



**TRIAL OF ANWAR RASLAN and EYAD AL GHARIB**

Higher Regional Court – Koblenz, Germany

Trial Monitoring Report 14

Hearing dates of October 01, 2020

*CAUTION: Some testimony includes descriptions of torture.*

**Summary / Highlights:**<sup>1</sup>

- **P16, a 38-year-old woman, testified about her detention and interrogations in Division 40 and Al-Khatib. She identified the accused, Anwar Raslan, as one of the interrogators in Al-Khatib and talked about meeting Raslan in Jordan after he defected. P16 described the beating that she and other detainees experienced and the lack of hygiene available to detainees – although Raslan was sympathetic and did not beat her. She said state security used sexual violence as a torture method and shared stories from other detainees detailing rape and harassment. She was asked about prior statements where she said she was treated well at Al-Khatib. In addition, she laughed uncomfortably during her testimony. The witness described her meeting with Raslan and discussed the political implications of senior officials defecting from the Syrian government.**

**Trial Day 34 – October 01, 2020**

The proceedings began at 9:40 am. There were about 14 spectators and three individuals from the media present.

[Name/information redacted] petition on plaintiff representation was withdrawn because he was already heard in the Netherlands. [No further information on this petition was provided during this or previous court sessions.]

Mazen Darwish's documents from his earlier testimony were handed out.

The hearing of witness [name/information redacted] will be on the first and second of December. Mrs. Hille and Mr. Knappmann, who led the hearing, will appear on December 2.

P16 appeared with her lawyer Mrs. Otto-Hanschmann from Frankfurt (Main).

Chief Judge Dr. Kerber told P16 to tell them when she wants to take a break. P16 thanked Judge Kerber.

Judge Kerber gave her instructions and informed her about her rights as a witness.

Plaintiff Counsel Khubaib Ali Mohammad was not present.

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<sup>1</sup> Throughout this report, [information located in brackets are notes from our court monitor] and "information placed in quotes are statements made by the witness, judges or counsel." Note that this report does not purport to be a transcript of the trial; it is merely an unofficial summary of the proceedings. The names of witnesses have been redacted.



*Trial Monitor's Note: P16 consistently laughed throughout the session, even when talked about herself being sexually harassed. The witness was in good spirits. She used the phrase, "Young men and girls شباب" اصبيا a lot, however, it has been written simply as "men and women" throughout the report.*

Testimony of P16 [name/information redacted]

P16 is 38-year-old woman who lives in Paris. She said that she was a journalist in Syria. In France, she is learning French. She is not related to the accused by blood or by marriage.

Judge Kerber asked her to talk about how she came into contact with the regime and about her detention. P16 said that she comes from a big family of nine siblings and her parents. She started her political activity in the communist party in Syria in 2001. Between 2001 and 2011, many friends were detained while distributing data on labour (or martyrs) day. When the revolution began in 2011, they had an idea of how the regime would deal with opposing movements. Her first detention started on May 2, 2011 and lasted until May 16 (2 weeks) in Al-Khatib Branch. The second one started on April 12, 2012 and ended on April 19 (one week). This detention was also in Al-Khatib Branch.

Judge Kerber asked how P16 was detained and what she experienced. P16 said that the first detention was from a women's demonstration in the centre of Damascus. When one speaks about demonstrations, one would think of thousands of people, but there were only 30 girls. P16 was the only girl that was detained because she was filming/taking photos [The word in Arabic can mean both, but probably, she meant filming]. Initially, she was taken to Division 40, which is known as Hafez Makhloof's حافظ مخلوف division. Some young men were taken from the street and "we" were beaten together. On the same day, they were taken to Al-Khatib Branch. When P16 arrived, she had to wait in the corridor for a long time – approximately four hours.

Judge Kerber asked if P16 was sitting. P16 said no, she was standing and facing the wall.

Judge Kerber asked if it was for four to five hours. P16 confirmed. Of course, there were many members/forces/personnel bringing people [detainees], passing by [the corridor], and smacking the detainees. That was something normal/ordinary/regular, not because of orders, but rather because they could do so.

Judge Kerber asked if they used hands or tools. P16 said that they were hit mostly by hand, but once it was with an electric stick. P16 had the feeling that they were testing it out. P16 did not know when the first interrogation started. The questions were about her and her family, in addition to another line of questioning, like who sent her and who paid her money to demonstrate. She was blindfolded and her hands were cuffed behind her back during the interrogation. When she was asked stupid questions, she laughed so, she received a smack on the back of her neck. Afterward, she was taken to the solitary cell. P16 said that she does not know if she should elaborate.

Judge Kerber asked her to please continue. P16 said that it was a room "as big as the table here" [she referenced a table in front of her in the courtroom], maybe a bit bigger. It was like a grave. No more details.

Judge Kerber asked if P16 can estimate the size. P16 said that she thinks that it was 1.8 by 1.7 meters. In fact, she was interrogated five times on the first day, and there were always threats of torture and rape - "Now, we will give you to the members/forces/personnel [عناصر] to act [deal with you]". P16 was



preparing herself psychologically for what to do in such a situation. That was all that happened on the first day. She stayed for three days in the solitary cell, from Monday to Thursday, and was not summoned for interrogation. However, there were three things worth mentioning: One, the sound of the people who were being tortured. Two, going to the toilet only once per day. Whenever she was taken to the toilet, “they had to try/test their muscles”, calling her “you who\*\*, you cu\*\*.” She received kicks, slaps, and smacks on the back of her neck. [She said رفسة which is a “kick”, more to describe the animal’s kick. Also, شلوت which is a kick especially targeting the buttocks. The translator did not know what it meant and there was some discussion about it.]

Judge Kerber asked whether P16 received blows or was being touched. P16 said she was only beaten. The harassment was in Division 40 when they were beaten all together, and, intentionally and unintentionally, they were grabbing sensitive areas.

Judge Kerber asked if that happened in Division 40, but not in Al-Khatib. P16 repeated that it did not happen in Al-Khatib, but in Division 40.

Judge Kerber asked how P16 knew that she was in Al-Khatib. P16 said that one night, before her transfer to another branch, there security forces stormed the Al-Tal التل area and they arrested many people from there, almost everyone who lived there. They arrested a 60-year-old woman and put her with P16 in the cell and she told P16 that [about the security forces storming the area].

Judge Kerber asked what food the detainees received. P16 replied, olive and bread.

Judge Kerber asked if it was enough. P16 said that she does not know because she did not eat. As P16 previously said, she was preparing herself for the worst. It was one loaf of bread.

Judge Kerber asked P16 about her second detention. P16 said that it was from a sit-in in front of the Syrian parliament within/as a part of the “Stop the Killing” campaign. The security forces were there and knew that they [the protestors] were coming. Before they [“we”] began, they [the security forces] charged at/attacked the protestors and detained young people and girls. P16 and a woman (P16 did not want to mention the name) were beaten like crazy in the street. She [the unnamed woman] was wearing a hijab that the security forces took off and then they ripped up her mantle [Jilbab/coat]. They detained 40 young men and girls. It was the same scenario [as the first detention]: they were taken to Division 40 but the beating was more savage/fierce. Due to the beating, they had welts for ten days. They [sexually] harassed a lot, in an exaggerated way/way too much.

Judge Kerber asked P16 to elaborate. P16 said that she was talking about young men and women. With the girls, they grabbed P16’s and another woman’s breasts in a “disgusting way.” They had the power/strength, but “we” did not [they were powerless/helpless].

Judge Kerber asked if that was in Division 40. P16 said yes. She does not know how to continue/go on.

Judge Kerber recalled that P16 was in Division 40 and was taken to Al-Khatib. Judge Kerber then asked how P16 knew that and what happened. P16 said that when they were transferred from Division 40 to Al-Khatib, they were put in a small van. They were shoved inside without blindfolds, so one could see the streets.

Judge Kerber asked if P16 recognized Al-Khatib visually. P16 confirmed.



Judge Kerber asked what happened afterward. P16 said that at the branch's door, the famous Abu Ghadab أبو غضب and another person called Abu Shamleh أبو شملة greeted/welcomed them with four or five slaps following the beating in Division 40.

Judge Kerber asked if that happened in Al-Khatib. P16 confirmed. They separated girls from young men. An officer in official clothes [This was translated to "official uniform", but the wording she used can mean "a uniform or a suit." (P16 does not know [is not sure] whether he was an officer) came and threatened them directly and distinctly saying that they are who\*\*s and need bringing-up/rearing. He [the "officer"] said that they will inform their [P16 and the detainees] parents and will rear/bring them up [This was translated to educate/raise].

Judge Kerber asked how they would raise them [P16 and detainees]. P16 said by beating.

Judge Kerber asked if P16 was also talking about rape. P16 replied, of course, there were always threats of rape like, "Here, we have members/personnel/forces who have not seen their wives for a long time."

Judge Kerber asked if they were threatened with rape on every occasion. P16 said yes.

Judge Kerber asked how P16 knew the names of the torturers like Abu Ghadab and the other one. P16 said that they were Abu Ghadab and Abu Shamleh. "We" were living with them. They [the members/personnel] used to call each other by those names.

Judge Kerber asked if P16 knew them from the first detention. P16 said that in the first detention, she became acquainted with Abu Shamleh and with Abu Ghadab during the second detention.

Judge Kerber asked what happened afterward. P16 said that they were searched and were naked, but a female searched them.

Judge Kerber asked if the body orifices were searched as well. P16 said of course. They had to squat three times to make sure they weren't hiding anything (P16 said that she does not know what she would hide in her body). P16 said that the noticeable thing from the place where they [P16 and other female detainees] were inspected by that woman (P16 does not know if she was a nurse) was its stench. It stunk there and there were traces on the wall (P16 does not know if it was blood). However, P16 felt that the marks were from [signs of] beating and torture. She could see some tools.

Judge Kerber asked what tools were there. P16 replied, cables and sticks.

Judge Kerber asked if they were hung on the wall or bundled together. P16 said no, they were on the floor.

Judge Kerber asked what happened after the body search. P16 said that they were interrogated and, as usual, blindfolded. When they were not pleased with the answer, the detainees were beaten. P16 thinks that it was the third day when she met Anwar Raslan for the first time. Of course, she did not know who he was.

Judge Kerber asked P16 to look to the right and say whether she recognized Raslan there. P16 said yes.

Judge Kerber asked what he did. P16 said that they took her from the solitary cell, blindfolded, and climbed several stairs (P16 does not know how many floors). They arrived at the office and when they entered, she heard Raslan's voice telling the security personnel [عنصر] that he had told them a thousand



times to not bring the detainees blindfolded. The security person took the blindfold off. Raslan asked her to sit down and to choose a seat [i.e. to sit down where she wanted]. In the beginning, he did not ask questions. Then he asked if she wanted coffee. She was terrified and said no thanks. After that, he asked general questions about P16's family. He was nice/kind in general. She stayed in the office for about 15 – 20 minutes. Before he called the security personnel to take her back to the solitary cell, they talked for two minutes about what was happening in Syria. P16 remembers that she said that she did not believe that the army went on the street to kill people and he shook his head. [She did not specify whether he shook his head (left to right), or nodded up and down. It was translated to “nodded.”] He called the security member/personnel to take her back. P16 asked him [Raslan] if she could smoke a cigarette in the corridor and he agreed. He told the security person to give her a cigarette to smoke in the corridor before he took her back [to the cell].

Judge Kerber asked what happened next. P16 replied that nothing happened. The following day she was transferred to another branch where she, along with two other women, stayed in a cell in Kafar Souseh كفسوسة. From there, she was referred to the [Syrian] court and was released after three days.

Judge Kerber recalled that in a previous questioning/hearing, P16 explained why she was not treated badly. Judge Kerber asked if P16 remembered what she said. P16 said in fact no [she did not remember], but that was probably because the “Stop the Killing” campaign had momentum at the international level. Kofi Annan was in Syria and it was obvious that “we” were peaceful activists. Some friends and lawyers seized the opportunity of Annan [being there in Syria] to increase the pressure to release them.

Judge Kerber asked if P16 identified a dialect during the interrogation. P16 said that the question was perplexing/ disconcerting because everyone in that corps speaks one dialect.

Judge Kerber asked which dialect. P16 replied the Syrian regime dialect.

Judge Kerber asked if P16 could specify. P16 said that it is obvious that Judge Kerber knew the answer.

Judge Kerber replied that the answer should be public. P16 said that she reserves to mention the term that Judge Kerber wants.

Judge Kerber asked if Raslan speaks a regional dialect. P16 said no.

Judge Kerber said that P16 had said that before [The court was not informed when P16 had said this, but perhaps Judge Kerber was referencing the police questioning]. P16 asked if Judge Kerber was talking about Raslan or the whole regime.

Judge Kerber said she was asking about Raslan. P16 said that she knows that one who lives in Damascus, speaks the Damascene dialect. However, one who lives in Damascus knows if someone comes from another place and P16 knew that he came from another place.

Judge Kerber asked where does he come from. P16 replied, Homs.

Judge Kerber asked where in Homs. P16 said that she does not know.

\*\*\*5-minute break\*\*\*

Judge Kerber asked if P16 met Raslan after her detention. P16 said yes, in Jordan. In fact, until that time, P16 did not know his name, but one of her acquaintances was also a defector from the Syrian regime



and showed her his [Raslan's] picture. The acquaintance asked her if she remembered that person and she said no. He told her to recall Al-Khatib. P16 then remembered and asked him why he asked. He told her that he [Raslan] defected and is in Jordan. P16 said that she was curious [The translation was "She had the pleasure to meet him there **twice**"].

Judge Kerber asked how the meeting was. P16 said it was a bit surreal. [There was confusion in translating the term. It was translated that Raslan did not seem normal.] P16 said that it was not normal. She was sitting with her jailer drinking coffee. In fact, they talked about generalities more than details. The meeting lasted for an hour or an hour and a half and after that meeting, she had not seen him again.

Judge Kerber told P16 to tell the court whenever she needs a break or they can proceed on. P16 said that we can carry on.

#### Questioning by Judge Wiedner

Judge Wiedner asked P16 about her activities in the communist party and if she noticed arrests or chases. P16 said that when Bashar [al-Assad] took leadership, he tried to have political openness at the beginning, which coincided with the Palestinian Intifada [uprising] in 2000. So, there was a fine/ok political movement and demonstrations against America and Israel were part of general Syrian propaganda. However, starting in 2002 or 2003, he [Bashar al-Assad] changed his mind and said to himself, "What do I have to do with this [why should I be concerned]?". There were detentions for most of the activists. During "our" communist activity, they detained many [people/members] who were distributing leaflets. One of them stayed in a solitary cell for 30 days alone and told "us" when he was released.

Judge Wiedner asked if the arrests were conducted by the intelligence services. P16 said that the comrade who was detained in 2006 was important to her personally and therefore, his story was important to her. Based on orders from the party, he reserved all the information and did not share information with others [He did not talk and give information in the detention/interrogation]. This information was considered special to the leadership.

Judge Wiedner asked where he was detained. P16 said that he did not mention where.

Judge Wiedner recalled that P16 was detained in Division 40 and asked if she can describe where it was. P16 clarified if Judge Wiedner meant Division 40. Judge Wiedner confirmed. P16 said it is in Al-Jisr Al-Abyad, *الصالحية الجسر الأبيض*, which is a street in an area called As-Salehiyya.

Judge Wiedner asked if she knew that Division 40 was there and how. P16 said that she knew because when they were taken from the demonstration to the branch, they were too many people and not enough blindfolds. They could see where they were heading.

Judge Wiedner asked if she knew before her arrest that Division 40 was there. P16 said that she did not know that it was called Division 40, but she knew that it was a branch of the intelligence services. In Damascus and from the beginning of the demonstrations, one could see checkpoints and fortifications around the branches and therefore, one could recognize/distinguish them.

Judge Wiedner asked if P16 could describe the building of Division 40. P16 said that there was a big iron gate and a space [yard] that was surrounded by residential buildings. They were able to see balconies.

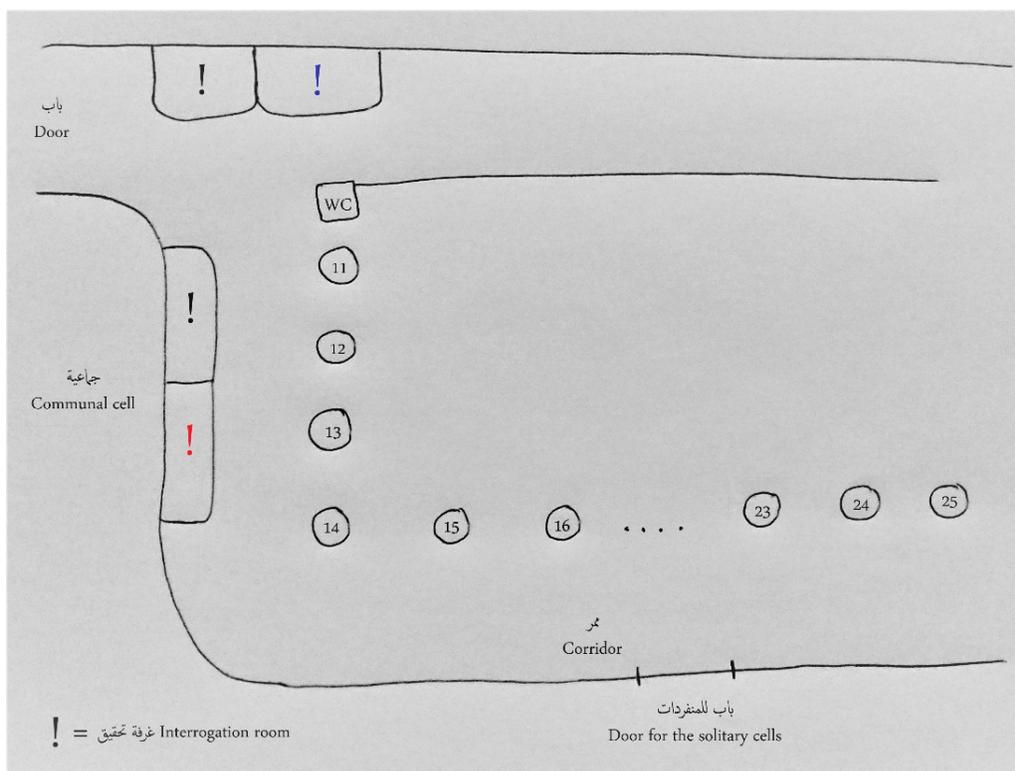
Beyond that, there was a normal building (like the residential flats). Both times, they were beaten on the third floor.

Judge Wiedner recalled that she went to Al-Khatib after Division 40. Judge Wiedner asked if she remembered her arrival, and where she was brought and where the cells were. P16 said that she drew a sketch of the branch and handed it in, but she could try to recall it again.

Judge Wiedner asked if P16 could describe it first and if she went downstairs, as well as to describe the blows and the situation. P16 said that the sounds of beating are always/constantly audible/heard. "Morning" we [the detainees] don't differentiate day from the night there, but only know it is morning because they [the prison guards] play Fayrouz [a singer] and one can hear her and the sounds of the beating together/simultaneously.

Judge Wiedner said that P16 mentioned the downstairs and asked if she meant the basement. P16 confirmed. When they arrived at the door of the branch and after the welcome party by Abu Shamleh, they went downstairs (she does not know how many stairs, but it was underground). When going downstairs, there was a corridor on the opposite side. There were three or four gates/entrances, which P16 thinks were solitary cells.

A sketch was shown.



P16 mentioned that she was in cell numbers 23 and 25. She recognized the interrogation room [blue exclamation mark] from the smell of the toilet, [in the room] where she was interrogated. P16 said that she was beaten on the way to the toilet (back and forth). P16 said that the sounds [of torture] used to come from the shared/communal cell to the left. P16 said that in the corridor at the bottom there were



beds for the guards/personnel. P16 added that below the door there was a solitary cell, number 13, where a friend of P16's [female friend] was detained since the 1980s. This friend was the woman who was brought to P16 [P16's cell]. They left the window open so that she could see her children being beaten in the interrogation room [red exclamation mark]. When she cried so much, she was brought to P16 [P16's cell].

Judge Wiedner asked how old the children were. P16 said that she [the woman] did not say. She was 60, so maybe her children were 20-year-olds.

Judge Wiedner asked if men and women were segregated. P16 said that she was segregated and did not hear about mixing men and women, at least according to what she heard from her female friends about Al-Khatib.

Judge Wiedner asked if underground means that there was no daylight. P16 replied, never.

Judge Wiedner asked if the lights were turned on. P16 said that the lights were turned on and off two or three times (P16 was not sure), but it happened at least once. They turned the lights off and someone collapsed. He was banging on the door like crazy saying that he "would tell everything and wanted to be let out" and the whole branch could hear him. Apparently, he could not breathe.

Judge Wiedner asked if the man responded this way because of the small size of the cell. P16 said yes, she thinks so because they were already living in horror and it felt like being in a grave. One lost all his senses and contact with the outside world. One cannot see anything and only hears people being beaten. P16 said that she thinks that some people don't have endurance and so they collapse.

Judge Wiedner asked if solitary cells were as she described them. P16 said yes, the numbers in the sketch are all solitary cells.

Judge Wiedner then asked if there was a second woman with her in this solitary cell. P16 confirmed and said that the woman was brought into P16's cell during the first detention.

Judge Wiedner recalled that there were interrogations in the interrogation rooms and asked what P16 perceived from others. P16 said that she does not know how to describe that. The sounds were terrifying for sure. "We" in the solitary cells were able to hear the cables hitting skin. The sounds of the young men who were beaten were abnormal. There was one person who lied to them to make them stop only to take another breath and promise to tell them everything. They asked him what he wanted and he said that he does not have anything to say.

P16 asked if it was possible to take a break. Judge Kerber asked for how long and if ten minutes was enough. P16 said yes.

\*\*\*10-minute-break\*\*\*

Judge Wiedner asked if there were tools to hang someone/something, like rings or hooks. P16 said the smell was remarkable. P16 was afraid and therefore, could not differentiate whether that room was for beating [or something else].

Judge Wiedner asked if she cannot remember clearly. P16 confirmed.



Judge Wiedner asked P16 to describe a typical interrogation situation, but not with Raslan. P16 said that in all the interrogations that were conducted underground, she was always blindfolded and her hands were cuffed. She could recognize/differentiate the voices of the interrogators, but could not see them. However, it was remarkable that one could see from underneath the blindfold that all of them were wearing sports shoes. One could recognize that there was more than one person by the voice. There was always a member/person behind her who was responsible for beating her when they were not pleased with her answer. One time, she was taken to the interrogation and heard a person who was being tortured in the (same) interrogation room. When she entered, she could not see anything and someone was pulling her from her arm and therefore, she stepped on the person [who was being tortured] and he was pulled/dragged outside. She told him "I am sorry." From underneath the blindfold, she saw him being dragged outside.

Judge Wiedner asked if there was task sharing in interrogations. Did the interrogator do the beating as well? P16 said that no, the interrogator never hit her. It was the responsibility of the person behind her.

Judge Wiedner asked if the beatings were ordered. P16 said that she does not know, but she felt that when he [the interrogator] did not like the answer, it was reflected/indicated to the member [person behind her] and then she was beaten.

Judge Wiedner asked what they [the interrogator] wanted to know. P16 said that they asked about her and her brother, [name/information redacted], multiple times and in fact, he was detained in 2013 through the present time. There were questions about the family's financial situation and where was her father working, about her affiliation with the communist party, and about what the party's activities were and who was responsible for the party.

Judge Wiedner clarified that Raslan's office was not in the basement. P16 confirmed.

Judge Wiedner asked if P16 could estimate how many stairs/ floors she had to go up when going to the interrogation. P16 said that she had previously mentioned a second or third floor. She went up many stairs but that was her personal estimate, because she was blindfolded and her perception could maybe be mixed up.

Judge Wiedner asked if she was alone with Raslan or if there was another person with them. P16 said no, it was just them [P16 and Raslan].

Judge Wiedner recalled that at the beginning of the interrogation he [Raslan] told her to take off the blindfold. Judge Wiedner asked if someone else was there. P16 said the member/security personnel who brought her upstairs from the solitary cell was there.

Judge Wiedner asked what Raslan was wearing. P16 said that sometimes memories get mixed up [she sometimes does not remember things correctly], but maybe he was in official military clothes.

Judge Wiedner asked if there were symbols/signs on his epaulettes/insignia. P16 said that she does not remember, but she thinks that there was an eagle and two or three stars.

Judge Wiedner responded that P16 said "an eagle and two stars" in the police questioning.

Judge Kerber showed an image of some insignias.



(c) Wikipedia - [https://en.wikipedia.org/wiki/Military\\_ranks\\_of\\_Syria](https://en.wikipedia.org/wiki/Military_ranks_of_Syria)

Judge Wiedner asked P16 to describe Raslan's office. P16 said that, as she mentioned previously, in comparison with other offices, it was luxurious/upscale. There was a table [desk] made from expensive looking wood, a library [book shelves] and of course, Bashar al-Assad's picture.

Judge Wiedner asked if there was a couch/armchair. P16 said, of course.

Judge Wiedner asked if P16 was beaten before [she was brought to the office]. P16 confirmed.

Judge Wiedner asked if one could notice that she had been beaten. P16 said that she showed signs, as her t-shirt was ripped and her hair was unkempt [She had physical indications that she had been beaten].

Judge Wiedner asked if she had marks on her face or if there were swellings. P16 replied, no.

Judge Wiedner asked if someone could hear screaming sounds from the office. P16 said no, never.

Judge Wiedner asked P16 what the purpose of the interrogation was and observed that she had described a friendly atmosphere. P16 said, correct. She does not know the reasons for the interrogations. They interrogate when they want – sometimes the questions were stupid and sometimes they were deep. It was their job.

Judge Wiedner asked if Raslan wanted certain information from her, or if she was asked general questions. P16 said that he [Raslan] asked her one question about Al-Ghouta الغوطة . She was scared when he asked that, because she was detained both times from a demonstration, not because of her name. She was wary/cautious and used a pseudonym/alias during her activities in Al-Ghouta. When he [Raslan] asked that, she felt that she was exposed to them (in Al-Ghouta). However, she denied that and said that she had connections there and that she had been there.

Judge Wiedner asked when P16 met Raslan in Jordan. P16 said it was in December 2013 or January 2014. She does not remember. She does not even remember when she left Syria.

Judge Wiedner asked if P16 recalls the intention of that conversation and why Raslan talked to her. P16 asked if Judge Wiedner meant the first or the second time.

Judge Wiedner clarified he meant in Jordan. P16 replied that he [Raslan] did not ask to see her. There was a mediator who asked her if she would like to meet Raslan. [It was unclear if she was referring to the mediator asking her or if Raslan asked through the mediator]. She agreed and went immediately to a public café in Amman.



Judge Wiedner asked if Raslan remembered her. P16 said that she thinks so.

Judge Wiedner asked what they talked about. P16 said that he [Raslan] told her that when he asked her about Al-Ghouta [when she was detained], he was looking for a route/way from Damascus to Al-Ghouta to secure a way to sneak his family out. P16 responded to Raslan, “You are asking me about Al-Ghouta inside an intelligence services branch?!”.

Judge Wiedner asked if P16 asked Raslan for his position/opinion on the system/regime. P16 said that they did not go into details. She was still surprised from meeting Raslan and she is not an inquisitive/nosy person in general.

Judge Wiedner asked if Raslan apologized or showed remorse. P16 said no, not in a direct way. The meeting was more as if they were friends.

Judge Wiedner asked if P16 saw dead people during her detention period in 2011 – 2012. P16 replied, no.

Judge Wiedner asked if P16 heard reports/stories about dead people. P16 said of course.

Judge Wiedner asked P16 to elaborate. P16 said that there is a story about something that happened and P16 talked with the concerned person who asked her not to mention names and details. However, she shared one detail. His [this person’s] brother was detained in Al-Khatib and he had direct contact with Anwar [Raslan] to negotiate how he [the brother] could be released (P16 can’t tell [details]). After a while, Anwar [Raslan] called him and told him that his brother died and asked him to come to take the corpse. He [the person] went to a military hospital (P16 does not know which one) and they offered him four corpses with signs of torture on them. None were his brother. When he [this person] objected, they told him to choose one [of the corpses] and take it.

Judge Kerber asked when Raslan started to not want to support the regime. P16 said that according to him [Raslan], he did not have a chance to defect earlier and was not able to do so before he could secure his family.

Judge Kerber asked if he talked about his defection with P16. P16 said yes, but it was a quick conversation and was over in two minutes without details.

Judge Kerber recalled that P16 said that “he would have started to support the opposition when the Assad system threw bombs on civilians.” P16 confirmed.

#### Questioning by Senior Prosecutor Klinge

Senior Prosecutor Jasper Klinge recalled that Raslan said in his statement at the beginning of the trial that [Klinge made several quotations/remonstrations]:

- “He [Raslan] and P16 met in April 2011”. P16 said that was not true. Klinge asked if P16 was sure that it was in 2012. P16 said yes, April 2012.
- “She worked for BBC”. P16 said that was not true.
- “She was in an office with several people.” P16 said that she thinks that Raslan was talking about another person.



- “[A] 3x3 meter office, that she would come from Ma’raba ,معرابا, Damascus and was a Christian”. P16 said, no.
- “She would have called the chief of Branch 251 and asked him to release her, she only talked about press freedom.” P16 said that was not true.

Klinge asked if they met in 2014 in Jordan. [Name/information redacted] called her and they met in Tila Al-Ali in a café. P16 said yes, she thinks that the place was Tila Al-Ali تلاع العلي.

Klinge asked if May Skaf مي سكاف was there too. P16 said that May Skaf was not there.

Klinge asked if P16 knows May Skaf. P16 said, of course. They lived together in Jordan.

Klinge made a quotation/remonstration: “He would have recognized her right away and thought she wanted to thank him, but it was not like this, she did not say a word. May Skaf was there.” P16 said that May Skaf was not there.

Klinge asked if P16 talked to Raslan personally. P16 confirmed.

Klinge asked if P16 had the impression that Raslan had the power of order in his office in April 2012. Defense Counsel Michael Böcker intervened asking, “What do you want to do with the answer?”. P16 answered saying that when one is in such a situation, one anticipates the worst. Anyone who works in the intelligence services has authority/power. Mr. Raslan was not an ordinary person, he was the vice-head. He surely had a certain authority/power.

Klinge asked if his orders were conducted/followed. P16 said that she does not know the type of orders he gave.

Klinge refreshed P16’s memory by quoting: “[...]Told you a thousand times to take off the blindfold.” P16 said that it was the only order [that she heard?]. Any officer might say that to any member/employee.

Klinge asked how employees/members addressed Raslan. P16 said that the member/personnel/employee did not usually speak. He knocked on the door and entered. The most common thing that he repeats is “Yes, sidi حاضر سيدي” and “At your command, sidi أمرك سيدي”.

Klinge asked about the general condition in Al-Khatib and the methods of torture. P16 said that one cannot see anything. She described the room where the detainee’s clothes had to be taken off because that was the only thing she saw. She could only describe [torture] from the sounds of the people and young men, especially regarding the amount/magnitude of torture.

Klinge asked if others described torture. P16 replied, of course. There is “Shabh”, where one is hung from the hands to the ceiling with toes touching the floor with random/indiscriminate beating on the body and face. There is “Doulab” [tyre] that P16 did not see, but she heard that the detainee is folded up into two halves [forward fold]. P16’s friend was detained for three months and when he was released, he was not able to walk for six months. There are electric sticks with adjustable degrees of intensity. P16’s friend described to her that they used to pour water [on the detainee] then use electricity, so that he shudders/flinches. These were the people who made it through. Some friends were martyred [died]. There is also the torture of putting out cigarettes on the body. A person who now lives in Paris cannot walk, because of the beatings on his knees and cigars were put out on him. He is one of P16’s friends.



Klinge asked if P16 was talking about Al-Khatib or in general. P16 said that one of them was in Al-Khatib (the person with Shabh). He was detained twice in Al-Khatib. He is a physician and the worst thing he was subjected to was Shabh.

Klinge recalled that P16 was detained in a solitary cell in 2011 and 2012 and asked if she saw shared/communal cells as well. P16 said that during her way back and forth to the toilet (sometimes they did not put the blindfold on well) and according to the map [the sketch she drew], she heard sounds of young men who were speaking and crying. Inside the room where the beatings took place (mostly torturing), there were multiple people.

Klinge asked about the hygienic conditions. P16 said that she was surprised by the question [found it strange] and asked "which hygiene." The blankets were full of insects, cockroaches were everywhere, and there was no soap in the toilet.

Klinge asked if P16 or others had skin diseases. P16 responded, of course. One of her female friends suffered from that for a long time.

Klinge asked when that was. P16 said that she cannot specify which detention that was because she [the friend] was detained several times. However, in the Air Force branch in Al-Mazzeḥ, المزة the friend was tortured (she [the friend] does not like to speak about the details) and had psychological and physical damages. She talked about the lack of hygiene and how if a wound was open, no one treats it and it putrefies. She showed P16 a scar that was caused when they hit her with the whip and it left a mark.

Klinge asked if P16 received medical care in Al-Khatib. P16 said that she did not need it, but she did not see it either.

Klinge asked if she saw injured people. P16 said that blood was everywhere. In the corridor, young men were in the squatting position facing the wall and their upper body was free [of clothes/bare skin] and she could see everything.

Klinge asked if P16 could describe her way to the toilet, such as how long it took, how many people were in the corridor, what kind of blows and how many blows had they received. P16 said that the whole process of going from the solitary cell to the toilet and returning took three minutes. While passing through the corridor (it depended on the blindfold [whether it was positioned well]), in one glance, she saw groups of people: some who had been whipped; some beaten with iron [most likely bars]; and some beaten with the four-fold cable. That one came as a sting [Meaning, she could feel the lash stings on others' bodies].

Klinge asked if there was a difference between the detentions in 2011 and 2012. P16 said that the numbers of the demonstrators in 2011 were high, and so were the detainees. They had to put the detainees in schools and they even used the rooms in Al-Abbasiyyeen العباسيين stadium. There were thousands of detainees from the streets. P16 thinks that the detention in 2011 was to intimidate people so they would not take to the streets [for demonstrations], but the systematic detentions were also directed to/involving the peaceful activists who appeared at the beginning of the revolution. Later, many of these (peaceful activists) were killed during 2011, because the regime could not detain 10,000 people. Therefore, they killed the three or four people who had organized the demonstrations.



However, in 2012 when the demonstrations decreased, the number of dead increased, because the detainees were less (the percentage of dead increased).

Klinge recalled that P16 was in al-Khatib in 2011 and 2012 and asked if the torture methods changed, as well as whether conditions deteriorated or did not change. P16 said that the sounds were the same and did not change: the same intensity, pain, horror, and fear. P16 was lucky that she was not exposed/subjected to such type of torture.

Klinge said that P16 was beaten on the upper floor of Division 40 and asked if she could further describe that and share how and for how long was she beaten. P16 said that at the beginning, they were put together (40 young men and women) in a van for 12 passengers and there were no blindfolds. They were loading [detaining] people from the street. When they arrived at Division 40, there were two people with pump-action shotguns. After that, they were queued in a line and walked. When “we” got out [of the van], it was apparent that the members/personnel were put on alert. The beating and torturing began the moment “we” got off. They had tools, sticks, small-sized whips, and of course they also beat with their hands and feet. They were beaten all the way upstairs. There was a young man who tripped while going up the stairs and fell, then the member/personnel who was in front of him kicked him. When he [the detainee] was pulled up again and was put among “us”, (there was sexual harassment, beating and verbal harassment), the members/personnel continued to beat him. He was totally naked because of the beating and P16 thought that he would die. It lasted for about an hour.

Klinge asked how the situation was and if they were standing facing the wall. P16 said that the detainees were on the floor and were stepped on. P16 does not know, but after the third blow, one would fall down on the floor. They continued the beating though using tools and hands and they spat on “our” faces one by one.

Klinge asked if their [the forces’] faces were masked. P16 said no, “we” were able to see everything.

Klinge asked if she could recognize their faces. P16 said that one could see the faces, but she does not know if she can recognize anyone.

Klinge asked if P16 recognizes the other accused, Eyad. P16 said that she does not know anyone.

Klinge asked if she was still wearing the clothes in Al-Khatib that were ripped in Division 40. P16 said, yes.

Klinge asked if she kept the clothes on. P16 said that she did not understand the question.

Klinge asked if P16 entered Raslan’s office wearing these same clothes. P16 said of course and responded, saying “Where would I go to change them?”

Klinge asked what the clothes looked like. P16 said that it was a white t-shirt, ripped “here” and “here” because she was being pulled from “here.” [It was difficult to see from the spectators’ gallery where she was pointing.] She had on the same clothes [as she was wearing in Division 40].

Klinge asked how the clothes were ripped. P16 said that they were somehow like “this” but more open, because “it” [the ripping] started when she was detained from the street. The ripping did not happen in a single moment.



Questioning by Prosecutor Ritscher

Prosecutor Christian Ritscher asked if P16 remained in the same clothes and if one could see that they were ripped. P16 confirmed.

Ritscher recalled that P16 mentioned swellings that stayed for ten days and asked where they were located. P16 said they were on her neck, her back and “here” [“Here” was translated to leg, however our trial monitor could not see where she pointed]. She had bruises on some areas of her body.

Ritscher recalled that the Palestinian woman [the woman that P16 shared a cell with briefly] was treated unequally brutally and asked what happened to her. P16 said that she does not know if she [the woman] agreed to mention her name, as P16 did not ask her. P16 said that she [the woman] is Palestinian and had a son who was detained for seven or eight years and she was detained three times. They were racist against her, because she was Palestinian and was considered a guest [Or foreigner; The term “guest” was used to denote that she should act “politely”], and because she was a hijabi.

Ritscher recalled that P16 said that the woman was treated brutally and asked what happened to her in Al-Khatib. P16 said yes, she does not remember completely. She [the woman] was interrogated twice and when she came back, she was crying hysterically. When she passed by P16’s cell, P16 hear her cursing “curse their father, dog”. After that, because “we” each spent three nights in the solitary cells in Al-Khatib, “we” later met/gathered together in the same cell. She told P16 about the racism against her and how she was beaten.

Ritscher asked if P16 recalls that in the third interrogation she said that there were electric shocks. P16 said that it was a stick that is not big. It feels like all of it is placed on the neck.

Ritscher asked why it was used and what they wanted to know. P16 said that regarding the question of why they used it, she does not know.

Ritscher asked if it was used several times. P16 said that her body shuddered/flinched after one or two times and she did not know how many more times they used it. However, P16 does not think that it was used more than twice.

\*\*\*Lunch break\*\*\*

Judge Wiedner asked if Raslan talked about the regime. P16 said that according to her memory, he did not give details about the subject, but he said that during her interrogation in Al-Khatib, he was trying to get information about whether she was going to Al-Ghouta. Therefore, as P16 mentioned previously, that was mentioned when she met him.

Judge Wiedner interrupted asking if P16 meant in Jordan. P16 confirmed. Therefore, he [Raslan] justified his question [about Al-Ghouta] by explaining that he was hinting to her that he wanted a safe route/way out of Damascus, concerning his defection.

Judge Wiedner refreshed P16’s recollection saying “No he did not apologize and she does not know if he regretted that and he had no other option in the first place.” P16 said yes, she mentioned that in the report [the police report]. That is correct.



Judge Wiedner asked if she meant that he did not have a choice and that he worked for the opposition. P16 said that when one works with the regime in the security [field], it is not easy to leave. P16 believes that the revolution gave people a chance to object to the regime's practices. Many military and intelligence service officers defected when they had the chance. However, some people were sent by the regime to the opposition regarding weapons and similar matters. P16 does not have any idea about the intentions of Mr. Raslan. The last point P16 wanted to mention is that the people who defected in 2011, appeared in media and videos [declared their intentions on video], and did not leave Syria, but instead worked for the revolution from inside Syria. However, Mr. Raslan did not do that.

Judge Wiedner asked if P16 was under the impression that she believed Raslan's defection. P16 said that her feeling at that moment was that she was excited that people were leaving the regime and joining the revolution. The revolutionaries in general were not supported by the great countries in the world which were letting the regime kill people day and night. Therefore, they were excited for any person leaving the regime, because that would empower the revolution.

Ritscher asked if relatives of P16 were officially informed about her detention. P16 replied, of course not.

Ritscher asked if P16 could inform them. P16 said, of course not. She asked during the beating to talk to her mother to tell her that she was not going to go back home. They mocked her request saying, "Where do you think you are?"

Ritscher said that P16 talked about her injuries and asked her if she remembers that. P16 said that things are a bit conflicting and she does not remember. Moreover, she does not like to talk about the subject as she does not want to live through the pain twice.

Ritscher refreshed P16's recollection quoting, "She was injured in Al-Khatib. She had injuries on her neck. In Division 40, her head was hit twice against the wall and her nose was bleeding. There was no treatment. Intimate hygiene was impossible". P16 responded that the statement was correct.

Ritscher asked if hygiene was unavailable even during menstruation. P16 said that she knocked on the door and asked for feminine hygiene products, but they laughed at her. She used her socks.

Ritscher recalled that P16 was blindfolded outside the cell, but also saw people standing at the wall. He asked if all of those were men. P16 said that she pointed out during the questions that sometimes they put the blindfold on poorly. She could always see from underneath the blindfold.

Ritscher asked if P16 could recognize if the people who had bare upper bodies and injuries were men or if there were also women. P16 said that in the corridor they were all men.

Ritscher asked if there were men and women in the solitary cells. P16 said that the person who started banging on the door when they turned the electricity off was a man in a solitary cell.

The defense had no questions.

#### Questioning by Plaintiff Counsels

Plaintiff Counsel Sebastian Scharmer mentioned the threats of rape and insults like, "you are who\*\*s." He asked P16 about the consequences rape would have for a woman in Syria when the family is



informed about it. P16 said that many women who were subjected to harassment or rape in the Syrian prisons were also subjected to social ostracization after imprisonment. The Syrian nation/people are generally conservative. The honor of the woman means a lot to the family and rape means disgrace. There is a famous film about women who were raped in prisons or [military] campaigns during revolutionary times and came out later in audio and video and told “us” about their terrible experiences. Even P16’s Palestinian female friend had her husband divorce her because he thought that she might have been raped. He did not know [if she had been raped]. He did not have the mental or social ability to support her [his wife]. P16 said that she is lucky that she comes from an open-minded family. P16 said that she does not know if that answered the question.

Scharmer said that knowing that detainees should not talk after detention, how should it be interpreted when members/personnel say that they would inform the detainees’ parents. P16 said that of course, that is a form of blackmail and harassment/disturbance. P16 had female friends who did not tell their parents what happened to them in prison.

Scharmer asked if sexual violence is a method of torture. P16 asked if his question was about the intelligence services in general.

Scharmer confirmed, yes, since 2011. P16 replied, of course. This concerns men and women. A friend of P16, a young man from Deir ez-Zor دير الزور told the media how they used to rape him and the size of the stick that they inserted in the anus. He was tied up and cuffed and was not able to defend himself. Of course, rape is the worst type of torture.

Scharmer asked if P16 heard about the other 40 women after their arrest and if they have also been in Al-Khatib. P16 said that they were 40 women and men. The women were eight then five then three: [P16 and] the Palestinian and the other one who remained until the end. They spoke about verbal harassment and threats of rape and did not say more details.

Plaintiff Counsel Manuel Reiger asked if P16 asked Raslan about her brother when they were in Jordan. P16 said no, she did not ask him.

Reiger said that in her police hearing, P16 said that she guesses/conjectures that people who leave the system still had contacts in the prisons. Reiger asked if Raslan still had contacts when he was in Jordan. P16 said that she does not know.

Reiger asked where she got that guess/conjecture. P16 said it is because she knows people who defected and remained in contact [she did not mention details], because not all people who are with [support] the opposition defected. Not all of them have the courage to leave. Sometimes, when we want to ask about information or in media, “we” ask these friends and they know people [contacts]. However, P16 does not have information about Mr. Raslan.

Plaintiff Counsel Andreas Schulz said that he did not hear her answer before and asked if P16 believed Raslan that he had truly defected. P16 said that she cannot give a clear yes or no. She believed that he defected because many people were leaving the regime and thought that this would weaken the regime. Therefore, she was happy and excited that another one left the regime, hoping that they give information to benefit the revolution. So, P16 does not know whether Raslan gave information that convicts /condemns/incriminates the regime.



Schulz asked if Raslan might have only defected ‘from the outside’ to trace or investigate the revolution [as an informant]. P16 said that she did not have that feeling. Her feeling was positive towards the subject.

Defense Counsel Michael Böcker asked for the year of the movie that P16 had mentioned earlier, which is called “Syrie – Le Cri Etouffé.” P16 replied that it was maybe 2017 or 2018, but it talks about the destiny of women from 2011.

Böcker asked who made the movie. P16 said that it was a French woman whom P16 met in [real] life, but she does not remember her name. P16 knows the Syrian woman who made the contact between them.

Böcker asked if the director was detained in Syria as well. P16 said that the director of the movie is French.

Böcker replied, “So she was never detained in Syria.” P16 said that she has no information on that.

Böcker asked when the time of documenting ended, 2011? 2012? P16 said that Böcker should watch the movie to get more information and to see how these women are scattered on earth and “these” [regime officers... etc] are still in power/position. They [the women] don’t care about dates.

Scharmer asked if it is correct that P16 had the information about sexual violence in the general intelligence services from different sources (for example by talking to other women) and from the movie. P16 replied, 100%.

The witness was dismissed.

Judge Kerber said that the following day’s session was cancelled [because the questioning was finished].

\*\*\*10-minute-break\*\*\*

Judge Kerber read out a rejection of the defense’s petition to repeat days 1-23 for the public because Arabic translation was not available for Syrian reporters.

Judge Kerber said that she found a news article about Kofi Annan’s visit. Scharmer said that he found one titled “Kofi Annan meets with Al-Assad” from March 11 [2012]. Judge Kerber said that her article was from March 10 and wondered if they were the same article. Scharmer said that it might be a different one, which mentions the “release of the political detainees.”

The proceedings were adjourned at 2:40 p.m.

The next trial will be on October 6, 2020, at 9:30 a.m.