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Murder by Chain of Command

The Case against Assad

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Introduction: Assad and Accountability

For more than a decade, Syrian civil society groups, nongovernmental organizations, international investigators, and many other brave individuals have gathered and assembled evidence originating in Syria of some of the most extensive, systematic crimes against humanity in the modern era. This evidence, comprising more than one million pages of documents and thousands of testimonials by witnesses, has been the basis for a growing number of international criminal investigations and other official actions. Few outside official channels, however, have been able to access this body of evidence. This paper marks the first time that scholars have been granted access to these archives and witness testimonials for the purpose of publication.

As scholars of history and international politics, we believe it imperative that this evidence see the light of day. The statesmen of the twentieth century hoped to create an international system in which horrors such as the Holocaust, Stalin's purges, and Pol Pot's genocide could not recur. The Syrian regime of Bashar al Assad has proven this hope a failure. This week in The Hague, on October 10, the International Court of Justice heard evidence put forward by Canada and the Netherlands that under the Assad regime, the Syrian state systematically tortured and abused the Syrian people.

The evidence accumulated since 2011 shows that Syrian dictator Bashar al Assad himself is directly responsible for these crimes against his own people, along with the most senior leaders of his regime. For years, Assad and his allies have tried to deny the reality of the murder, torture, and disappearance of hundreds of thousands of Syrians; barring that, they have tried to deflect responsibility for those crimes onto others. But the regime's crimes, in particular those committed by its military, security-intelligence, and political structures, are exceedingly well-documented. Investigators have acquired over one million pages of primary source materials generated by the Syrian regime itself, supplemented by the testimony of thousands of witnesses, including victims and, crucially, many former Syrian regime insiders.

We draw on these archives and testimonies to examine the role and policies of Bashar al Assad and his most senior lieutenants in the events that unfolded in Syria from the spring of 2011 onward. While the evidence is highly sensitive and access to it is controlled—principally to protect victims, witnesses, and ongoing criminal investigations—we have secured access to a subset of materials in the public domain or from investigative bodies where such disclosure has not compromised the professional ethics of those holding the materials, particularly their duty to protect the identities of victims, witnesses, and suspected perpetrators whose identities are not known to the general public.

The evidence we present in this paper leaves no doubt that Bashar al Assad and his most senior lieutenants launched the large-scale murder, torture, and imprisonment of hundreds of thousands of Syrians as a matter of state policy in an attempt to crush a peaceful civil protest movement against Assad's rule. They deliberately ordered vast arrest campaigns, military assaults against Syrian cities, systematic torture of detainees, and displacement of whole communities.

They knew what they were doing. Syrian regime leaders up to Assad himself were well aware of the large-scale slaughter and violence resulting from their orders and took steps to ensure it was done as efficiently as possible. They created coordinating bodies to manage the crackdowns and continually clarified top-level instructions down to the local level. They rewarded and promoted regime officials who energetically implemented this crackdown policy and punished those who did not. And they took steps to hide what they were doing from the world, including by trying to deflect blame onto others for what they themselves had done.

This paper is the first in what we intend to be a series of assessments and studies that will use the Syrian regime's own documentation, along with thousands of witness statements, to bring to light the horrors Assad and his lieutenants deliberately unleashed upon the Syrian people. We intend this work not just as an academic study, but as part of what must be an effort to hold the Syrian regime accountable for the vast, unspeakable crimes against humanity they have committed.

The Assad Regime Crushes Dissent in Homs

Establishing the Chain of Command

Bashar al Assad's personal involvement in formulating the Syrian regime's extraordinarily violent response to the civil protest movement should not come as a surprise. Faced with a public revolt, Bashar followed the script his father Hafez al Assad had written in destroying the Hama rebellion three decades before. After his regime had massacred 20,000 or more of Hama's inhabitants in 1982, Hafez al Assad dispatched his brother Rifaat to carry messages to King Khaled of Saudi Arabia, who had demanded a formal explanation for the regime's brutal actions. When Rifaat arrived, King Khaled was so furious that he denied the Syrian envoy an audience, and Rifaat met Saudi Crown Prince Fahd instead. Rifaat asked Fahd to deliver the king the message that his brother's regime would "destroy Damascus over [the Syrian people's] heads" rather than fall to a rebellion.[1]

From the outset of the Syrian conflict in 2011, Assad and his regime viewed any sort of low-level protest, such as graffiti and localized demonstrations, as sedition inspired by the Arab Spring. They understood from the beginning that they were facing a civil protest movement rather than an armed insurrection, but nevertheless decided to respond with armed violence. A report disseminated by a Syrian Military Intelligence branch on March 12, 2011, accurately described uprisings in Arab countries as a call for "change, democracy, freedoms and reforms aimed at creating job opportunities for young men, improving living standards and fighting corruption." The report noted that "there have been attempts made by the opposition in Syria, civil society committees, human rights organizations inside and outside Syria and other suspicious parties to create similar conditions [to the Arab Spring] in Syria through mobilizing and inciting the youth in Syria against the government." The report warned that "such attempts were made using social networking sites, graffiti, distributions of bulletins and leaflets and other secret mechanisms to urge the youth to organize demonstrations and sit-ins in Syria under false pretexts which, if ignored, may lead the youth to take to the streets."[2]

This intelligence report, which was a topic of discussion within Syria's National Security Bureau, the coordinating body of the Syrian security-intelligence services, shows that the regime understood the nature of the civil protest movement and was determined to suppress every facet of it. This harsh response would require intense coordination that would be difficult for a regime whose institutions had long been fragmented and working at cross-purposes—not by happenstance, but by design, to make coup plotting more difficult. To ensure his policies were carried out effectively, Assad would need a new coordinating body.

Accordingly, in late March 2011 Assad established the Central Crisis Management Cell (CCMC) as a national decision-making body to formulate and coordinate the regime's military and security response to the nationwide uprising. Meeting on a daily basis, it linked Assad and all of his regime's key political, intelligence, and military bodies. The CCMC included the Minister of Defense, the Minister of Interior, and the chairman and members of the National Security Bureau (NSB).[3] The NSB was a decision-making body that coordinated the four main intelligence and security agencies: Military Intelligence, Air Force Intelligence, Political Security, and General Intelligence (formerly known as State Security). The NSB also served as the main council for intelligence sharing. Information and instructions issued by the CCMC were disseminated through the NSB to the four main intelligence-security agencies, each of which then disseminated these instructions down to their respective branches on governorate, district, and subdistrict levels. The four agencies in turn sent intelligence reports back up to the CCMC through the existing chains of command.[4]

In addition to the channels of coordination through government ministries, CCMC instructions were issued and passed directly to so-called security committees, which can be understood as counterparts to the CCMC at the governorate and local levels. Directed by Assad, the CCMC, together with the NSB, was thus able to issue detailed tactical and operational instructions along the command chain. The security committees brought together representatives from the political, security, and military organizations within the governorates—the secretary of the Baath party, heads of the security-intelligence branches, governor, chief of police, chief of military police, and the local military commander. The security committees decided on the best means of implementing CCMC decisions and produced reports that updated the CCMC on the security situation in their respective governorates.[5]

Minutes of the CCMC's daily evening meetings were hand-delivered by courier to Assad, who in turn made annotations and often deleted suggestions by substituting his own orders. This system both ensured and documented Assad's involvement with CCMC decisions: They were taken and implemented with the full knowledge and participation of Assad himself.[6]

Assad Chooses Military Crackdown

On March 30, 2011, three days after the creation of the CCMC, Bashar al Assad gave a much-anticipated speech to the nation, his first since the Arab Spring's spark had reached Syria. Many observers expected Assad to announce reforms to pacify the growing protest movement, but Assad took a hardline course that surprised even close associates such as Brigadier General Manaf Tlass, then a commander in the Republican Guard, who later defected in July 2012.[7] Assad

claimed Syria faced a "great conspiracy" with which there could be "no compromise or middle way." He accused protest organizers of sedition, declaring that "all those involved intentionally or unintentionally in it contribute to destroying their country."[8]

Assad's speech signaled the first escalation of the regime's security response, which would target protestors more forcefully just days later, beginning in Homs. According to a CCMC report dated April 14, 2011, the Homs Security Committee confirmed that "pre-emptive measures will be taken in order to prevent any negative demonstrations happening next Friday. It was recommended to track and arrest rioters in Baba Amr."[9]

In a meeting on April 18, 2011, the CCMC pronounced that "the time of tolerance and meeting demands is over" and issued orders to riot police forces and security-intelligence agents to crack down on demonstrations.[10] The CCMC also called for Baath party loyalists to stage daily pro-regime rallies and prepare to confront the protests, including with weapons.

One day later, regime security forces in Homs implemented the new guidance ruthlessly. In the early hours of April 19, 2011, thousands of protesters staged a sit-in at the New Clock Tower Square—broadly speaking Homs's answer to Cairo's Tahrir Square—after attending the funeral procession of several protesters who had been killed two days earlier. Regime authorities demanded an end of the sit-in and threatened to remove the crowd by force. A few hours later, regime forces arrested some and opened fire on the remaining 1,000 protestors.[11] According to one witness to this violence, when religious leaders attempted to treat the wounded, regime forces summarily executed the clerics.[12] The following morning, authorities removed approximately 30 dead bodies with wheel-loaders and dump trucks.[13]

In a follow-up meeting on April 20, the CCMC doubled down on its hardline approach. According to the meeting minutes, the CCMC determined that "a new phase should be started to counter conspirators by initiating the use of force against them as of this date" to demonstrate "the power and capacity of the state."[14] Two days later, a CCMC report detailed that the "new phase" had resulted in the death of 92 further civilians after security forces responded to countrywide protests with lethal force.[15]

The death toll prompted a nationwide outcry that the CCMC discussed in its meeting on April 23, 2011. The previous day had been "a difficult day in which several people died," the meeting minutes reported. The killings had "created a new situation in the country." The CCMC decided to respond by increasing the deployment of security personnel, mobilizing army units, and prioritizing the arrest of protest organizers based on wanted lists.[16]

Even while ordering these harsh measures, the CCMC appeared to understand that the bloodshed had backfired. The committee agreed that when shooting at protesters, regime forces should start with a "warning—firing in the air" or "if necessary, shooting at the legs below the knee." To avoid further bloodshed, the CCMC considered it "critical to end the phenomenon of casualties this week."[17]

The CCMC's rationale behind these orders was strategic, designed to break the snowballing effect of the protests. Numerous internal communications within the CCMC and governorate intelligence branches stressed the need to "prevent the expansion and increase of demonstrations" by persuading local community leaders not to join the protest movement.[18] To that end, the CCMC instructed regime officials to pacify local leaders by fulfilling any of their "reasonable demands" swiftly.[19] What regime officials might consider "reasonable" would undoubtedly fall far short of protesters' demands for true reform, but these episodes illustrate how the regime made its initial assessment of which communities and leaders could be incorporated into the loyalist camp, and at what price.

In keeping with CCMC instructions, security authorities in Homs also tried to deescalate the situation in strategic areas of the governorate through dialogue with local notables. After security forces shot 22 people in Ar-Rastan, a town in the northern countryside of Homs along the vital Damascus–Aleppo highway, authorities offered blood money "in order to defuse tension and avoid rendering Ar-Rastan a new demonstration hub," as an internal report noted.[20]

Regime authorities in Homs experimented with these calculated attempts to pacify at the same time that they also extended their violent military response. Regime forces followed up the massacre in Clock Tower Square by moving against the restive population of Baba Amr, a district of 55,000 residents that was one of the largest in the city.[21] Within weeks, the Syrian military besieged the area and bombarded it for days. Regime military and security forces eventually entered Baba Amr in late April 2011, set up checkpoints, arrested scores of people, and killed civilians by sniper fire.[22]

Tightening the Grip: Direct Oversight in Homs

The CCMC's efforts, both its attempts at pacification and its violent responses, were too little and too late to prevent the spread of protests across most of the country. During the summer of 2011, hundreds of thousands of protesters crowded into Syrian streets and demanded reform. The regime's violent crackdown had triggered a spiral of escalation that it was unable to control. Defections from the army increased, local youth began to take up arms, and slowly but steadily, local armed resistance became more organized.[23] In Homs, the regime's measures in April 2011 created a serious backlash, with army defectors and local residents forming armed factions to protect neighborhoods

against any further assault by the regime. By summer, Baba Amr was the base of the Farouq Brigades, an armed opposition faction led by the recently defected Lieutenant Abdul Razaq Tlass, a nephew of former Defense Minister Mustafa Tlass.

On August 5, 2011, with the regime's security situation deteriorating nationwide, the CCMC met to discuss ways to improve the security response throughout the country. Meeting participants highlighted poor coordination and information sharing between agencies. According to the CCMC, this lack of interagency cooperation was prolonging the crisis, increasing "human and material losses" and allowing "armed gangs to keep conducting acts of looting, plunder, killing and intimidating citizens."[24] The CCMC judged that the regime's early response to the uprising, including the April crackdown in Homs, had failed.

In keeping with the CCMC's judgment on August 5 that interagency cooperation must improve immediately to reverse four months of failure, the NSB the following day instructed the security committees to conduct daily joint military-security campaigns to arrest wanted individuals.[25] At the same time, the CCMC also decided to increase its direct oversight of local security matters by dispatching the heads of the security-intelligence agencies to visit the "hottest zones" to lead their regional branches on the ground and ensure "accurate implementation of missions, and tracking goals which shall be reached as per the plan set up by comrade Head of the National Security Bureau (NSB)."[26]

This period marked the start of a gradual shift in the regime's handling of the situation in Homs. The CCMC began to centralize its control of regime activities in Homs at the expense of the Homs Security Committee, which from the beginning of the conflict until July to August 2011 appears to have played the predominant role in dealing with the crisis in the governorate. This is not to say the Homs Security Committee became detached from the senior leadership in Damascus: It reported regularly to the CCMC and NSB, requested authorization for security activities, and hosted visits from national leaders and agencies. However, from August 2011, the CCMC minutes note an apparent change both in the militarization of the regime response and the *direct* engagement of high-level members of the CCMC and NSB charged with taking command over security forces in Homs.

Despite the direct engagement of the CCMC and NSB and the increased deployment of Syrian army troops, the regime's response in Homs failed to stem the growing rebellion in the weeks after the CCMC tightened control. This time, however, the failure had personnel consequences on the leadership level. On October 18, 2011, the CCMC decided to issue "a memorandum by order of the President clarifying the main downturns which led to the exacerbation of the crisis and delayed the finding of sound solutions. It will also comprise effective suggestions to swiftly end the crisis."[27]

What followed from this meeting was a change in leadership, with the more hawkish Major General Hasan Turkmani, a former Minister of Defense, replacing Muhammad Said Bekheitan, Assistant Regional-Secretary of the Baath party, as head of the CCMC. Turkmani proceeded to consolidate the CCMC's central authority by establishing new work mechanisms to "impose control on all security agencies, military units, partisan comrades and organisations."[28] This move demonstrated the regime's view that new, stricter coordination was required to get a grip on the security situation in all the governorates.

After Turkmani's appointment, the role of the Homs Security Committee receded further when the CCMC decided to create a new, consolidated security authority in Homs. Called the Homs Military and Security Chief, the new authority would bring together the area's military units and intelligence agencies to coordinate and implement security operations. The new authority would be headed by a senior military officer who would, in turn, be overseen by the Syrian regime's head of political security, Major General Muhammad Dib Zeitoun.[29] Zeitoun was tasked to "command security agencies and armed forces units present in the governorate of Homs" and to "take the necessary legal measures against any offender or anyone who acts with laxity."[30] The reference to "laxity" indicated that regime leaders sought to crush the armed opposition in Homs once and for all and judged that regime officials on the ground had been too hesitant to use decisive force. Indeed, four months later, the Homs Military and Security Chief would play a leading role in the large-scale attack on Baba Amr of February 2012.

The February 2012 Assault on Baba Amr

Throughout 2011, regime forces conducted a number of extensive military-security operations in Baba Amr, including shelling and the use of heavy weaponry such as tanks and armored fighting vehicles by the army's Third Corps. Operating from many army positions in and around the district, snipers fired at armed opposition fighters and civilians alike. The CCMC explicitly called for a "focus on sniping" in orders from November 9, 2011.[31] When the opposition Farouq Brigades established control over large parts of Baba Amr after months of fighting, the regime imposed a full siege in late November. On behalf of regime leaders, General Asif Shawkat, Deputy Minister of Defense, traveled to Homs to issue an ultimatum: either the armed opposition would give up, or the regime would destroy the armed resistance "over the heads of the residents."[32]

Regime attempts to storm Baba Amr in mid-November and late December failed. Consequently, the Syrian army, with the Eighteenth Tank Division taking the lead, positioned artillery batteries in areas surrounding Baba Amr and sporadically shelled the district.[33] However, the regime had not unleashed its full firepower yet, presumably due to the arrival in December 2011 of a monitoring

mission that was part of the peace plan brought forward by the League of Arab States.[34] When the monitors left the area in late January 2012, the Syrian army reinforced the siege of Baba Amr and cut off the district's water, electricity, food, medical supplies, and other basic necessities.[35]

During February 2012, the regime significantly intensified its systematic shelling of Homs, including Baba Amr. During this period of bombardment, specifically on February 22, 2012, regime forces directed their artillery fire at the Baba Amr media office, injuring and killing many of its occupants, including U.S.-U.K. journalist Marie Colvin and French photographer Remi Ochlik.[36]

Despite two ceasefires that were negotiated so that the Red Crescent could enter Baba Amr, the district remained under constant siege throughout February. Essential food and medical supplies had to be smuggled through tunnels. Fleeing civilians had no safe passage: According to multiple witnesses, regime troops opened fire on those trying to escape.[37]

In late February, after 27 days of sustained shelling and fierce fighting along the frontline, opposition fighters ran out of ammunition and retreated from Baba Amr to adjacent areas. Regime forces immediately entered the district and began combing it building by building. But, as would happen countless times in the following years, the regime's flag was raised over rubble. The shelling had destroyed 70 percent of Baba Amr, and 80 percent of the population had fled.[38] For many though, the worst was yet to come.

Pro-Regime Paramilitaries and Escalating War Crimes

In the aftermath of the February 2012 military campaign in Baba Amr, regime forces, often assisted by pro-regime paramilitaries, conducted post-offensive sweeps in the Baba Amr district. In the course of these raids, the forces subjected remaining residents to widespread looting, arrests, killings, and sexual violence. Evidence suggests that they murdered about 1,200 individuals.[39] In one instance, pro-regime militiamen gathered about 60 men and boys from a neighborhood and detained them in the nearby Ugarit Soda Warehouse. According to eyewitness accounts, black-dressed regime militiamen shot the entire group, killing all but two men who survived by hiding under the dead bodies. After the shooting, Syrian army forces arrived and confronted the militiamen who had carried out the shootings. A heated exchange erupted, and a militiaman was heard telling an army counterpart, "you focus on your work, and stay out of mine."[40] In the confusion, the two survivors escaped to a shed attached to the warehouse. After their argument with the soldiers, the militia returned to the storage area to finish off the wounded among those they had shot.[41]

Pro-regime paramilitary groups (often referred to as *Shabbiha*), operating outside the formal security-intelligence structures, were far from being an uncoordinated

grassroots phenomenon. As indicated by the militia commander in the Ugarit Warehouse, these groups were indeed assigned work, again coordinated by regime authorities. Months before the massacres in Baba Amr, in May 2011, a high-level meeting had taken place in Homs with the aim of organizing loyalist groups into a cohesive body with the intention of using them to break up planned anti-regime demonstrations.[42] Amid the militarization of the conflict throughout 2011, loyalist groups were soon used to guard facilities, enforce checkpoints, and operationally secure territory taken back from opposition control. The security-intelligence agencies played the main role in controlling these forces from early on. As early as March 2, 2011, a directive from Military Intelligence Branch 243 to its subordinate sections stated: "You are instructed to mobilize and streamline the work of all security agents, informers, sources, Baath party sub-divisions, popular organizations, leaders of National Progressive Front parties and all friends who should be put on a state of high alert to detect any graffiti, publications or gatherings within their areas of responsibility. They are required to report such incidents and give the matter their utmost attention."[43]

Later in March, the regime created a new framework to formalize loyalist units and better include them in the hierarchic command structures. Called popular committees, they were a precursor of what would later become the National Defense Forces and were formed under the aegis of the security-intelligence agencies utilizing the existing Baath party apparatus. Instructions from Military Intelligence Branch 243, issued on April 11, 2011, demonstrate the regime's intention to recruit loyalists on a large scale. All sections were ordered to "mobilize members of the Baath party in every district and form the so-called Popular Committees in every district so as to protect towns and defend public departments, as well as confront anti-government elements and criminal gangs." Furthermore, the orders continued, "their work shall be streamlined by the Security Committee in the districts and under your personal supervision in coordination with Baath party officials."[44]

As the armed opposition grew, the role of popular committees and other pro-regime formations became more militarized and violent. The most powerful of these groups stemmed from Alawite milieus, mainly criminal networks, businessmen, tribal sheikhs, and family elders that often had ties to the security and intelligence agencies.[45] In Homs, many of their recruits were young, unemployed men from Alawite neighborhoods. As the Dutch scholar Uğur Ümit Üngör notes, "these men not only feared and hated rebellious Sunni communities in Homs, even before the conflict, but also harbored resentment against their marginal position within the broader patrimonial structures during Bashar al Assad's first decade of rule. This was their moment to 'shine,' and they seized the opportunity without hesitation."[46] Relying on militias for face-to-face massacres was useful for the regime: It gained plausible deniability vis-a-vis the outside world and reduced the risk of further polarization within its own army, which was more diverse in ethnic composition and motivations.

In early March 2012, Syrian army forces gathered a number of residents—mainly men between 15 and 50 years of age, along with a few women and children—at the Shufan cement storage warehouse in Homs. According to a witness, the soldiers handed over the detainees to elements of the popular committees. A survivor recounted that he heard an order to shoot and saw the black-dressed militia members firing at the other detainees while he was hiding under the bodies of those already killed or wounded.[47] Many more massacres were committed in and around Baba Amr at that time. For instance, another witness was arrested in the district and taken, along with other detainees, by Air Force Intelligence soldiers to the nearby Qatina Road. Upon arrival, the troops opened fire and killed as many as 104 people. Subsequently, a car with Syrian Red Crescent insignia arrived and someone from the vehicle called out to see who remained alive. On hearing a response, armed men came out of the vehicle and killed three people who had called for help. The witness pretended to be dead, and in the evening fled towards nearby farmland.[48]

Sexual violence was also widespread and confirmed by insiders who attributed responsibility to members of their former units. One witness, who was a part of the Arab League Monitoring Mission to Syria in December 2011, saw a 15-year-old girl in a highly distressed psychological state as a result of having been raped by pro-regime militants. These militia members allegedly tried to force her father to rape her and her brother to rape his mother. When they refused, the militia members killed everyone but the girl.[49] Another witness described two videos which showed security officials raping a young girl in front of her mother, with the father and son being forced to rape the women in their family.[50]

Rape and sexual violence were likewise inflicted upon men detained during and in the aftermath of the offensive on Baba Amr. A witness, who had been arrested on March 2, 2012, together with some of his neighbors and taken to a stadium, was forced to strip naked, was handcuffed, and had gasoline poured over his body.[51] One witness stated that he heard a fellow detainee screaming while being tortured and later saw him with blood dripping from his anus.[52]

While the sieges and bombardments of neighborhoods, as well as the raids and massacres, were oftentimes highly visible manifestations of the regime's response to the uprising, detention happened below the surface. Mass detention was omnipresent and invisible at the same time, shrouded in secrecy and used as a weapon to neutralize the opposition and to hold psychologically hostage those fearing for their loved ones' fates. The next section of this paper will address this horrific system and its origins in orders from the highest levels of the Assad regime.

Assad Regime Crimes against Humanity in Detention Facilities

At some point after the regime's military campaign against Baba Amr, an individual, later a witness, was walking down a street in the city of Aleppo when a bus suddenly stopped next to him and his companions. Military Intelligence agents herded the group onto the bus and took them to a nearby headquarters for questioning. During the interrogation that followed, a military intelligence officer holding the rank of colonel accused one victim of producing video footage that had been aired on Al Arabiya and Al Jazeera. When the witness denied any knowledge, the colonel threatened him and his neighborhood of Fardous: "Do you want me to do to Fardous what was done to Baba Amr?"[53]

The military intelligence colonel was well aware that Baba Amr had become a symbol for the total destruction the regime was willing to levy on rebellious areas. Before leaving the interrogation room, the colonel continued with an expression Assad loyalists used to declare the supposed divinity of their leader: "If God fell to the earth, Bashar al-Assad will fall after him!" The remaining guard then forced one detainee to kiss a picture of Assad.[54]

The infraction which the aforementioned prisoner had supposedly committed was nominally legal under the press freedoms granted in Syria's 2012 constitution. But written law under the Assad family was more a facade for the state's security-intelligence apparatus than a compulsory point of reference for authorities. Furthermore, any activity that could fall under the broad definition of "undertaking propaganda tending to weaken the national sentiment in times of war or peril of war" was criminalized by the Syrian Penal Code, giving men like the military intelligence colonel wide latitude to punish whatever behavior they chose.[55]

In April 2011, in an attempt to calm Syria's restive streets and deflect international pressure, Assad announced the lifting of the state of emergency that had been in place since the Baath party's rise to power in 1963. But while Assad abolished the notorious Supreme State Security Court that prosecuted sedition, he simultaneously introduced new legislation that criminalized all protests not authorized by the regime. He also lengthened the period for which the intelligence and security agencies could hold Syrian citizens under arrest. In 2012, Assad enacted a new anti-terrorism law and created the Counter-Terrorism Court, introducing new broadly defined offences subject to harsh penalties. The new law even allowed the regime to punish Syrians for failing to inform the authorities of "terrorist offences" they were not involved in, but merely aware of.[56]

The Regime's Initial Arrest Campaign

As noted earlier, the CCMC's outreach initiatives in spring 2011 were too little and too late to significantly reduce tensions, and the subsequent harsh crackdown merely provoked more protests across the country. The numbers of protesters reported in CCMC documents, however, were deliberately understated due to the pressure on all levels of the chain of command to deliver results. Put another way, the regime began to lie to itself. According to one witness, formerly a regime insider, local level Baath party members systematically underreported the recorded number of protestors to the party branches in the governorates, and those branches in turn underreported the numbers they received. Another insider witness who served in the Syrian army's Fifty-Second Brigade stated that all checkpoint commanders were ordered to cap reports of protestors at 1,000 people, regardless of the true number. Upon aggregating these understated numbers, the CCMC itself would then lower the reported number of protestors yet again before forwarding them to Assad.[57]

The security apparatus responded to the protests using the only playbook it knew: arrest anyone whose loyalty to the regime was in doubt, resort to humiliation and torture to break any suspect's will, extract false confessions to preserve a veneer of lawfulness, and extract as much information as possible to identify new targets. Given the rapidly growing extent of anti-regime activities and sentiment, that meant the detention of approximately 300,000 people in just the first two years of the uprising.[58]

Responsibility for this vast task fell to the regime's security-intelligence apparatus in tandem with the military and various regime loyalist groups such as the popular committees, all of whom were overseen by the CCMC. In a vain attempt to contain the protests, security officers in each governorate began compiling extensive wanted lists that probably encompassed not just protest ringleaders, but many individuals who may have had only marginal roles in the protests. For example, the Idlib Security Committee on May 30, 2011, identified 1,785 "targets from among the prominent protestors, influencers, and main inciters," an implausibly high number of suspects in a governorate whose population was under 1.5 million people.[59] These inflated wanted lists were then distributed within the security and intelligence agencies all over the country. On June 19, 2011, for instance, the Military Intelligence Branch in Idlib sent to its counterpart branch in Damascus a list of 1,129 wanted individuals.[60]

Across Syria, the Assad regime swept up thousands of suspects, real and imagined, from these bloated wanted lists. The many checkpoints manned by security-intelligence forces and the military, along with joint raids in which military forces provided cover for security-intelligence agents who inspected houses, became an almost industrial detention machinery operated by Syria's main security-intelligence agencies. These agencies' respective directors comprised the core of the CCMC and NSB, putting those bodies effectively in

charge of the detention machine. As so often in Assad's Syria, the much-feared mukhabarat were at the forefront of repression.

Pulling the Strings: The All-Powerful Mukhabarat

Mukhabarat, Arabic for intelligence, is an umbrella term for intelligence agencies —in the Syrian case, General Intelligence (also known as State Security), Military Intelligence, Air Force Intelligence, and Political Security. Especially during and after the Muslim Brotherhood-led insurgency of the late 1970s and early 1980s, Hafez al Assad facilitated the growth in size and power of the various mukhabarats. With the army kept at bay, Hafiz al Assad turned Syria into what is often referred to as a "mukhabarat state." Similar to the East German Ministry for State Security, the Syrian mukhabarat agencies became an immediate means of control of society through a close web of local branches and tens of thousands of informants that reported suspicions regarding the loyalty of neighbors and even family members.[61]

When Bashar al Assad succeeded his father in July 2000, the newly minted 34-year-old president preserved the existing power structures by not challenging the positions of key cadres from his father's era.[62] However, at the same time he introduced his own close associates into senior positions, both in non-strategic portfolios such as economic affairs, and into the regime's core intelligence and security agencies.[63] Among Bashar's closest lieutenants were figures such as generals Ali Mamluk, Asif Shawkat, and Hasan Turkmani, all of whom later became powerful members of the CCMC. Despite some troubles during the presidential transition period, the regime operated an extensive and highly active mukhabarat apparatus when the uprising began in 2011—as it had done since the 1960s.

Monitoring and persecuting internal dissidents traditionally had been the responsibility of the Political Security agency, but in 2011, the regime quickly employed the infrastructure of all four security-intelligence agencies to detain and interrogate perceived opponents.[64] This included organizing ad hoc detention facilities for huge numbers of detainees. Multiple witnesses describe being detained in lecture halls, gyms, and basements at Air Force Intelligence facilities that were converted into makeshift detention centers.[65] The four mukhabarat services also became involved in manning checkpoints, mounting joint operations with the military and internal security forces, coordinating loyalist formations, and holding exploratory meetings with potential allies.[66]

On August 18, 2011, the Damascus-based Military Intelligence Branch 294 disseminated instructions from the NSB to arrest all members of the grassroots protest coordination committees that were forming throughout the country. Ten days later, Military Intelligence Branch 243, responsible for the Deir ez-Zour and Raqqa governorates, issued the order to "arrest all armed men and those who

incite others to demonstrate and follow up in order to prevent them from returning to their towns and villages. You are also ordered to arrest them along with the inciters and leaders of demonstrations and refer them to us as soon as possible so that we can take necessary action."[67]

The implementation of such orders was meticulously monitored. For example, the Political Security chief in Damascus instituted a reporting system on March 18, 2011, which required the heads of governorate-level branches to supply daily reports, including the names of all arrested persons.[68] In addition, high-ranking intelligence and security officers micromanaged operations such as the establishment of checkpoints to a striking degree and personally conducted interrogations. This included General Ali Mamluk, Chief of the General Intelligence, who personally interrogated one witness during the witness's detention at Branch 331 in Idlib. After an argument in which the witness referred to security agents as "thugs," Mamluk told the witness that he "deserved to die." [69] The chief of the General Intelligence Branch in Deir ez-Zour allegedly told another victim that if he and other detainees damaged any more statues during protests, he would "destroy everything from Deir ez-Zor to Abu Kamal."[70] An insider witness alleges that his superior, a brigadier general and the chief of General Intelligence Branch 255, ordered his subordinates "not to have compassion and mercy towards the demonstrators because they are connected to the outside [i.e., beyond the borders of Syria] and want to destroy the State's institutions," and instructed that "all demonstrations must be dissolved, regardless of the consequences."[71]

The predictable result of this heavy-handed, inflexible approach was that many thousands of detainees were murdered in the facilities or died due to the catastrophic conditions of their detention. Aware of the rising number of detainees dying in their custody, the mukhabarat chiefs took steps to hide the death toll from public view. They tried, for example, to find ways to deal with the many decaying bodies that the existing Syrian health system was not equipped to handle, leading to "bad smells" on hospital floors.[72]

Similarly, in the case of facilities subordinate to Military Intelligence, branch heads were responsible for either releasing a detainee's body to his or her family, or tasking the Military Police to bury the body. In most of the relevant reports available today to criminal investigators, regime officials recommended not releasing the bodies due to the torture marks on their corpses. In some cases in Aleppo, regime officials put dead detainees in black bags, wrote the words "terrorist" on them, and threw them into the Queiq River near Aleppo's Canadian Hospital, as alleged by a defector who served in the Aleppo branch of Military Intelligence until 2012.[73]

With increasing protests, the number of body bags grew. But rather than reconsidering its handling of the crisis, the regime sought to professionalize its

lethal crackdown. For that purpose, it created a new structure half a year into the uprising, the so-called joint investigation committees (JICs).

Inhumanity by Committee: JICs and Crimes against Detainees

The CCMC's directives from August 5, 2011, that tightened its direct grip over security and military forces also addressed the practice of arrests and interrogations. The CCMC decided that the security committees should establish JICs in "hot" governorates composed of "representatives of all security branches and the Criminal Security Branch to which all persons detained in a security campaign shall be referred for investigation. The results of the investigations shall be circulated to all security branches so that they can be exploited in distributing the new targets and seriously pursuing them, with the emphasis on investigations leading to members of the local co-ordination committees and their arrest."[74]

In the first two years of the uprising, tens of thousands of civilians were interrogated by the JICs, which were usually composed of up to five representatives of the four security and intelligence agencies and the Criminal Security Branch of the police.[75] One criminal investigative body has obtained lists of detainees prepared by the JIC in Hama governorate. These lists contain personal details and a note about the respective arresting agency for over 10,000 persons processed between August 18, 2011, and August 19, 2012. The vast majority of the victims were arrested by the four major mukhabarat agencies. Those arrested included at least 685 minors, the youngest of them just 11 years old.[76] The JIC's main task was to coerce confessions, identify new targets, and disseminate the information obtained, but the systematic mass detentions also created hostage leverage which could be used to discipline the population. Furthermore, while official documents portray a well-organized system, in reality it was deeply corrupt. With hundreds of thousands of people seeking their relatives and loved ones, the knowledge of their whereabouts, conditions of detention, and further fate became an opportunity for extortion as much as a show of regime force.[77]

Accounts from survivors who were detained in different prisons under the control of the intelligence agencies, internal security forces, and military demonstrate a uniformity in the forms of mistreatment across the regime's detention enterprise. Torture and abuse were committed during arrests, procession into custody, detention, and transfer from one facility to another. Detainees typically rotated through multiple locations throughout their detention period. Syria has a network —an archipelago—of civilian and military detention facilities throughout its governorates, as well as detention facilities operated by the security-intelligence agencies. Often, detainees arrested by an agency branch in one of the governorates would be transferred to the agency's branches in Damascus for

interrogation, sometimes in up to 16 different facilities.[78] Likewise, prisoners were transferred routinely from one security-intelligence service (as opposed to branch) to another.

One witness, formerly a regime official who served at the General Intelligence Branch in Aleppo, recounted the routine when his unit delivered detainees to a neighboring Military Intelligence branch. Soldiers would immediately attack the detainees by throwing them on the ground, stomping on them, throwing cold water on them, and beating them with nail-studded sticks.[79] Detention conditions are in every case described by witnesses as having been inhumane, with cells so overcrowded that detainees could not sleep because there was no room to lie down on the floor. Dozens of people shared a single toilet, if one was available at all. Food was often rotten, and the cells were infested with lice and scabies.[80]

During interrogations, detainees were beaten with hands, feet, cables, wires, and hoses; hung by their wrists from the ceiling; subjected to electric shocks; placed in tires and beaten; strapped to hinged wooden boards, the ends of which were brought slowly together, bending the back of the detainee; and subjected to egregious sexual violence.[81] One defector has alleged the existence of a special order that authorized regime officials to abuse a detainee to the point of death.[82] All these methods were used to extract information about opposition activities or to coerce detainees into signing or thumb-printing blank pages or pre-prepared confessions that they were not permitted to read.

Superiors in the regime chain of command were well aware of these practices. Two defectors from Military Intelligence have claimed that their branch's interrogation rooms had surveillance cameras which were connected directly to their branch head's offices.[83] According to several accounts, senior regime officers even participated directly in the rape of detainees.[84] Other perpetrators allegedly made the rape of detainees into a business, selling access to female detainees to other members of the mukhabarat agencies.[85]

The Assad regime's leadership was aware of widespread sexual violence perpetrated by its security apparatus, but none of the Syrian government internal communications obtained by criminal investigators indicates any regime investigation of these crimes. Instead, the Assad regime tried to obscure its crimes by blaming its enemies. For example, one victim has recounted how an investigator in the Military Intelligence branch in Hama pressured him to falsely confess that "terrorists" had raped him.[86] Similarly, when in December 2011 the United Nations (UN) Special Representative of the Secretary-General on Sexual Violence in Conflict informed the Syrian government of a forthcoming UN report that would include paragraphs on sexual violence perpetrated by regime forces, the Minister of Interior personally instructed the police commands in Idlib and Homs to present to the UN cases of women or girls who had allegedly been sexually assaulted by opposition forces.[87]

While tens of thousands of Syrians remain in detention today, the physical and psychological wounds of many of the survivors remain open.[88] Female witnesses interviewed long after having been subjected to rape and other forms of abuse, describe internal damage and vaginal and anal tearing which necessitated operations to resolve fistulas, incontinence, and other lasting effects.[89] Men describe the loss of sexual and reproductive function as a result of rape, the application of electricity to sexual organs, and other abuses. Witnesses also describe ongoing psychological effects including depression, anxiety, and other symptoms of post-traumatic stress.[90] The extensive documentation of systematic sexual violence is an indispensable component of the entirety of evidence against the Syrian regime.

The Fate of the CCMC and Continuation of the Slaughter

By the spring of 2012, the CCMC had, on the guidance of Bashar al Assad, successfully created, launched, and fine-tuned a vast system of military, security-intelligence, political, and loyalist militia organizations which waged total war on the Syrian population. It had also created a vastly expanded system of detention and torture and swept hundreds of thousands of Syrians into it. But the CCMC would not live to see the full effects of its work. On July 18, 2012, an explosion rocked the headquarters of the NSB in Damascus, which the CCMC had been using as its meeting place since earlier that year. A bomb, reportedly hidden in a flower bouquet in the middle of the conference table, detonated and killed four of the 10 permanent CCMC members: Hasan Turkmani (Head of the CCMC), Asif Shawkat (Chief of Staff of the Army and Deputy Minister of Defense—and Bashar al Assad's brother-in-law), Daoud Rajha (Minister of Defense), and Hisham Ikhtiar (Head of the NSB).

The exact circumstances of the attack remain unclear today. Theories range from an opposition operation with help from abroad to an "inside job" ordered by Assad himself to prevent a coup which Hisham Ikthiar or other CCMC leaders were allegedly concocting in coordination with foreign intelligence agencies. Whatever the truth, this bombing remains the highest-profile attack to date against regime leadership figures.

After the bombing, Assad did not reconstitute the CCMC. The available primary-source documentation in the possession of the Commission for International Justice and Accountability (CIJA) and other investigative bodies makes no reference to the CCMC's continued existence from mid-2012, nor does the extant evidence suggest that the regime ever felt the need to form a replacement body with the same far-reaching coordination authority. The reasons for this apparent course of inaction are unknown. It may be that Assad assessed that the CCMC had centralized too much power in a system built upon the divide-and-rule principle. Nonetheless, Assad continued—and continues—to utilize the CCMC's surviving members to direct the regime's war and detention machinery, killing hundreds of thousands of civilians and displacing more than half of Syria's population to date.[91]

The Regime's Destruction of Hrak

Whatever Assad's reasons for not reconstituting the CCMC, by summer 2012 the regime's system of warfare and detention was in any case running efficiently enough to continue without the CCMC as a formal coordinating body. Within three weeks of the bombing of the CCMC, the regime machinery proved resilient

enough to reprise what it had done to Baba Amr, this time in the region of Southern Syria that had been the cradle of the revolution.

On August 12, 2012, the Syrian army's Fifty-Second Brigade received instructions from its divisional command to inform the people of the small southern Syrian town of Hrak "that if any shooting or assaulting of a soldier or military vehicle takes place, the neighborhood will be destroyed."[92] The Syrian army had besieged Hrak in an attempt to quell the public protests and armed resistance that had spread throughout the country since the spring of 2011. Months of unrest had taken a toll on the brigade's combat strength. According to an internal brigade assessment, a large number of defections in the first year of the uprising had left the brigade with only 58 percent of its established strength.[93] Despite being severely understrength, the Fifty-Second Brigade carried out the divisional command's instructions and duly destroyed the town, using artillery bombardment as the principal means. The commander of one of the brigade's artillery units reported that the regime's forces had consumed 2,091 explosive shells during the Hrak operation.[94] In addition to the shelling, the regime troops attacked the approximately 20,000 residents of Hrak with missiles, barrel bombs, and sniper fire.[95]

After laying siege to Hrak for a month, military and security forces loyal to Bashar al Assad launched a ground attack against the town on the last day of Ramadan. In the early hours of August 18, 2012, thousands of soldiers from the Fifty-Second Brigade, Ninetieth Brigade, One Hundred and Twelfth Brigade, Fourth Division, Fifth Division, and the Republican Guard entered Hrak from the north.[96] Near the town's entrance, roughly 25 regime soldiers raided a shelter crowded with civilians, taking the men among them outside in blindfolds and handcuffs. A slaughter followed. One witness remembered soldiers sorting the men, saying, "You go to heaven, and you go to hell."[97]

Multiple witnesses have confirmed the ensuing massacre, in which Assad's troops killed at least 13 civilians with knives and blows to the head, in just one of many such mass killings in Hrak through the days that followed. The identities and exact number of victims are unknown. Though dozens of the dead were recognized, at least 63 other bodies were burned too badly to be identified.[98]

In total, the Assad regime's ground assault lasted for eight days and left large parts of Hrak in ruins. Throughout and after the events in Hrak, Assad promoted several commanders involved in the murderous attack, making it clear that they were doing exactly what he expected them to do.

Assad also continued to utilize the CCMC's surviving members to direct the regime's war and detention machinery, killing hundreds of thousands of civilians and displacing more than half of Syria's population in the years after.[99] For years, CCMC alumni have held the Assad regime's most senior military, intelligence, and security positions, including Ali Mamluk (whom Assad appointed chief of the

NSB shortly after the CCMC bombing), Jamil Hassan (chief of Air Force Intelligence), and Muhammad Dib Zeitoun (chief of the Political Security until 2014, when he was promoted to head up General Intelligence). Hassan and Zeitoun retired in 2019, while General Ali Mamluk maintains a top-level position to this day.

Conclusion

As damning as the information presented in this paper may be, it is merely a first glimpse of the enormous body of evidence of the Assad regime's systematic crimes against humanity over the past dozen years. As we stated in our introduction, we intend to follow this study with others that draw upon the vast archival troves and witness testimonies that exist and are growing by the day. We also aim to help open these sources to other scholars and analysts, since the subject matter is vast. Scholars, analysts, and investigators will be working with these sources for many years to come.

But this effort is more than just an academic exercise. Though the examples of Assad regime criminality set out in this paper are now more than a decade in the past, Assad and many of the others responsible for them remain in positions of power in Syria and continue to perpetrate the same crimes today. The criminality we highlight here, in particular by the Syrian state security apparatus, did not start in 2011, but began half a century before in the early days of the regime of Bashar's father, Hafez al Assad. When Bashar made the decision in 2011 to respond to the civil protest movement with systematic violence, he simply expanded the scale of the security apparatus so that it victimized a great many more innocents. Assad and the system he inherited will murder, torture, and kidnap incessantly until they are stopped.

Syria can never be whole and stable as long as its people have no justice for the crimes committed against them. Accountability is therefore crucial for resolving the Syrian conflict and stabilizing the entire region. But accountability in Syria is not just a matter of interest for the Syrian people: it is an imperative for all of us if we are to have the slightest hope of deterring other such regimes from emulating Assad's crimes in the future and making the twenty-first century as horrific a theater of suffering as the twentieth.

Notes

1 Interview with a former Saudi senior diplomat in London on August 1, 2022. The interview was conducted in confidentiality, and the name of the interviewee is withheld by mutual consent.

2 Military Intelligence Branch 243 instruction to subordinate Sections and Detachments, March 12, 2011, cited in CIJA, "Crimes Against Humanity Committed in Detention Facilities of the Syrian Regime" (unpublished manuscript) 2017: 128.

3 CIJA, "Violations of the Law of Armed Conflict by the Syrian Armed Forces in Connection with Military Operations in Homs, October 2011–March 2012" (unpublished manuscript) 2015: 48.

4 Communication from Branch 227 to Branch 294 (SYR.D0058.188.002-003), Communication from Branch 243 to Branch 294 (SYR.D0043.004.215), and Interview Report SYR.WAC.001_1, cited in CIJA, "Violations of the Law," 10. Note: Document reference numbers such as "SYR.D0043.004.215" refer to archival documents and witness interview reports cataloged and archived by CIJA. Document reference numbers pertaining to Syria begin with the designation SYR, and all citations in this paper that have this designation are from CIJA's holdings.

5 CIJA, "Violations of the Law," 11; see, e.g., Circular by Regional Assistant-Secretary Muhammad Said Bekheitan, October 4, 2011; Minutes of Meeting of the As-Sweida Security Committee, October 11, 2011.

6 CIJA, "Violations of the Law," 17; Minutes of Meeting of the CCMC on October 19, 2011; October 22, 2011; and October 23, 2011.

7 Sam Dagher, *Assad or We Burn the Country* (New York: Hachette Book Group, 2019), 191.

8 Bashar al Assad's speech to the National Parliament on March 30, 2011, appears in translation in "Syria: Speech by Bashar al-Assad," Al-Bab, accessed July 31, 2022, https://al-bab.com/albab-orig/albab/arab/docs/syria/bashar_assad_speech_110330.htm.

9 CIJA, "Violations of the Law," 56; see CCMC report from April 12, 2011.

10 CIJA, "Crimes Against Humanity," 132; see Minutes of Meeting of the CCMC on April 18, 2011.

11 CIJA, "Violations of the Law," 116; see CCMC report from April 19, 2011.

12 Interview Report SYR.WGA.678, cited in CIJA, "Violations of the Law," 116. For reasons of witness protection, the authors have not been provided with any witness identifying details.

13 The actual number of victims is disputed and ranges between eight and 300. The figure used in this publication is not related to CIJA's investigation but instead based on estimations that rely on additional conversations with witnesses that were conducted by researchers affiliated with the authors.

14 CIJA, "Crimes Against Humanity," 133; see Minutes of Meeting of the CCMC on April 20, 2011.

15 CIJA, "Crimes Against Humanity," 241; see CCMC report from April 22, 2011.

16 CIJA, "Crimes Against Humanity," 134; see Minutes of CCMC meeting of April 23, 2011.

17 CIJA, "Crimes Against Humanity," 134.

18 CIJA, "Crimes Against Humanity," 143; see, e.g., CCMC report from April 12, 2011.

19 CIJA, "Crimes Against Humanity," 143.

20 CIJA, "Violations of the Law," 118; see CCMC report from May 1, 2011.

21 "Baba Amr: Neighborhood Profile," Active Learning Network for Accountability and Performance in Humanitarian Action, published June 1, 2015, accessed June 13, 2022,

https://sohs.alnap.org/help-library/baba-amr-neighbourhood-profile.

22 CIJA, "Violations of the Law," 117; see Interview Report SYR.WGC.001, CCMC report from May 1, 2011.

23 Charles R. Lister, *The Syrian Jihad: Al-Qaeda, The Islamic State and the Evolution of an Insurgency* (London: Hurst, 2015), 51–55.

24 CIJA, "Violations of the Law," 61; see Communication from NSB to Secretaries of the Baath Party, August 6, 2011.

25 CIJA, "Violations of the Law," 62.

26 CIJA, "Violations of the Law," 64; see Minutes of Meeting of the CCMC on 23 July 2011, 24 July 2011.

27 CIJA, "Violations of the Law," 68; see Minutes of Meeting of the CCMC on 18 October 2011.

28 CIJA, "Violations of the Law," 69; see Minutes of Meeting of the CCMC on October 22, 2011.

29 CIJA documentary and other analysis points to General Imad Ali Abdullah Ayoub, Deputy Chief of Staff of the Army, in the position of Homs Military and Security Chief in late 2011 and into February 2012.

30 CIJA, "Violations of the Law," 70; see Minutes of Meeting of the CCMC on October 26, 2011.

31 CIJA, "Violations of the Law," 131; see Minutes of Meeting of the CCMC on November 9, 2011.

32 Interview Reports SYR.WGA.695, SYR.WGA.807, and SYR.WMA.134, cited in CIJA, "Violations of the Law," 149.

33 CIJA, "Violations of the Law," 91.

34 For the head of the mission's official report see League of Arab States Observer Mission to Syria, *Rep ort of the Head of the League of Arab States Observer Mission to Syria for the period from 25 December 2011 to 18 January 2012*, http://www.columbia.edu/~hauben/Report_of_Arab_League_Observer_Mission.pdf.

35 CIJA, "Violations of the Law," 139; see, e.g., Interview Reports SYR.WGA.643, SYR.WGA.509, SYR.WGA.511, and SYR.WGA.534.

36 Anne Barnard, "Syria Ordered to Pay $302.5 Million to Family of Marie Colvin," *New York Times*, January 31, 2019, https://www.nytimes.com/2019/01/31/world/middleeast/syria-marie-colvin-court-judgment.html; The bulk of the materials pertaining to Assad regime military and security operations in Homs cited in this paper form part of the public record in *Colvin v. Syrian Arab Republic*, 363 F. Supp. 3d 141 (D.D.C. 2019).

37 CIJA, "Violations of the Law," 141; see, e.g., Interview Reports SYR.WGA.680, SYR.WGA.782, and SYR.WGA.500.

38 CIJA, "Violations of the Law," 142, 155.

39 CIJA, "Violations of the Law," 162.

40 Interview Report SYR.WGA.740, cited in CIJA, "Violations of the Law," 164.

41 CIJA, "Violations of the Law," 164.

42 CIJA, "Violations of the Law," 59; see CCMC report from May 11, 2011.

43 CIJA, "Violations of the Law," 104; see Instructions from Military Intelligence Branch 243, March 2, 2011.

44 CIJA, "Violations of the Law," 107; see Military Intelligence Branch 243 instruction, April 11, 2011.

45 Uğur Ümit Üngör, "Shabbiha: Paramilitary groups, mass violence and social polarization in Homs," *Violence* 1, no. 1 (2020): 66, https://doi.org/10.1177/2633002420907771.

46 Üngör, "Shabbiha," 67, https://doi.org/10.1177/2633002420907771.

47 Interview Report SYR.WGA.848, cited in CIJA, "Violations of the Law," 166.

48 Interview Report SYR.WGA.724, cited in CIJA, "Violations of the Law," 176.

49 Interview Report SYR.WGA.513, cited in CIJA, "Violations of the Law," 180.

50 Interview Report SYR.WGA.818, cited in CIJA, "Violations of the Law," 180.

51 Interview Report SYR.WGA.519, cited in CIJA, "Violations of the Law," 182.

52 Interview Report SYR.WGA.756, cited in CIJA, "Violations of the Law," 182.

53 Fardous is a neighborhood in eastern Aleppo.

54 Interview Report SYR.WDA.006, cited in CIJA, "Crimes Against Humanity," 164.

55 See Syrian Penal Code, Article 285.

56 Anti-Terrorism Law, Article 10, enacted by the Syrian People's Assembly in July 2012.

57 Interview Reports SYR.WAC.001_EO (2) and SYR.WHC.504, cited in CIJA, "Crimes Against Humanity," 135.

58 Interview Report SYR.WAC.001_1, cited in CIJA, "Crimes Against Humanity," 422.

59 Communication from Branch 271 to Branch 294, June 4, 2011, cited in CIJA, "Crimes Against Humanity," 137.

60 Communication from Branch 271 to Branch 294, June 19, 2011, cited in CIJA, "Crimes Against Humanity," 138.

61 F. Peil, "Syria," in *Intelligence Communities & Cultures in Asia & the Middle East: A Comprehensive Reference*, ed. Bob de Graaff (London: Lynne Rienner, 2020), 355.

62 Peil, "Syria," 357.

63 Carmen Becker, "Strategies of Power Consolidation in Syria under Bashar al-Assad: Modernizing Control over Resources," *Arab Studies Journal* 13/14, no. 2/1 (2005/06): 68, https://www.jstor.org/stable/27933934.

64 The most important of these security-intelligence agencies was the Military Intelligence directorate, not, as is popularly believed at least in Syria, Air Force Intelligence.

65 CIJA, "Crimes Against Humanity," 87; see, e.g., Interview Reports SYR.WHA.033 and SYR.WDA.058.

66 Internal security forces are comprised of civilian police, riot police, criminal security branch personnel, and prison service personnel.

67 CIJA, "Crimes Against Humanity," 69; see Communication from Military Intelligence Branch 243 to Military Intelligence Sections, detachments and Security, August 28, 2011.

68 CIJA, "Crimes Against Humanity," 102; see Instruction from the Head of the Political Security Department, March 18, 2011.

69 Interview Report SYR.WEA.009_AO CIJA, cited in "Crimes Against Humanity," 93.

70 Interview Report SYR.WJC.003, cited in CIJA, "Crimes Against Humanity," 159.

71 Interview Report SYR.WGA.777_AE, cited in CIJA, "Crimes Against Humanity," 96.

72 CIJA, "Crimes Against Humanity," 72; see Instruction from the National Security Bureau, December 3, 2012, as referenced in Circular from Head of Military Intelligence, December 18, 2012.

73 Interview Report SYR.WDA.043, cited in CIJA, "Crimes Against Humanity," 166.

74 CIJA, "Crimes Against Humanity," 147; see Communication from Head of the NSB to the Secretaries of the Baath Party in the Governorates of Hama, Rural Damascus, Deir ez-Zor, Homs, Idleb and Dar'a, August 6, 2011.

75 CIJA, "Crimes Against Humanity," 49–50.

76 CIJA, "Crimes Against Humanity," 52. For reasons of victim and witness protection, the lists themselves were not made available to the authors.

77 Demanding payments from detainees' families for ransom, milder treatment, or even simple information on a detainee's status or welfare is a decades-long practice by Syrian regime security agencies that has continued throughout the period of the Syrian conflict. See, for example, Joshua Surtees, "Syrian Detainees' Families Forced to Pay Huge Bribes to Corrupt Officials – Report," *Guardian*, January 4, 2021, https://amp.theguardian.com/world/2021/jan/04/how-syria-uses-prison-to-extort-money-report-arrest-funding-assad-regime; or Syrian Network for Human Rights, "At Least 164 Arbitrary Arrests/Detentions Documented in Syria in March 2023, Including Nine Children and Three Women (Adult Females)…Syrian Regime Forces Continue to Blackmail Detainees' Families Despite Their Catastrophic Economic Conditions," news release, April 2, 2023, https://snhr.org/blog/2023/04/02/at-least-164-arbitrary-arrests-detentions-documented-in-syria-in-march-2023-including-nine-children-and-three-women-adult-females/.

78 Interview Report SYR.WJA.009, cited in CIJA, "Crimes Against Humanity," 162.

79 Interview Report SYR.WDA.049, cited in CIJA, "Crimes Against Humanity," 166.

80 Interview Report SYR.WDA.019, cited in CIJA, "Crimes Against Humanity," 174.

81 CIJA, "Crimes Against Humanity," 156.

82 Interview Report SYR.WDA.043, cited in CIJA, "Crimes Against Humanity," 165.

83 Interview Reports SYR.WDA.043 and SYR.WDA.047, cited in CIJA, "Crimes Against Humanity," 164–165.

84 CIJA, "Crimes Against Humanity," 190.

85 CIJA, "Crimes Against Humanity," 191.

86 Interview Report SYR.WFA.052_AE, cited in CIJA, "Crimes Against Humanity," 204.

87 CIJA, "Crimes Against Humanity," 204; see Letter from the Head of the NSB to the Minister of the Interior, December 14, 2011.

88 *Arbitrary Imprisonment and Detention—Report of the Commission of Inquiry of the Syrian Arab Republic* (Geneva: United Nations Human Rights Council, 2021), https://www.ohchr.org/en/hr-bodies/hrc/iici-syria/detention-report.

89 CIJA, "Crimes Against Humanity," 202, see, e.g., Interview Reports SYR.WGA.123_EO and SYR.WKC.001.

90 CIJA, "Crimes Against Humanity," 203.

91 "Eleven years on, mounting challenges push many displaced Syrians to the brink," United Nations High Commissioner for Refugees, March 15, 2022, https://www.unhcr.org/news/briefing/2022/3/623055174/eleven-years-mounting-challenges-push-displaced-syrians-brink.html.

92 CIJA, "Crimes Against Humanity and War Crimes by the Syrian Army and Armed Forces in Hrak, Dar´a Governorate" (unpublished manuscript) 2018: 35, Logbook of Telegrams Received by the Fifty-second Mechanized Brigade, August 11–14, 2012.

93 CIJA, "Crimes Against Humanity and War Crimes," 70, Assessment of Human Resources in

Fifty-second Mechanized Brigade ending February 24, 2012.

94 CIJA, "Crimes Against Humanity and War Crimes," 36, Assessment of Gvozdika 122 mm Artillery Ammunition at 189th Artillery Battalion, September 7, 2012.

95 CIJA, "Crimes Against Humanity and War Crimes," 38–40, see, e.g., Interview Reports SYR.WHA.501, SYR.WHA.508, and SYR.WHA.532.

96 CIJA, "Crimes Against Humanity and War Crimes," 36–37, see, e.g., Interview Reports SYR.WHA.502, SYR.WHA.304, and SYR.WHA.504.

97 CIJA, "Crimes Against Humanity and War Crimes," 44, Interview Reports SYR.WHA.502 and SYR.WHA.509.

98 CIJA, "Crimes Against Humanity and War Crimes," 50, Interview Report SYR.WHA.509.

99 "Eleven years on," UNHCR, https://www.unhcr.org/news/briefing-notes/eleven-years-mounting-challenges-push-many-displaced-syrians-brink.

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