees suspected of an internationally recognized criminal offence are charged, permitted regular visits from their family and lawyers, and brought to trial promptly in proceedings which fully comply with international fair trial standards;
- Ensure that statements extracted under torture or other ill-treatment, or other coercion, are not invoked in proceedings of any kind;

Regarding treatment of relatives

- Give clear instructions to army, security, medical, judicial and other relevant authorities to treat families of those killed either in protests or in custody or in other unexplained circumstances related to the uprising in a dignified manner, and to hand over the bodies of the deceased to the families without arbitrary conditions and undue delay;
- Hold accountable any person of authority who pressures or forces family members into submitting false statements about the circumstances of the deaths of the deceased in return for handing over the body, and recognize such an act by persons of authority as a crime of obstruction of justice;

Regarding national investigations

- Set up an independent commission to conduct thorough, prompt and impartial investigations into the cases of the nine men from Tell Kalakh who died in custody in what appear to be cases of extrajudicial executions and any other cases where complaints by relatives or other reliable reports suggest unnatural death; and ensure that such investigations are in full compliance with the UN Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions;
- Ensure that complaints and reports of torture or other ill-treatment, including those committed against children below the age of 18, are promptly and effectively investigated in full compliance with the UN Principles on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; even in the absence of complaints given the strong evidence that torture or other ill-treatment has occurred, investigators, who must be independent of the suspected perpetrators and the agency they serve, must have access to, or be empowered to commission, investigations by impartial medical or other experts;

- Bring to justice, in fair trials and without recourse to the death penalty, persons identified as having participated in unlawful killings, torture, imprisonment or other severe deprivation of liberty in violation of fundamental rules of international law, and other inhumane acts of a similar character committed intentionally to cause great suffering or serious damage to mental or physical health, as well as other human rights violations;

Regarding co-operation with international bodies

- Provide full co-operation and unimpeded access to the UN Office of the High Commissioner for Human Rights team assigned by the UN Human Rights Council on 29 April 2011 to investigate all alleged violations of international human rights law and crimes committed against civilians;
- Invite and facilitate prompt access to relevant UN Special Procedure mandate holders, such as the UN Special Rapporteur on extrajudicial, summary or arbitrary executions and the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (who has a request to visit pending since 2005), in order for them to carry out independent investigations into alleged extrajudicial executions, torture and other serious human rights violations;
- Allow Amnesty International and other international human rights monitors and humanitarian agencies access to Syria.

At the same time, Amnesty International reiterates its call on the UN Security Council to:

- Refer the situation in Syria to the Prosecutor of the International Criminal Court, since crimes committed by the Syrian authorities in Tell Kalakh and other parts of Syria may fall within its jurisdiction;
- Impose a complete arms embargo on Syria preventing the transfer of all weaponry, munitions and related equipment and the provision of personnel;
- Implement an asset freeze against Bashar al-Assad and others who may be involved in ordering or perpetrating serious human rights abuses.

ENDNOTES

¹ Phone interview conducted by Amnesty International on 14 June 2011.

² Demonstrations against the regime began at the start of February but failed to attract large numbers of people and were dwarfed by the significantly higher number of members of security forces until mid-March when thousands of people took to the streets in the southern city of Dera'a.

³ Information on the detainees held by Air Force Security, including the numbers of those arrested and those released and the approximate dates and reasons for their arrests, were provided to Amnesty International by various sources from Tell Kalakh, including detainees released by Air Force Security shortly before the security operation in Tell Kalakh, family members of those still in detention, a local public servant and a local cleric.

⁴ Amnesty International interviewed a relative of Ali al-Basha in northern Lebanon on 3 June 2011 and the ambulance driver in Wadi Khaled, northern Lebanon, on 23 May 2011.

⁵ Amnesty International interviewed the injured woman on 23 May 2011.

⁶ Amnesty International interviewed survivors and relatives of the injured children in Wadi Khaled, northern Lebanon, on 24 May 2011.

⁷ Al-Hawooz water tank was repaired by the state around two weeks after it was damaged, according to Tell Kalakh residents who spoke to Amnesty International in June 2011.

⁸ Information obtained from a number of interviews that Amnesty International conducted in late May and early June 2011 with Tell Kalakh residents who had fled to Lebanon.

⁹ This and other names given in quotation marks are not the real names of the persons concerned.

¹⁰ Amnesty International met and interviewed him in northern Lebanon on 6 June 2011.

¹¹ Phone interview conducted by Amnesty International on 20 June 2011.

¹² Phone interview conducted by Amnesty International on 9 June 2011.

¹³ Phone interview conducted by Amnesty International on 20 June 2011.

¹⁴ Phone interview conducted by Amnesty International on 23 June 2011.

¹⁵ Phone interview conducted by Amnesty International on 9 June 2011.

¹⁶ Phone interview conducted by Amnesty International on 13 June 2011.

¹⁷ Phone interview conducted by Amnesty International on 9 June 2011.

¹⁸ Phone interview conducted by Amnesty International on 20 June 2011.

¹⁹ Amnesty International conducted interviews with witnesses in northern Lebanon on 2 June 2011 and by phone on 13 and 22 June 2011.

²⁰ Amnesty International conducted an interview with his neighbours in northern Lebanon on 6 June 2011 and an interview by phone with the released detainee on 22 June 2011.

²¹ Amnesty International conducted interviews with three witnesses in person and by phone on 31 May 2011 and 2 June 2011.

²² Amnesty International conducted a phone interview with one of the witnesses on 13 June 2011 and with the second on 14 June 2011.

²³ Phone interview conducted by Amnesty International on 16 June 2011.

²⁴ Phone interviews conducted by Amnesty International on 16 and 22 June 2011.

²⁵ Amnesty International conducted interviews with relatives in northern Lebanon on 2 June 2011 and by phone on 14 and 16 June 2011.

²⁶ One relative of a man who died in hospital said the family was instructed that the funeral procession must not exceed 10 participants; a family member of another man who died in custody said the family was told the funeral must not have more than 20 mourners.

²⁷ President al-Assad has made three addresses to the nation since mass protests began in March 2011: the first on 30 March, the second on 16 April, and the third on 20 June.

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