



TRIAL OF ANWAR RASLAN and EYAD AL GHARIB

Higher Regional Court – Koblenz, Germany

Trial Monitoring Report 15

Hearing Dates: October 6, 7 & 8, 2020

CAUTION: Some testimony includes descriptions of torture.

Summaries/Highlights:¹

Trial Day 35 – October 6, 2020

A plaintiff, P17, a 52 year-old man living in Germany appeared as a witness before the court. He described his own detention by the Syrian intelligence service as well as the search for his brother, a doctor who was detained by the intelligence service in July 2012, brought to Branch 251 and has been missing ever since. His family expended huge sums in order to gain information from officials as to his brother's fate. Branch 251 offered the corpse of a stranger to the family, claiming it was P17's brother. When they refused it, they were threatened. Their captors would also provoke fights amongst detainees.

Trial Day 36 – October 7, 2020

P18 was allowed to conceal his name due to concerns about the safety of his family in Syria. However, defense counsel noted that he did not conceal his identity outside the courtroom and later accidentally spoke the full name of P18 in court against the court's order. He confirmed his cousin's testimony about the search for their brother/cousin and provided further information on the contacts which the family used to get into Branch 251 and arrange a meeting with Anwar Raslan. He spoke about two visits to Branch 251. During one meeting, Raslan urged him to take any corpse and stop the search. The witness also spoke about countless corpses in Tishreen and Harasta hospitals with numbers and codes on their chests, showing signs of torture as well as shots through their heads.

Raslan's lawyer read out a short statement, confirming that Raslan was approached about the missing person, but denying that he had any information regarding his whereabouts or that he met with P18.

Trial Day 37 – October 8, 2020

Christoph Reuter, a 52 year-old German journalist appeared as a witness and expert to provide background information on the changes in civil society as well as within the intelligence service in Syria from 2011 onwards. He also testified about the context and content of two interviews he conducted with Anwar Raslan in 2012 and in 2015, who he said had a photographic memory. Reuter also provided insights into Raslan's motives for deserting and his opinion about the Syrian intelligence services, based on how Raslan appeared in these interviews as well as on corroborating statements from other sources. He said the reputation of the general intelligence (of which Branch 251 formed a part) was that it was less brutal than air force and military intelligence which both had

¹ Throughout this report, [information located in brackets are notes from our trial 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.



a worse reputation. Raslan told him how the Syrian Government staged attacks against itself that it blamed on jihadist organizations in order to paint itself as the victim.

Day 35 of Trial – October 6, 2020

The hearing began at 9:30am with 6 spectators and 2 members of the press in the audience.² Plaintiff counsel Reiger was represented by Attorney Bessler.

Testimony of P17 [name redacted]

P17, one of the plaintiffs, a 52 year-old man working as an author and living in Germany was accompanied by his counsel Mr. Bahns. Admonitions were read out and P17 was informed about his rights as a witness.

Judge Kerber's Questioning

Kerber asked P17 to provide information on his person, position in and relationship to the Syrian Regime. P17 made clear that he is not a witness but a plaintiff. He accused Raslan of detaining his brother [P17's missing brother] and never providing any information on his whereabouts. He further said that according to his information, Raslan is responsible for killing his brother respectively torturing him to death. P17 said considering this, his relationship with the Regime would be obvious.

Kerber told P17 that as a witness, he should answer the questions put to him. P17 said that he was arbitrarily detained twice, once by the air-force intelligence service and once by the "so-called" military intelligence service. He said that both times he witnessed arbitrary torture and grave atrocities he had never seen before.

Kerber asked why P17 was arrested. He said because he is an author and participated in demonstrations.

Kerber asked when he was detained. P17 said that the first time he was detained by the "arbitrary" air-force intelligence from May 3, 2012 until May 10, 2012 and the second time from July 17 [16], 2012 until July 29, 2012.

Kerber wanted to talk about the second detention and asked P17 what happened and what he experienced. P17 said he saw corpses in the corridors.

Kerber asked where this was. P17 said it was at Hama airport, however that did not happen during his second detention. There he saw how hot water was poured over a woman. During his first detention he was tortured himself and all his neighbours saw the scars on his back.

Kerber asked P17 to describe his detention. P17 said that during his first arrest, he was tortured in a car. He was beaten with cables on his hands and back, so his back was bleeding when they arrived at the prison. P17 said he was put into a room measuring 4x5m with around 75 people inside, some of them alive, others dying. P17 said there was only very little to eat, a piece of bread and four olives in the morning. He said that the amount of food in the evening was not sufficient for a human being. P17 said that they were only allowed to use the toilet once a day and were brutally beaten on the way to the toilet. He said that detainees were allowed to use the toilet for only 10sec and that there was dirty

² No accredited Arabic-speaking journalist who requested access to translation was present.



water around the toilet. P17 said on his way to the toilet he saw seven bodies that died under torture and two people hanging from the ceiling, probably close to death. He said that “middle east newspapers” in London also reported about his case and the case of Dr. Ahmed Taleb Al-Kurdi أحمد طالب الكردي. According to P17, Reporters Without Borders covered his own detention.

Kerber said that P17’s direct experiences are more valuable. P17 said that he did not experience torture during his second detention however witnessed torture, he could write an entire book about this but will keep it short.

Kerber said P17 is a plaintiff because of his brother and that he has siblings. P17 said his father has five children of which he is the oldest. He studied economics and holds an MA in management sciences. He was the head of administration in the opera but quit his job in 2007 because of all the corruption there. P17 said he went back to his hometown because he did not want to participate in the corruption. He published two books, articles and newspapers. P17 said that his home was ethnically diverse and that three different ethnicities were living under one roof: his father is Ismaili, his mother Sunni, his wife and brother-in-law are Ismaili and his sisters-in-law are Allawi. P17 said that his family is culturally diverse and that all of them are doctors. His brother [name redacted, missing since 2012] graduated at the top of his class.

Kerber wanted to know if P17’s family is also politically diverse and whether there are opponents as well as supporters of the Regime. P17 said that they are all against the Regime and that no one with the least reason would be on the side of the Regime and repeated that everyone in his family is against the Regime.

Kerber asked what position P17’s [missing] brother held and where he worked. P17 said his brother wanted to go to the U.S. to continue his studies, so they travelled to Jordan for his brother to take a test to go to the U.S. which he passed with 95 out of 100 credits. However, in the meantime before his departure P17’s brother changed his mind. He started working in the department for internal medicine (cardiology) at Al-Mojtahed hospital. During this time, he lived with Eyad Shbat إياد شباط, a doctor and informant for the Syrian intelligence service. P17’s brother told him that he got into a fight with his flatmate, that was two days before his arrest. They [P17’s missing brother and his flatmate Eyad Shbat] argued because Eyad Shbat was in favour of the “elimination” of peaceful protesters and [P17’s missing brother] was against it. P17 said that they heard from doctors at the same hospital that Eyad Shbat told the director of the hospital, who had direct connections to the intelligence services, about this. His brother was then detained in Branch 251.

Kerber asked how P17 knows about this. P17 said it was a coincident that he and his brother were arrested on the same day; P17 by the military intelligence in [information redacted] and his brother by the state security directorate in Damascus. The first time after P17’s brother was arrested, his siblings were searching for him, that is where he [P17] got his information from, since he was detained himself. P17 said that his brother [name redacted] can provide more information, he is currently in [information redacted]. P17 asked the court to hear his brother as a witness and plaintiff. He [P17’s brother] is a doctor who served in the military and saw many, many things. P17 said he could explain better.

Kerber said that P17 is now summoned as a witness and asked whether his brother [name redacted] told him about the search for their brother [name redacted]. P17 affirmed.



Judge Wiedner intervened asking P17 whether other family members like [name redacted] were also involved in the search and reporting about [P17's brother's] search for [P17's missing brother's] corpse. P17 affirmed, adding that his cousin accompanied his brother.

Kerber asked whether P17 himself made attempts to search for his brother. P17 affirmed.

Kerber asked what kind of attempts P17 made. P17 said he contacted Abu Akram أبو أكرم [pseudonym]³ on Facebook who told P17 and his brother about the last moments of their [missing] brother at Branch 251.

Kerber asked whether this is the chat which is on the case file. P17 affirmed and said that his brother [name redacted] was part of the chat since he is a doctor and asked the judges whether he should read it out.

Kerber told P17 to summarise it. P17 said [Abu Akram] told them that their brother was beaten. A detainee called [name redacted (abbreviated as 'D1')] woke P17's brother up for breakfast and beat him [Abu Akram] was then called by [name redacted], an employee at Branch 251 from Safita صافيتا who told [Abu Akram] to sign a declaration that [P17's missing brother] died a natural death. After the death of P17's missing brother, ventilators were installed in the prison. P17 further recalled that he was told that [Abu Akram] disappeared. P17 said he is not sure whether the information is reliable, it might all be a "game" by the intelligence service to cover actual information about the death of his brother. P17 further said that many [detainees] witnessed that his brother was tortured and abused. [Abu Akram] had contacted [name redacted (abbreviated as 'C3')] who via another person was in contact with Anwar Raslan [in Jordan] to ask him about P17's brother. [C3] received information directly from Anwar Raslan saying that P17's brother most likely died under torture. P17 said he saw one of the deserters from Branch 251 on TV. He smuggled a list of names of dead people and the number of their corpses out of Branch 251. P17 said he is not sure whether this list is a reliable source but it also has the name of his missing brother listed at number 71. The family then tried to get more information through their contacts but they were always told that [P17's missing brother] was dead, they [family] should be quiet and stop asking about him. A UN employee who was in contact with friends of the family then told them that the Syrian Government sent them an answer on [P17's missing brother's] whereabouts saying that he was killed and his body handed over [to the family], however the body was not handed over. P17 said that instead, his brother [name redacted] told him that when he went to an employee of Branch 251, a direct subordinate of Anwar Raslan, he told him that their brother was killed and tried to hand over a corpse which was not their brother's corpse. When P17's brother did not accept the corpse, he was told that he should take a closer look, however he replied that first, he is a doctor and knows how to identify a dead person and second, he would recognise if it was his missing brother. P17's brother was then threatened and told by employees of Branch 251 that "colonel" Anwar said he should go to the cooling chambers in Harasta حرستا and Tishreen تشرين hospitals. That is where they then looked for their brother together with their cousin. P17 finally repeated his request to call his brother [name redacted] as a witness and plaintiff since he knows more details and has more information of "immense importance".

Kerber asked how they [P17's family] made contact with Anwar Raslan. P17 said that his brother [name redacted/involved in the search for their missing brother] was an officer in the military.

Kerber said that not every member of the military is automatically a member of the intelligence service and asked whether there were family members with higher military ranks who arranged contact with

³ Note from the Trial Monitor: P17 later said that this person used a fictitious name to cover his real identity.



Raslan. P17 denied that there were family members with higher ranks, only his brother and cousin arranged the contact. P17 said one of his father's cousins was a retired officer in the general intelligence service for many years, nonetheless he was unable to help, even though the family approached him. However, he gave an overview of the methods of the Regime and said that it is common that detainees get numbers and are then forgotten for decades.

Judge Wiedner's Questioning

Since P17 did not need a break, judge Wiedner asked him to provide some background on his personal development and whether he felt he was part of the opposition. P17 affirmed that he belongs to the opposition and said that he was arrested in 1990 by the "arbitrary intelligence service apparatus".

Wiedner asked whether this rather happened in 1991. P17 affirmed and said that when he quit his job, he began to participate in demonstrations, report writing and coordination of demonstrations.

Wiedner asked when this was. P17 said in 2011.

Wiedner asked whether P17 had experience in participating in demonstrations and if so, when and where. P17 said he has experience participating in demonstrations and that they were always peaceful. He said that even "the war criminal" Assad admitted that there were no weapons in the first six months. However, the "security apparatus" had a significant role in "pushing demonstrations in a corner of ethnic violence" using different means, one of them was shooting at demonstrators.

Wiedner asked whether P17 experienced this himself or how he knew. P17 said that everyone in Syria knows that peaceful demonstrators were shot. P17 said that a childhood friend of his, [name redacted], "a martyr", was killed in Damascus and that people were also shot at during his funeral with the use of government fire arms.

Wiedner asked whether P17 participated in demonstrations himself and if so, where. P17 said that he did participate in demonstrations. However, there was "no extensive violence" in [information redacted] since those were demonstrations by minorities and the Regime wanted to propagate that Sunnis are making a revolution which they [the government] must stop. This is why they [the government] were friendly towards minority demonstrations, to not contradict themselves.

Wiedner asked whether P17 was detained close to an airport during his first detention. P17 affirmed.

Wiedner then wanted to know if P17 saw dead bodies in the cell and asked him to talk about his first detention. P17 said that detainees were called for interrogation and taken out of a room of approximately 70 people. They [detainees] were usually tortured in the corridors. In the interrogation rooms there was a hangman called Somar سومر, who "was a real beast." P17 further said that he heard screaming and voices and saw corpses on his way to the toilet.

Wiedner recalled P17's statement with the German Federal Police (BKA) from 2019 where P17 said that he saw many people dying and that there were approximately 70 people in a cell measuring 4x4m and that dead bodies were left in the cells on purpose for two to three days. Wiedner asked P17 whether this is correct. P17 affirmed, however, he wanted to emphasise that his perceptions are based on a 10sec time frame on his way to the toilet, so he cannot say exactly how long the dead bodies he saw on the way to the toilet were left there.

Wiedner asked if there were also dead bodies in the cell. P17 affirmed explaining that two people were killed in his cell and only taken by the guards after 12 hours.



Wiedner wanted to come back to P17's brother and asked P17 if he personally knows Anwar Raslan. P17 denied.

Wiedner asked whether it is then correct that P17 never had direct contact to Anwar Raslan. P17 affirmed.

Wiedner asked P17 to explain why he is accusing Anwar Raslan of being responsible for his brother's fate. P17 said he is accusing Raslan because he was the head of interrogation at Branch 251 during his brother's detention. He [Raslan] was also the one providing information about his brother's death, before and after he deserted. P17 said he can provide more sensitive information: One of the employees at Branch 251, [name redacted (abbreviated as 'C1' for better reading)], who was a direct subordinate of Anwar Raslan and married to a cousin on P17's father's side of the family also smuggled information from Branch 251.

Wiedner asked P17 to detail (specify) information coming from Raslan. P17 said that they got this information from [C1], an interrogation officer at Branch 251, from detainees that have been released and were secretly in contact with P17's family. P17 added that this information also came from Raslan himself.

Wiedner wanted to know what exactly Raslan himself said. P17 said that Raslan in his capacity as head of Branch 251 directly ordered to give the family a wrong corpse. When they denied, Raslan, via the head of his office, told them to look for their brother's corpse in the hospitals. [name redacted] (who is currently in [information redacted]) met with Raslan in Jordan, Raslan told him that [P17's missing brother] most likely died due to massive torture.

Wiedner asked P17 if he knows [P16 from day 34]. P17 said he only has a nodding acquaintance with her.

Wiedner asked whether she [P16 from day 34.] also met with Raslan. P17 said [name redacted] met with Anwar Raslan and that P17's brother [name redacted] was in contact with [P16 from day 34]. He contacted her to contact Raslan, as she was in Jordan. However, this contact was useless as they did not get any information from her. After that, P17's brother was not in contact with her anymore. P17 said that she was his neighbour in Damascus and that her brother [name redacted], a detained journalist, is a friend of his.

Wiedner wanted to know whether money played a role in the search for P17's brother. P17 said his family was exploited for every bit of information.

Wiedner asked when and to whom they paid money. P17 said that his brother [name redacted] can provide a more detailed answer to this question, since he himself left Syria in 2014.

Wiedner wanted to know about P17's personal knowledge of payments. P17 said that all people who offered to help always requested a certain amount of money. He does not know any details, but the family paid millions [Syrian lira]. P17 said he does not know to whom they paid money or any other details. However, he knows that the intermediaries were always a secret and that all efforts were dead ends.

Wiedner asked whether the family paid employees of Branch 251. P17 said he does not know.

Wiedner asked how the Facebook chat came about, when it happened and how P17 still has access to it. P17 said it happened on December 17, 2012. [Abu Akram] was also detained in Branch 251 and



released. He said he was a revolutionary and had the duty to report about the conditions in Branch 251. P17 said they never heard from him again after they chatted, he was allegedly tortured to death.

Wiedner asked P17 who participated in this chat. P17 said that Abu Akram أبو أكرم was a fictitious name used by [name redacted] on Facebook to cover his real identity. P17 further said that three people were involved in the chat, P17 himself, [Abu Akram] as well as P17's brother, since he is a doctor and could therefore judge their missing brother's health situation according to what [Abu Akram] told them.

Wiedner asked P17 whether [Abu Akram] initiated the contact himself. P17 denied, saying that he [P17] contacted [Abu Akram] after he saw one of his Facebook posts which was published by Akkad Al-Jabal أكاد الجبل. P17 said he asked Akkad Al-Jabal to put him in contact with [Abu Akram].

Wiedner asked how this chat was available during P17's questioning by the BKA in 2019 and how P17 still has access to it. P17 said that he kept this chat since it was the first contact to a person that saw his brother.

[10 minute break in proceedings]⁴

Wiedner said he wanted to have a narrower time frame for [P17's missing brother's] detention and asked P17 whether they were arrested on the same day. P17 affirmed and added that they were arrested at two different places by two different services.

Wiedner asked when exactly they were arrested. P17 said on July 17 [16], 2012.

Wiedner asked what P17 heard about what happened to his brother after his arrest and that he might die shortly after his arrest. P17 said according to his information, his brother died after three days in detention.

Wiedner asked P17 who told him that. P17 said his brother-in-law "surprised" him with this information after his own release from detention.

Wiedner wanted to know where the 2-3 day time frame came from. P17 said it [his missing brother's death] happened only a couple days after his arrest as P17 himself was still in detention when his brother-in-law received a call from a former detainee at Branch 251 who has just been released and told him [P17's brother-in-law] that [P17's missing brother] was massively tortured and transferred to Najha [cemetery]. P17 said this [transfer] is a way of obscuring corpses, there are mass-graves in Najha. P17 further said that [C1] an employee/interrogator⁵ at Branch 251 told P17's brothers during P17's detention that their brother is dead.

⁴ Note from the Trial Monitor: When translating a witness testimony, the translators are given a short break after no more than 60 minutes, according to international standards. The translators do not rotate per hour but per witness. This way, every witness is accompanied by the same translator during their entire testimony. When longer reports are read out, the translators receive a translation of the report beforehand and rotate every 15-30 minutes.

⁵ Note from the Trial Monitor: P17 mentioned several times that [C1] worked as an interrogator, while the translator sometimes translated "employee".



Wiedner asked P17 whether the informant is still in Branch 251. P17 said he was an employee/inspector directly subordinate to Anwar Raslan, however P17 does not know his current whereabouts.

Wiedner asked P17 how the family was put in contact with Anwar Raslan and whether [C1] was involved. P17 said his cousin's husband was indeed involved. When his brothers called him [cousin's husband] the first time to ask about [P17's missing brother], he told them that he would be in Branch 251, his condition would be alright and that he would be released soon. Two days after this phone call, P17's cousin's husband told P17's brothers that [P17's missing brother] died and they should stop asking. P17's brothers were then threatened that they should stop asking about [P17's missing brother], in return their brother in Saudi Arabia would not be arrested on return to Syria and P17's release would also be accelerated.

Wiedner asked whether there was an intermediary between the husband of P17's cousin and Anwar Raslan. P17 denied and said that one of his cousins had connections to Damascus and one of his brothers is a former military officer as well. They had connections to get into Branch 251 and meet Raslan's employees.

Wiedner asked P17 whether the date of his brother's detention is also mentioned in the Facebook chat. P17 affirmed.

Wiedner wanted to know what else P17 knows about his brother's detention. P17 said that [Abu Akram] met his brother in detention and told the brothers about [P17's missing brother's] last moments. According to him, [D1] attacked P17's brother and beat him (one hit). When P17's brother was woken up for breakfast, he did not breathe and had foam coming out of his mouth, so the detainees called the guards. The guards then took P17's brother to the corridor and shortly after called [Abu Akram] and told him to confirm that he died a natural death.

Wiedner asked P17 whether his brother was in detention already for some time when this happened. P17 said it happened one or two days after his brother's arrest.

Wiedner asked P17 who [name redacted (abbreviated as 'C2')] is and how he made contact with him. P17 said he saw [C2] on TV where he said that he has names of people that died in Branch 251. P17 said that he then contacted [C2] to check whether his brother's name was on this list with names.

Wiedner wanted to know how he contacted [C2]. P17 said via WhatsApp.

Wiedner asked how P17 got access to the list. P17 said [C2] sent a picture of it via WhatsApp.

Wiedner wanted to know how [C2] got access to this list. P17 said [C2] took it with him when he deserted from Branch 251, that is all [C2] told him.

[Below is a recreation of the structure of the above-mentioned list with names which was shown in the courtroom.]

No.	No.	Time frame	Name	No.
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According to P17, his brother is listed in the second line:



100	1535	01/01/2012 01/09/2012	[name of P17's missing brother]	71
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Judge Kerber asked P17 to provide some explanation on the numbers on the list. P17 said that [C2] told him that it is a register in order to document detainees within a branch in a certain period.

Kerber asked if it is consequently a list of detainees in Branch 251. P17 affirmed and said that it does not say anything about the death dates.

Kerber asked P17 to clarify this statement. P17 said that the dates on the list indicate that a certain group of detainees, amongst them his brother, died.

Kerber asked one of the court translators to translate the names on the list. The translator read out the names and numbers on the list.

Judge Wiedner asked P17 when he contacted [C2] and when he sent the list. P17 said it was around 2016.

Wiedner asked what P17 knows about [C2]. P17 said he deserted from Branch 251 and is currently living in [information redacted].

Wiedner recalled the BKA asking P17 whether [C2] would be willing to testify. P17 recalled [C2] saying that he would not testify because he is on Raslan's side and because he is a Sunni so he has ethnic reasons for not testifying. [C2] further said that after he deserted, he has to forget everything and "finish off" his past.

Wiedner asked P17 whether he can remember that he told the BKA how the regime explains the deaths of detainees. P17 did not understand the question.

Wiedner explained that P17 previously said something about the circumstances/cause of death which are declared when someone [a detainee] died, maybe got killed. P17 said he knows from his brother [name redacted] that [C1] told him that he can receive their brother's personal belongings and a death certificate saying that he died of kidney or heart failure.⁶

Wiedner asked whether P17 or his brother took their brother's personal belongings. P17 denied.

Wiedner said he indicated something different with his previous question and recalled P17's statement with the BKA saying that the death certificate indicated the wrong cause of death and that the doctors belonged to the intelligence service. P17 said that this is correct, everyone in Syria knows that [wrong death certificates], it is common knowledge.

Prosecutor's Questioning

Prosecutor Klinge asked whether the respondent in the previously mentioned Facebook chat described P17's brother so well that they could assume that he was actually talking about him. P17 affirmed.

Klinge asked how the respondent described P17's brother; his body and/or character. P17 said that he [respondent, Abu Akram] described [P17's missing brother's] face and said that he spoke with him.

⁶ Note from the Trial Monitor: P17 said "or" when talking about the cause of death indicated on the death certificate.



Klinge asked whether it is for sure that P17's brother died from the consequences of a fight. P17 said that if the story [what [Abu Akram] told him in the chat] is true, there is a small chance that [P17's missing brother] is alive, because after he was taken from the cell, no one saw him again, so he might still be alive. P17 said there is a chance that [P17's missing brother] was rescued and taken to a hospital. Forcing statements [other detainees had to declare that he died a natural death] might be a way to veil a person's real fate. Their [government] methods are unbelievable, no human being with a bit of common sense knows how one can come up with such methods. P17 said the [regime's] way of thinking was "mafiosi-like".

Prosecutor Polz asked whether [Abu Akram] described facial items or the job of P17's brother. P17 said he described facial items and his brother's job, his brother was a cardiologist.

Polz asked P17 about the reasons for the fight that his brother got in and why he was beaten. P17 said fights amongst detainees are normal. [Abu Akram] said [D1] bullied his brother by saying that doctors are being paid too much.

Judge Wiedner intervened and asked whether employees of Branch 251 were involved in the fight. P17 said that [Abu Akram] did not mention that.

Wiedner wanted to know whether [Abu Akram] described the conditions of detention in Branch 251. P17 said [Abu Akram] described the general conditions: it was very narrow and there were many detainees. P17 said he further told him that a ventilator was installed after [P17's missing brother's] death, that the cell measured 4x7m and that in addition to P17's brother 7 detainees died in the cell.

Wiedner recalled a statement with the BKA made by another witness saying that Branch 251 employees were whispering and pointing at [P17's missing brother]. [D1] then waited a bit before beating [P17's missing brother]. The witness said that the fight was provoked by the regime. P17 said that that is exactly what [Abu Akram] told him. P17 said did not understand the previous question correctly, but from an objective point of view, he cannot say that Al-Khatib wanted his brother to be beaten up, however, that is what [Abu Akram] told him.

Wiedner wanted to know what [D1] position was and whether he was a detainee as well. P17 said there is a certain language in prison, you would call him the cell boss. People in charge grant him certain privileges, so he talks to other detainees in their name and "manages things", so that detainees hate each other. He also tortures and beats and takes over some tasks typical for guards. P17 said that is common knowledge.

Wiedner asked whether [D1] is such a person. P17 affirmed.

[70 minutes lunch break]

Defense Counsels' Questioning

Raslan's defense counsel Bodenstein asked P17 whether [C1] is still working at Al-Khatib. P17's counsel Mr. Bahns said that his client already answered this question.

Bodenstein asked why they [P17's family] did not talk to [C1] directly but instead to Raslan via [C1]. P17 said that he himself was in prison when his family contacted, [C1], his brother [name redacted] knows more about this.

Bodenstein recalled P17 telling the BKA in September 2019 that [C1] is still working at Al-Khatib and asked whether this is correct. P17 said that [C1] and others working at Branch 251 keep their distance to people who become suspects, so that they are not becoming suspects themselves. P17 said he has no contact with [C1] but heard that he retired, however, he cannot say that for sure.

Bodenstein asked P17 how he got the information that their brother is dead. P17 said he knows from his brother, who in turn knows from [C1].

Bodenstein recalled P17 telling the BKA that he got this information from [C3]. P17 said that they were told by several sources that their brother was dead. [C1] was the first, only a few days after P17's brother's arrest. [C3] told them after Anwar Raslan deserted and went to Jordan. That was when the family contacted [C3] who then contacted Anwar Raslan.

Bodenstein asked P17 about [C3's] job. P17 said he was employed by an oil company. He lived in Egypt and worked with political organisations arising from the revolution.

Bodenstein asked P17 whether his hometown was rather pro or contra regime. P17 said at the beginning [of the revolution in Syria] there were 100,000 residents, of which 15,000 were demonstrators.

Bodenstein concluded that P17's hometown was rather pro regime. And asked him to say whether this is correct. P17 asked whether he should give a lecture on sociology.

Judge Kerber intervened saying that Bodenstein's question is admissible and P17 should answer. P17 said from his point of view, his hometown was rather against the regime.

Bodenstein asked P17 whether his family was against the regime from the beginning [2011]. P17 affirmed.

Bodenstein recalled that P17 affirmed when the BKA asked him whether there were family members in favor of the regime as well some against the regime. P17 said it is impossible that that some of his family members were in favor of the regime. However, it might be the case in Salamiyya.

P17's counsel Mr. Bahns intervened saying that Bodenstein's quote was put out of context and it is unclear whether Bodenstein was talking about family in a narrow or wider sense. P17 said that his family in a narrower sense was against the regime, however, a cousin of his father was the head of an intelligence service branch.

Since no plaintiff counsel had questions for P17, he was dismissed as a witness.

Proceedings adjourned at 13:15pm.



The hearing began at 9:30am with 6 spectators and 2 members of the press in the audience.⁷ P17, the witness from the previous day was present as plaintiff. Plaintiff counsel Reiger was replaced by Attorney Bessler. Judge Kerber said that a detention complaint was issued by one of the defendants and that the prosecution has the chance to provide a response to this.

Testimony of P18

P18 was accompanied by his counsel Mr. Bahns who told the court that P18 formally requests not to provide his name and personal information in court because his family in Syria was threatened. Bahns further said that more detailed information can be found in the case file and deducted from the overall context.

Raslan's defense counsel Böcker intervened and asked where the threats on P18's family came from. Bahns said they came from "pertinent intelligence service circles", that is all that is known.

The prosecution agreed to P18's request. Judge Kerber found that concerns about the safety of P18 and his family are reasonable and she approved his request to not provide his name and personal information in court.

Böcker intervened again saying that if there are already threats then it is already known that P18 is about to testify before the court hence the precautionary measures are needless. Kerber replied that the judges do not want to enhance the risks and therefore take these precautionary measures.

After taking off his cap, advisements were read out to P18 and he was informed about his rights as a witness and his right to not provide his name and personal information.

Judge Kerber's Questioning

Judge Kerber had to think about how to put her questions without revealing P18's personal information. She said that [P17's missing brother] was arrested and his family had no information about his whereabouts and started searching for him. Kerber went on to ask P18 what he knows about all this. P18 said he got to know about [P17's missing brother's] arrest in July 2012 and tried to act fast so he [P17's missing brother] would not be killed. P18 said he enlisted [name redacted (abbreviated as 'C4')] from Latakia who had contacts to officers. P18 said he also spoke to P17 who was already in detention with the air force. [name redacted], P17's other brother was stationed in Latakia as a doctor, however his situation in the military was difficult due to his involvement in his brother's case. That is why P18 asked [C4] for help. He was the one who put P18 in contact with [name redacted (abbreviated as 'Brigadier General')] a Brigadier General at the government palace (P18 said this position is actually higher as a regular brigadier). P18 further said that [Brigadier General] tried to help them and provided the information that [P17's missing brother] is in Al-Khatib. P18 met with [P17's brother] on July 26, 2012 in Damascus. [P17's brother] was also the one with whom, together with [Brigadier General], P18 coordinated everything. P18 said that [Brigadier General] also arranged access to Al-Khatib and P18's cousin [name redacted] coordinated with [C1]. P18 further explained how they⁸ met with [C4] one

⁷ No accredited Arabic-speaking journalist who requested access to translation was present.

⁸ Note from the Trial Monitor: It is clear from the context that "they" involved P18, [C4] and P18's cousin, [name redacted]. However, it is not clear whether [C1] accompanied them as well or joined them later in Branch 251. None of the parties asked further questions on this.



morning in Damascus and used his vehicle to travel to Al-Khatib. They tried to get information at an information desk situated in a small glass cabin in a residential area. P18 said that all roads were blocked and further explained that they [guards at the info point] made several calls to arrange for P18 and his companions to get access to Al-Khatib, before they were allowed to go to the second gate. According to P18, it [Branch 251] is a very big compound and the second gate was 600-770m, maybe even 1km from the first gate. There was a glass info point as well, where they asked for permission to enter again and the guards also made several calls. However, P18 and his companions were sent back to the first gate and able to enter Al-Khatib approximately 3 hours later. P18 said they “went upstairs several steps” and were on the ground floor [as there have previously been translation difficulties regarding floors, judge Kerber asked whether P18 meant ground floor rather than first floor, as it was translated] and that they could not move right or left, the corridor was about 200-300 meters long where they arrived at some steps and got to another corridor. P18 said that [C1] was always with them. P18, [C4] and P18’s cousin then had to wait on a wooden bench in a waiting area which was rather a corridor. P18 said they had to wait to intimidate them. On the left side of the waiting corridor were three rooms in which detainees kneeled on the floor with their hands tied and their eyes covered. According to P18, the detainees had water poured on them (P18 did not see the act itself but said that the detainees were wet so he assumed that is what occurred) and P18 heard screaming.

Kerber asked whether the detainees were also beaten. P18 said he only saw the detainees when they entered the waiting corridor and heard them screaming. However, he and his companions were not allowed to move and see what was happening around them. P18 said he entered a room together with his cousin, in which the head of the office (maybe Raslan’s assistant) was waiting. According to P18 it was Raslan’s office. P18 further explained that this meeting was only possible thanks to [C1], [C4] and Brigadier General [name redacted]. They [explanation below] were given [P17’s missing brother’s] personal items, such as his laptop, wallet and phone. P18 and his cousin also received a report saying that [P17’s missing brother] died of kidney failure, however P18 and his cousin were not convinced and requested to see [P17’s missing brother’s] corpse.

Kerber asked who “they” were. P18 said these people were waiting in the office, probably Raslan’s office, and were Raslan’s assistants, one of them maybe the head of the office.

Kerber asked how many they were. P18 said there were [C1] and [C4] plus three more people. And it was obvious that one of them was the head of the office.

Kerber asked what the name of the Head of the office is. P18 said it was eight years ago, so he cannot remember.

Kerber said there will be a five-minute break for counseling and P18 should think about if he cannot remember for sure.

[5 minutes break in proceedings]

Kerber asked who was in the room [office]. Witness counsel Bahns said there was a misunderstanding and P18 said that he and his cousin were not convinced of what they were told on their first visit to Al-Khatib, so he went there again 3-5 days later. [C4] wanted money, 300,000 [Syrian lira].



Kerber asked whether it might have been 400,000 [Syrian lira]. P18 affirmed, adding that his family paid 5,000,000 [Syrian lira] in total to search for [P17's missing brother] and that [C4] also took money from other people. P18 said the money they gave [C4] was allegedly for [Brigadier General] to arrange a meeting with Raslan, the head of interrogation at Baghdad street. P18 then, together with [C4] had a meeting with Raslan in Al-Khatib. He was again on the first floor [ground floor] in a similar waiting area, [C4] had to wait outside. P18 was then told by two guards to go into a certain room, which he did. P18 said that a man was sitting there in a weird position, he was sure that it is colonel Anwar Raslan. Raslan asked him "What do you want?" and mentioned P18's cousin in Saudi Arabia and P17 who was in prison as well and told P18 that things did not look good. Raslan told P18 to take any corpse without causing trouble before saying that he should leave the room. P18 said that all this happened despite previous mediation efforts. P18 further elaborated that later on, a friend⁹ approached him because of his cousin, though he actually did not know about this. P18 met with him in the evening in Damascus. P18's friend told him that one of his neighbors has information about [P17's missing brother] and the situation in the prison cell. When P18 met with his friend and his friend's neighbor in Harasta, the situation was very dangerous as there were barrel bombs everywhere and the town was under fire. However, P18 insisted on going despite these dangerous conditions, but they met in a house to be safe. P18 said he met a very thin man who showed signs of torture and hunger. This person did not want to talk at first, but P18's friend assured him that P18 was a friend. The person, his name is [Abu Akram], then told them strange things, amongst others that a military boot was put in his mouth to punish him for allegedly saying bad things about Alawites...

Kerber interrupted and said to ease things for P18, she wants to know whether they found his cousin's corpse. P18 said that they [people at Branch 251] tried to hand them the wrong corpse. P18 wanted to add a few things on what [Abu Akram] told him about his cousin: He went crazy because of the intense torture and almost lost consciousness. He told the guards that he wanted the keys to his car to go and see his mother. That is why he was continuously beaten and eventually taken out of the cell and almost beaten to death. P18 said he passed this information to his family and they together continued searching for his cousin's corpse or information about his fate. They went to hospitals in Tishreen and Harasta, [C4] arranged that. P18 recalled that they saw many corpses who looked like the people on the Caesar-photos. They were again told to just take any corpse so "the matter would be finally dealt with". P18 said that a week (3-4 days) later 3 very strong persons from the general intelligence service came to visit him and told him that Anwar Raslan wants to meet P18. P18 said he replied "If you are told to arrest me, fine. But I will not meet him [Raslan] if there is no order". P18 went on and said that [P17's brother] did not tell him everything, however P18 only realized that a week ago, when [P17's brother] arrived in [information redacted]. P18 said [P17's brother] did not want to pass a lot of information, even though there was a 1% chance that [P17's missing brother] was still alive, his brother did not want to take a risk, According to P18 [P17's brother] was in great danger back in Syria, but this changed now that he is in [information redacted], so he can now reveal all the information; he took notes of everything including dates and timestamps.

Kerber asked when the three persons from the intelligence service came to P18. P18 said it was around August 2011 [2017], however he cannot remember the exact date.

Kerber wanted to know whether P18 then went to meet Anwar Raslan. P18 denied, adding that he only met him once because he knew that if he would go, he would never come back. P18 said that his

⁹ Note from the Trial Monitor: P18 did not want to mention his friend's name to ensure his friend's safety, however then clarified that he is called [name redacted] and is now living in [information redacted].



boss who had good relations told him that P18 should not leave his work place and should not talk to anyone.

Kerber asked P18 what he meant by “not leave the workplace”. P18 said he spoke to his boss who told him not to go to Anwar Raslan.

Kerber asked P18 if anything unusual happened. P18 said that the political security directorate from Salamiyya and Damascus constantly called P18’s wife and asked about P18. P18’s wife always told them that he would be at work. P18 said that his wife was afraid, so he came to see her in Salamiyya once a week. Every time he went there, he had to pay money and fill in forms. P18 further told the court that he was constantly monitored and they [people from the intelligence services] took photos of his car and tried to take pictures of his father. P18 said they did this to create an atmosphere of surveillance and put pressure on him.

Kerber wanted to know when the calls happened, before or after the search for P18’s cousin’s corpse. P18 said after.

[15 minutes break in proceedings]

Raslan’s defense counsel, Böcker, said that P18 spoke to one of the plaintiffs during the break and now has a sheet of paper in front of him. P18 said he wrote this himself for better orientation. Judge Wiedner confirmed that the sheet was already there before the break.

Judge Wiedner’s Questioning

Judge Wiedner said he wants to clarify some things to get better orientation of P18’s memories. His first question would be when exactly P18’s cousin was arrested. P18 said he does not know the exact date, but that they started searching for him on July 25, 2012; only a few days after they first got information about his arrest/detention. P18 said his cousin was a doctor at Al-Mojtahed hospital. Eyad Shbat [P18’s cousin’s flatmate] told the hospital’s director that [P17’s missing brother] was rescuing wounded but that he was not allowed to do that, instead he should simply put them in the cooling room because they are all terrorists. The hospital then informed Al-Khatib.

Wiedner concluded that [P17’s missing brother] was consequently arrested before July 25. P18 affirmed.

Wiedner wanted to know from where P18 and his family got the information that P18’s cousin was in Branch 251. P18 said he knew from [P17’s brother] who knew from [C1].

Wiedner asked from where P18 and his family knew [C1]. P18 said he is the husband of one of his cousins and works at Al-Khatib.

Wiedner wanted to know who spoke with whom. P18 said he did not know [C1], but his cousin arranged this contact. After July 25, 2012, P18’s cousin introduced him to [C1] and they met with him in his home.

Wiedner asked what [C1] told them at this meeting. P18 said he told them that [P17’s missing brother] died of a heart attack, that it was a natural death. However, he changed his statement after this



meeting, saying that [P17's missing brother] might be alive or dead and they should search for him in Tishreen and Harasta hospitals.

Wiedner asked whether this [meeting] was before or after their visits to Branch 251. P18 said it all happened afterwards.

Wiedner said in that case, to stay in the correct order of events, he wants to come back to P18's meeting with his cousin and [C1]. Wiedner asked whether P18 spoke to [C1] and whether [C1] told them that he saw [P17's missing brother] in Branch 251. P18 said [C1] spoke to his cousin. P18 was present at the meeting but [C1] only addressed P18's cousin.

Wiedner wanted to know how Raslan came into play and why he wanted to contact him. P18 said they had information from [C1] and [C4] saying that Anwar Raslan was the head of Branch 251 and in charge of his cousin's file.

Wiedner asked where the information about competencies came from. P18 said that all their contacts/intermediaries, [C4] and [Brigadier General] told them that Anwar Raslan was the head of interrogation at Branch 251.

Wiedner said [C4] consequently acted as an intermediary and was paid by P18's family. Wiedner asked what exactly they paid him for. P18 said the money was allegedly for [Brigadier General] to organize a meeting with Anwar Raslan.

Wiedner asked whether [Brigadier General] and [C4] were in contact with each other. P18 said they were in contact with each other, adding that they were related. P18 further said that his family was willing to pay a lot of money.

Wiedner wanted to know who organized the meeting/visit with Raslan. P18 said his cousin told him that [C4] organized it through [Brigadier General]. P18 was told that [Brigadier General] spoke with Raslan and that the meeting with Raslan might have a positive outcome. P18 repeated that Raslan was in charge of his cousin's file.

Wiedner asked when exactly they met Raslan. P18 said it was end of July 2012. P18 went to Branch 251 with his cousin on 26 July where Raslan was not present. According to P18 about 3-5 days later, after they paid money [to [C4]], he was able to meet Raslan.

Wiedner recalled P18's statement with the police saying that P18 could meet Raslan around 5-6 days after the first visits to Branch 251. P18 affirmed, adding that it was possible after they paid money and that one can get anything in Syria by paying money.

Wiedner asked who was there on that day. P18 did not understand the question.

Wiedner said he wants to know how the meeting with Raslan was and who was there. P18 said that [Brigadier General] made the meeting possible, but that they [P18 and [C4]] were not able to go there in [C4's] car as for the first visit to Al-Khatib. P18 recalled that they had to go by foot and that the entire living area was blocked. P18 told the court that [C4] was not allowed to meet Raslan and that he had to wait outside. P18 said he insisted that [C4] would wait for him as it was a very dangerous place. Wiedner reassured that P18 went inside alone.

Wiedner asked what happened next. P18 said the meeting took approximately 5 minutes.

Wiedner asked whether P18 had to wait before the meeting. P18 affirmed saying that he had to wait for an hour on a wooden bench in a waiting area, which was similar to psychological torture.

Al-Gharib's defense counsel Schuster intervened by complaining that the translation was confusing and he did not understand what P18 said. The translator clarified that P18 had to wait for at least an hour, maybe longer.

Wiedner wanted to know where (on which floor) P18 had to wait. P18 said he was on the ground floor and that the office he was sent to was a regular, unspectacular office. He assumes that this was Raslan's working office and that he might have had another additional office.

Wiedner asked P18 why he felt that the waiting period felt incriminating. P18 said there were detainees and torture taking place. He heard voices and screaming. P18 said it was a lot of psychological pressure and he did not expect to get out of this place.

Wiedner asked P18 what kinds of torture he witnessed. P18 said he saw detainees kneeling with their arms tied behind their backs and their eyes covered. They were wet and P18 heard loud voices. He felt as if they [people at Branch 251] wanted to send him a warning saying "you are next". P18 said he was wondering why he met Raslan in this particular office, where one could see all this, Raslan was an officer after all. According to P18 this [meeting at this particular office] was intended.

Wiedner asked P18 whether the detainees were beaten. P18 said he heard noises of beatings but he was only able to squint and did not see enough since he had to sit on a wooden bench with his back to the rooms where the detainees were and he was not allowed to turn around.

Wiedner wanted to know what exactly P18 witnessed. P18 said he already explained everything he saw.

Wiedner recalled P18's statement with the BKA saying that his cousin, [C1] and [C4] accompanied him and had to wait outside. P18 said the both of them only went with him at the first visit to Branch 251 and that he was alone at the second visit.

Wiedner further recalled P18 telling the BKA that at that place [the waiting area at Branch 251] there were rooms on the left and right side with doors open, so one could see naked detainees and interrogators in these rooms. Wiedner asked P18 whether this statement is correct. P18 affirmed.

Wiedner wanted to know if the situation was the same at his meeting with Raslan. P18 said it was almost the same, the detainees were tied up in the same manner, but P18 was very cautious as he did not want to get in trouble so he did not dare to look around.

Wiedner asked whether it was loud. P18 said it was very loud.

Wiedner asked P18 how the meeting with Raslan was and whether he would recognize him.

Judge Kerber offered P18 to cover his face with a folder. Böcker complained that one could skip this farce, since P18 would also stand in front of the court building without a folder covering his face. Kerber replied that the court room and public sphere are two different things and that P18 is allowed to cover his face in this particular situation in court. P18's counsel added that P18 also covers his face outside the court room. Böcker said that it would complicate the defense's work when witnesses do not act thoughtfully.

P18 requested to ask a question. Kerber allowed it.



P18 started mentioning personal information, when Kerber stopped him to give him the chance to talk to his counsel to “save the situation”.

After P18 spoke with his counsel, Wiedner asked again whether P18 recognizes anyone. P18 affirmed saying that he recognized the guy in the beige sweater (Raslan).

Wiedner asked P18 to describe his conversation with Raslan. P18 said it was very short unfortunately and took place eight years ago. P18 recalled that he was told to take any corpse and remain silent, this was the main content of their conversation, said P18. He was then told to leave.

Wiedner asked how P18 got into the room and to describe the situation in this room. P18 said two people held him and brought him to the room, he was taken out of the room the same way and escorted through the building when leaving.

Wiedner asked about the content of the meeting and what was said about P18’s cousin. P18 said he was given the information that if his cousin had been at Branch 251, he was now gone.

Wiedner wanted to know whether P18 spoke directly with Raslan. P18 said Raslan told him to just take any corpse.

Wiedner asked about any conditions or suggestions being mentioned during the meeting. P18 said that his cousin [P17’s brother] back then...

Wiedner interrupted, specifying that he wants to know whether Raslan mentioned conditions or made suggestions. P18 said that Raslan told him everything will be fine if P18’s cousin from Saudi Arabia returns.

Wiedner wanted to know if Raslan mentioned other names. P18 said that Raslan told him that P17 will also be released. Those are all the names Raslan mentioned.

Wiedner recalled P18’s statement with the BKA in which P18 said that he was about to leave, when Raslan told him to come back and said that he had two conditions for {P17’s missing brother’s} case: First, [P17’s brother] should return to Syria, second [P17’s brother/involved in the search for their brother] who was on the run at that time, shall render himself and if this happened, P17 would be released and P18’s file would be deleted. P18 affirmed and added that the translator at the BKA was “Persian” [Iranian] and did not understand everything, P18 had to discuss with him all the time.

Wiedner asked P18 to say whether his statement with the BKA which Wiedner just read out was correct or not. P18 said it is correct, adding that the questioning with the BKA took 7 hours and he felt like an accused not a witness.

Wiedner again asked whether P18’s statement was correct. P18 affirmed.

Wiedner then asked if P18 was given [P17’s missing brother’s] corpse during his meeting with Raslan. P18 denied. However, Raslan told him to search the corpses in the hospitals in Tishreen and Harasta.

Wiedner wanted to know what exactly Raslan said. P18 said he only said to search the corpses.

Wiedner recalled P18’s statement with the BKA where P18 said that Raslan sent them to the hospitals in Harasta and Tishreen and asked P18 whether this was correct. P18 recalled Raslan saying “look for the corpse”. The corpses are either in Tishreen or Harasta.



Wiedner asked whether P18 assumed that the corpses are in these particular hospitals. P18 said he assumed this after he spoke to [C1].

Wiedner asked P18 about the outcomes of his talk with Raslan. P18 said he wished he never went to this meeting, it did not help at all.

Wiedner referred to P18's previous testimony, saying that he was told to take his cousin's personal belongings such as a laptop and phone with him and asked P18 whether he saw these items. P18 said he did not see them. He said that [P17's brother], [C1] and [C4] were with him when they were asked to take these items and a death certificate saying that [P17's missing brother] died of kidney failure.

Wiedner asked if they took these items with them. P18 denied.

Wiedner asked why they did not accept the items. P18 said his cousin did not want them since he still hoped to find his brother and wanted to keep searching. P18 added that his cousin [name redacted] has important information as P18 recently found out when his cousin arrived in [information redacted] P18 said his cousin did not reveal this information since he did not want to risk his brother's life, in case he was still alive.

Wiedner wanted to know if Raslan said that [P17's missing brother] was dead. P18 recalled Raslan saying "take the corpse" and P18 was not in the position to discuss this with Raslan.

Wiedner wanted to recall the overall situation by saying that P18 waited on the ground floor where he could see rooms in which detainees were tortured, and then went to Raslan's room/office. P18 said so far everything was correct.

Wiedner asked P18 whether one could hear the screaming in Raslan's room. P18 affirmed saying that the room looked like an observation room.

Wiedner then asked to describe the situation in Tishreen hospital later on, when P18 and his cousin were searching for the corpse of P18's cousin. P18 said the corpses were all naked and numbered.

Wiedner asked where these numbers were. (He had to repeat the question as P18 seemed to not understand) P18 said the numbers were either on the corpse's chest or forehead. P18 said the corpses were black and he assumed that they were tortured maybe ten days ago but there were also corpses from the same day.

Wiedner asked whether P18 could see how these people died. P18 affirmed, explaining that he can remember corpses from the same day, some showing signs of torture, some not. However, some also had a gunshot in their head or something else. P18's cousin was told to take one of seven corpses. P18 said his cousin was there to make a decision [identify his own brother] because he is an emergency doctor.¹⁰ P18 said regular hospital employees told them to just take any corpse. He said they would not have done that if they did not have orders to say so. P18 further said that [C4] is usually pro regime but was disgusted by how they were treated at the hospital.

Prosecutor's Questioning

Prosecutor Klinge said he has a question regarding the situation in Raslan's office: How did P18 get there and how was he treated. P18 said he can explain how he was treated and asked the prosecutor to specify his question. Klinge asked P18 to describe his personal impressions in this situation. P18 said

¹⁰ Note from the Trial Monitor: P18 got very emotional at this point.

he was treated harshly right from the beginning. P18 said the message that they wanted to send him was “be careful”

Klinge asked whether Raslan also sent this message. P18 said Raslan was harsh as well. He thumped the table and told P18 to take the corpse. P18 said it was obvious that Raslan wanted to end the meeting. P18 added that he wished he never met Raslan.

Klinge recalled P18’s statement with the BKA where P18 said he was quasi kicked and pushed into the room where Raslan took off his glasses. Klinge asked P18 if that was correct. Böcker intervened and said he has a question. Klinge wanted P18 to answer the question he just asked. Böcker said that Klinge used the word “quasi” and asked him to be more specific, since P18 did not say in court the exact same he told the BKA.

Klinge repeated his question, asking P18 whether his statement with the BKA was correct. P18 said it is partially right. He was not kicked, however he was held at his shoulders and pulled into the room where Raslan took off his glasses and thumped the table.

Defense Counsels’ Questioning

Raslan’s defense counsel asked P18 whether he was alone at Al-Khatib on the day he met Anwar Raslan. P18 affirmed, adding that the branch is quite big, that [C4] had to wait at the inner gate of the compound and that they had to wait at the info point despite their connections and relations.

Böcker asked whether P18 was alone in the building. P18’s counsel Mr. Bahns said that his client already answered this question several times.

Judge Wiedner said that P18 told the BKA what he just answered.

P18’s counsel said that Wiedner also asked this question which his client answered and asked Böcker why he keeps asking. Böcker said he needs this for his final speech advocacy.

P18’s counsel said his client also recalled parts of his talk with Anwar Raslan in court, that the meeting was very short and answered all other questions on the meeting’s content.

Böcker said Raslan had certain conditions whose existence P18 also confirmed. P18’s counsel said there were no such conditions, Raslan only mentioned that he would delete P18’s file.

Judge Kerber intervened recalling P18’s statement with the BKA saying there were two conditions.

Böcker said it is either conditions or the order to take the corpse, only one of them can be true. P18’s counsel said his client already confirmed all this: two conditions, offer to delete P18’s file and order to take the corpse.

Böcker said either condition or corpse. P18’s counsel objected to the question. Böcker restated his question.

Kerber intervened by recalling P18’s statement with the BKA in which he said that on the 5th or 6th day, he met Raslan, they showed him how people were beaten, took him to a room where Raslan then told him to take the corpse. P18 was told to leave the room when he turned around to ask where his cousin’s corpse was. Raslan said he would tell him where the corpse was, release P17 and delete P18’s file if P18’s cousin in Saudi Arabia returned to Syria and [P17’s brother] surrendered to the police. Kerber asked which parts of the statement were correct and which were not. P18 said it is correct that his cousin should return from Saudi Arabia, [P17’s brother] should surrender to the police, that P17

would be released and his own file deleted. P18 added that he was told that his family should silently bury the corpse.

Kerber asked whether Böcker had any questions. Böcker said not for the moment.

[60 minutes lunch break]

[a sketch which P18 drew during his interview with the BKA was shown in the courtroom.]

Judge Kerber explained that P18 created this sketch during his questioning by the BKA. P18 added that he created this sketch under pressure solely from what he remembered.

Judge Wiedner asked P18 what kind of rooms are shown on the sketch. P18 said that the doors of the rooms on the right side of the waiting area were open and that people were tortured in these rooms. P18 said he saw detainees kneeling on the floor in these rooms. The people in the guard room told P18 to take the personal belongings of his cousin.

Raslan's defense counsel Böcker intervened saying that P18 should come to the judge's bench in order to confirm his signature.

Judge Kerber asked Böcker what document he wants to present. Böcker asked P18 if it is his signature on the protocol of his questioning with the BKA. P18 confirmed.

Böcker concluded that P18 consequently confirmed by signing that he was shown a translation of his questioning and confirmed its content.

Plaintiff counsel Scharmer intervened saying that the part of the document which Böcker is referring to would be insufficient and that Böcker should also read out the previous three sentences in this document.

Böcker read out: "06304/18 12.09.2019 page 14; comment: I was drawn attention to the meaning of my statements. I love German authorities and trust the German state. I would not trust the Syrian state. Approved and signed by [Böcker read out P18's full name].

Kerber switched off the microphone from which Böcker was speaking, said that this was "very bad style" on Böcker's behalf and ordered a 5 minute break in proceedings.

[5 minute break in proceedings]

Böcker said one should admit when making a mistake, he made one and wants to apologize for it. He added that he was annoyed by Scharmer's constant interruptions and mentioned P18's name by accident, he did not intent to do so and wants to apologize.

Kerber said she will leave things like that, proceedings can continue.



Böcker asked P18 whether he signed the protocol of his questioning by the BKA, confirming that he was shown a transcript of the protocol and a translation of it and confirmed both by signing. P18 said he trusts the German state and that he would have rights in Germany which he did not have in Syria. P18 said that is a fact. However, P18 said, his questioning by the BKA took more than seven hours. There were two officers, one of them did not intervene when the other put P18 under pressure. In addition, some topics that P18 wanted to talk about were blocked by one of the officers, whose method of working P18 did not understand. P18 said that he suffered from the translator, who was Persian/Iranian, when he tried to communicate his thoughts through him. The translator often provided short summaries of P18's statements so that P18 had to intervene in German to correct his statements. However, the protocol of his questioning was correct, only the translator... P18 said he did not do anything bad in Germany for five years but felt like a criminal during the questioning. Nonetheless he confirms the protocol.

Kerber asked P18 whether his statement was re-translated for him. P18 denied, saying he was offered a re-translation but he declined, as the translator was not capable of doing it in P18's eyes. P18 said he understood everything that was going on during his questioning and declined a re-translation. He was exhausted.

Raslan's other defense counsel Bodenstein recalled P18 mentioning some names and asked him where these people are today. He started with [C4]. P18 Said [C4] is from Latakia and works in Damascus as a merchant for medical supplies, his father is an officer.

Bodenstein then asked about [Abu Akram]. P18 said he does not know his job/position but that he lived in Harasta and, from what P18 knows, is now in Europe.

Bodenstein continued by asking about Brigadier General [name redacted]. P18 said that when he left Syria, [name redacted] was still a Brigadier General at the government palace.

Bodenstein asked about [P17's brother]. P18 said his cousin arrived in [information redacted] 8 or 9 days ago and that he was in great danger in Syria.

Bodenstein asked him to provide more details on his cousin's current whereabouts. P18 said he cannot.

Bodenstein asked whether he can tell the court outside this public session. P18 affirmed.

Bodenseitein also wanted to know about [C1]. P18 said he is still in Damascus.

Bodenstein recalled P18 mentioning [name redacted] who is now living in [information redacted] and asked P18 whether he can provide his exact address. P18 said he can give it to the court in writing.

P18 was dismissed as a witness.

P17 who testified the previous day asked whether he can read out a statement. Judge Kerber affirmed.

P17 said "In the name of my mother, I want to ask Anwar Raslan what has happened to my brother". Kerber said he allows the question and poses it to Raslan's defense lawyers.

Böcker said his client will not answer this question, however it is planned to provide a declaration, not on this question in particular but more generally. They need some more time to provide the statement, the delay is not Raslan's fault but due to continuing talks within the defense team.



[15 minutes break in proceedings]

Judge Kerber asked the defense team whether they want to read out their client's declaration. Böcker said they have a short version of it, however not a proper one and that they will not read it out today.

Kerber said a German translation of a Human Rights Watch (HRW) report would be read out in court until the end of today's session at around 3pm after a short break.

[5 minutes break in proceedings]

Judge Kerber said the German translation of the HRW report will be read out in court according to §249 StPO.¹¹

Böcker objected. Judge Kerber rejected this objection and explained that judge Wiedner ordered the translation of this report on 26 June 2020 and it will be read out in parts according to §249 StPO.

Böcker formally objected arguing that the origin of this report and translation would not be sufficiently identifiable to fall under §249 StPO, requesting a court decision.

[10 minutes break in proceedings]

Court decision:

Böcker's objection was rejected saying that origin and indicators of the report and its translation are sufficient to fall under §249 StPO.

Böcker agreed to the decision, saying that he just found a proper indicator of the report's origin in his documents and that his client's declaration would now be ready as well thanks to the recent breaks in proceedings.

Kerber asked P18's counsel Bahns if this declaration can be read out today, though his client is no longer present. Bahns agreed, saying that he will not be present the next day either.

Anwar Raslan's declaration was read out by his defense counsel Bodenstein:

"Despite further declarations which I will make during the course of these proceedings, I want to make the following statement: I did not have contact to witness P18, the and others did not contact me, I do neither know [C4] nor [Brigadier General]. Regarding the missing person, I cannot provide any information. At the end of July or beginning of August, [C1] came to my office telling me that the head of the medical association, [name redacted] said that a doctor was detained. The inspector was searching and asking about a doctor from the region of [information redacted] in the prisons, however

¹¹ Documents shall be read out in court for the purpose of evidence taking regarding their content. Electronic documents are considered to be documents when they can be read out.



unsuccessfully. [name redacted] from Dar'a who is now living in [information redacted], contacted me after my desertion regarding a doctor from al Mushrefa. I told him the same thing."

Judge Kerber asked Raslan if this is his declaration. Raslan affirmed.

Kerber and Wiedner read out parts of the [HRW report "We've never seen such horror"](#) dated June 2011.

Proceedings adjourned at 2:15 pm.

Day 37 of Trial – October 8, 2020

The hearing began at 9:30am with 5 spectators and 2 members of the press in the audience.¹² Plaintiff counsel Reiger was replaced by Attorney Bessler.

Testimony of Christoph Reuter

Christoph Reuter, a 52-years old German journalist living in Germany and Lebanon was summoned as a witness. Advisements were read out and Reuter was informed about his right to refuse to give evidence due to his work as a journalist. Reuter confirmed that he wants to testify.

Judge Kerber's Questioning

Judge Kerber recalled Reuter's questioning by the BKA and asked him whether he knows Anwar Raslan. Reuter explained that he was in Jordan in 2013 together with his researcher at the time. They initially wanted to cross the border to go to south Syria, however there were many and thorough border controls by the Jordanian forces and only opposition members were allowed to cross the border but no journalists. That was why Reuter and his researcher started interviewing deserters. They met various officers, amongst them [name redacted], the former chief of police in Homs who recommended to talk to Raslan for detailed information on staging of Jihadist terror attacks. Reuter said that [name redacted] was the one who called Raslan to arrange a meeting between him, Reuter and his researcher at Raslan's flat in Amman. Reuter said they spoke about how Jihadis and Al-Qaida were seen through Syria to Iraq since 2004/05 as well as the events in winter 2011/12 regarding attacks by Al-Nusra. Reuter said he heard of inconsistencies surrounding attacks allegedly committed by Al-Nusra who did not exist at the time of the attacks and wanted to talk with Raslan about this. Reuter said they met two days in a row since Raslan has a photographic memory when it comes to details. Reuter also asked the questions put to Raslan to other people as well to cross-check Raslan's statements and validate them. Reuter mentioned an explosion in Damascus in December 2012 as an example: After an explosion on the intelligence service's compound, Ali Mamlouk, Anwar Raslan and some of Mamlouk's assistants met to discuss the situation. Raslan required an investigation, however Mamlouk did not want investigations. The head of the "cleaning crew" who later also deserted confirmed this story to Reuter. Reuter further said that he met Raslan once in Germany but did not stay in contact with him.

Kerber said that Reuter is summoned as a witness to provide information on two issues, the developments in 2011/12 and what Raslan told him about his position and activities and asked Reuter

¹² No accredited Arabic-speaking journalist who requested access to translation was present.



what he wants to talk about first. Reuter said he wants to start with the general matter and then come to the more detailed parts, so he would start by testifying about the general situation in Syria.

Kerber asked Reuter how many times he has been to Syria. Reuter said that he had studied there in 1980/90 and then went there to do research from time to time without a journalist-visa. He got a first journalist visa in February 2011, since he was the only Syria/MENA expert at the magazine he was working for, but one could only travel there until late 2011. Reuter said the first time he went to Syria on a journalist-visa was in June 2011, then August and December 2011 and from then on without visa. He said he took about 20 trips to Syria, ranging from 3-days to week long trips. Reuter said that one could travel between the different areas in Syria in 2011, for example from a suburb of Damascus where deserted soldiers were, to other parts of Syria. Reuter said his stories were published without author citation since the Syrian government put pressure on his employer and other journalists to leave the country. Reuter said he always wanted to go to opposition-held areas, never to government-held areas, he was in Aleppo, Idlib, Zabadani, Deir ez-Zor, Yabrud and suburbs of Homs. Reuter said that he did not go to Syria from fall 2013 until spring 2014 due to ISIS. He was then in the city of Aleppo in 2014 and 2015 before the Turkish government issued a travel ban and he had to enter Syria through Iraq.

Kerber thanked Reuter for his explanations. Wiedner asked him what he studied. Reuter said he studied Islamic Studies, Political Science and German philology.

Kerber asked Reuter whether he speaks Arabic. Reuter affirmed.

Kerber asked whether Reuter conducted his interviews with a translator or not. Reuter said it was dependent on the situation. In cases where more people were involved or the topic was about technical details, he used a translator since he cannot speak Arabic fluently.

Judge Wiedner's Questioning

Judge Wiedner asked Reuter whether he was tied to Syria from 2002-2004 due to family relations. Reuter affirmed, saying that he met his wife in Syria in 2003, so he was in Syria for private reasons from 2005. Reuter further said that he went to Syria in 2002 after Hussein was re-elected, as he had information that weapon imports to Iraq through Syria took place. Reuter said he was then in Syria in 2005 and 2006 for private reasons and to write a story on refugees.

Wiedner asked to what kind of people Reuter spoke in 2011/12, opposition member and/or members of the regime. Reuter said that at the beginning of 2011 when he could easily enter Syria, he mostly spoke with friends from university, some of the less famous members of the opposition and the head of analysis at the US embassy. Reuter said he then had successive contact to people organizing demonstrations and flash mob-style protests. He said he was in contact with a non-military opposition circles in Homs that organized night-time demonstrations from August till December 2011. Reuter said he basically spoke to everyone in shops and asked them how they felt and people were also actively approaching him. He said he also spoke to rebels, military commanders, doctors and basically everyone who wanted to talk. He asked them about what happened, how they were organized, their plans for the future of the country and how they treated deserters. Reuter said he was invited by opposition members to talk about their vision of the future of the country. He said he had all these talks in order to paint a better picture of events regarding massacres and assassinations; who killed whom, what exactly happened. Reuter said his talks then became more relevant as the Syrian government issued press releases that there was no opposition and that attacks were launched by Jihadist groups,

financed by foreign states. He said that two witnesses told him about the things that were then revealed in the Caesar-files for Damascus; that the hospitals were a reloading point for corpses where corpses were registered with numbers and photos indicating where they were killed and that corpses were then packed and transported in trucks. Reuter said they never got as far with research on Homs hospitals (in terms of insight and evidence) as Caesar got.

Wiedner asked when Reuter got this information. Reuter said he met the first two witnesses in early 2013. Reuter then started researching, considering that there might be satellite images showing mass graves and also conducted open-source research. When Caesar published his photos, Reuter and his team built upon that.

Wiedner asked when Reuter first got hints/information about hospitals packed with corpses and mass graves. Reuter said he got first hints in March 2012 and then met a soldier in April 2012.

Wiedner asked when these practices began. Reuter said he met an 18 year-old soldier in Idlib. Reuter said he approached this young man as he seemed traumatized. He then told Reuter about nightmares he had as he had to register and pack corpses every day. He said he started this work in March 2012, people are constantly yelling 'hey Mohammad, can you pass me that leg, hey Yusuf I have an arm here' and that the corpses are piled up half a meter in the backyard of the hospital. Reuter said this soldier had to take photographs of the corpses and give them numbers indicating from which intelligence service they came. He had to do this in a military hospital.

Wiedner asked where exactly this happened. Reuter said that it happened in the backyard of a military hospital. They had two witnesses telling them this story. Reuter said he also met a doctor who confirmed this as he was on a work visit to Homs where he witnessed this practice, however Reuter and his team did not have further evidence.

Wiedner asked whether there were indicators as to where the corpses came from and the reasons for death. Reuter said many corpses came from Baba Amr, some from check points, many from so-called "centers" where detainees were brought. Reuter said they came from different services and agencies, sometimes 30 a day, sometimes 400. They were sometimes brought in trucks, sometimes in vans, other times by ambulance.

Wiedner asked whether there were other intelligence services despite the general intelligence directorate. Reuter said the military intelligence service and the air force intelligence were known as being "butchers". He added that they killed on a large scale.

Judge Kerber informed Reuter about his rights and duties as an expert, so he could testify as an expert-witness.

Wiedner asked Reuter to outline how the regime reacted to the demonstrations in spring 2011. Reuter said the reaction was depending on the city. In Damascus, people were generally rather "simply" arrested. However, in Al-Midan, a quarter with a disloyal reputation, it was more likely that the regime used violence than with demonstrations taking place in the center of Damascus. Reuter said that demonstrations in the center of Damascus were organized like flash mobs where people appeared with banners etc. for a very short time and then dissolved and disappeared, that is why there was generally no violence with demonstrations in the center of Damascus. Reuter said that things were different in Homs. The peaceful demonstrations there usually took place at night and all participants were aware that when military or intelligence services show up, they would use violence and shoot at the protesters. That is why they organized demonstrations in a certain way: young men were usually

walking in the middle of the street while other groups walked at the side of the street, so that they could escape quickly in case the military or intelligence service opened the fire. Reuter said he remembers a demonstration in Homs where nothing happened, simply because the military stormed two hospitals at the same time as the demonstration happened. He explained that everyone participating in peaceful demonstrations were aware that they could be shot at any time. Reuter said this awareness was also present during the winter months and people always expected that the military would shoot at them also with the help of snipers. Reuter further told the court about the so-called “taxi of death”, a van rushing the street with 100km/h so that the demonstrators inside the van could escape quickly without being shot by snipers. Reuter said this was a practice mainly used in opposition quarters and that the city had a “schizophrenic division” at the time regarding the use of violence with demonstrations.

Wiedner asked whether there were different periods in the regime’s reaction and if this reaction changed/developed at one point. Reuter said the reaction of the regime changed indeed, saying that every time they shot at demonstrations, there were hundreds of dead people and that the situation evolved into an “open war” in Baba Amr where they [government forces] did not shoot occasionally, but used helicopters to shoot at demonstrators.

Wiedner said the court’s focus would be on the general reaction of the regime to demonstrations in February 2012 and asked Reuter what he knew about that. Reuter said that during the early months, whenever demonstrators were shot, it was argued [by the government] that those were Jihadists shooting at anyone. Reuter said that weapons allegedly belonging to these Jihadists were presented on TV and that these allegedly Jihadist shootings were staged by the government. Reuter further explained that there was no central answer to demonstrations, participants were sometimes beaten, sometimes not. He said that to him and his team it was unclear what exactly happened between March 2012 and late summer 2012. However, the usual circle of events was: demonstrations on Friday, causing death, funerals on Saturday, silence and peace from Sunday to Thursday and then the circle would start again. Reuter said that “it” steadily increased.

Wiedner asked Reuter what he meant by “it steadily increased”. Reuter said demonstrations became bigger and increased in numbers as well. He said that demonstrations were guarded by “demonstration protectors”, men with knives accompanying the demonstrations. Reuter further explained that the mindset of people participating in demonstrations changed; they no longer wanted to duck from the intelligence services but to defend themselves. He said there were no weapons only knives used at demonstrations.

Wiedner wanted to know whether Reuter was told about this or whether he had first-hand experience. Reuter said he and his team heard gunfire in the evenings in Homs and went to underground hospitals where they saw people that had been shot at. He said this was in August 2011.

Wiedner asked Reuter about the functions of the intelligence services beginning in spring 2011 and who was responsible for what. Reuter said that there was internal competition among the different services earlier, but that this changed from early 2011 on. He said they started to cooperate by exchanging arrest warrants. Regarding the brutality of the intelligence services, Reuter said that the air force was most brutal and that the military intelligence service was significantly involved in the staging of Jihadist cells which were considered as the “official evil”. He further explained that the general intelligence directorate was less dangerous, however, transfers of detainees between the different services were possible. Reuter also said that there were differences between the prisons



regarding their “danger” which was dependent on the head of the prison. Reuter summarized that the air force intelligence and the military intelligence were brutal, the political security directorate was “rather civilized” and the general intelligence directorate was somewhere between the two brutal services and the more civilized one.

Wiedner asked Reuter about the functions of the general intelligence directorate and Al-Khatib. Reuter said that people were afraid of Branch 251 but detainees usually did not have to stay there for long. The fact that the government tortures and kills people was also nothing new. Reuter said he and his team were interested in new developments such as hospitals being used as transfer points for corpses and the staging of Jihadist terror as well as Ali Mamlouk’s role in this as a “highly intelligent” commander.

Wiedner asked Reuter about Mamlouk’s role and position. Reuter said that Mamlouk worked at the military intelligence service together with Assef Shawkat. Reuter said before 2011, Mamlouk was also involved in organizing the passing of Jihadists through Syria to Iraq. Mamlouk had talks with the Iraqi intelligence services which were recorded by a mole in the intelligence service so it is proven that Mamlouk was involved in this. Reuter said that Mamlouk further had talks with Hezbollah and Pasdaran on how to “handle” the demonstrations, which also involved a course in how to build car bombs. Reuter said Ali Mamlouk was the “brain” of the intelligence service and way more intelligent than others. Reuter said Mamlouk also received a Lebanese minister in Syria who was then arrested at the Syrian-Lebanese border with 21 explosive devices in his luggage, which Mamlouk told him to detonate in Lebanon.

Wiedner asked Reuter about Mamlouk’s formal position. Reuter said he was the head of the general intelligence directorate and if he remembers correctly had the rank of a major general.

Wiedner asked Reuter where people were brought to when arbitrarily detained. Reuter said he once witnessed an arbitrary detention himself. He and his team often traveled by bus as they deemed it to be least suspicious. When they arrived at a checkpoint, he saw how a man was taken out of the crowd. A bag was put over his head and he was taken away in a van.

Wiedner asked Reuter whether he also heard reports about arbitrary detentions. Reuter affirmed saying they took place everywhere; at demonstrations, check points or at home. Depending on the social status of a person, they were being tortured or beaten. People were usually released and told not to insult the president and his family. Reuter said that people did not take this seriously enough and later on, they would not be released.

Wiedner wanted to know when the practice of not releasing detainees changed. Reuter said in 2011 people were usually released when arbitrarily detained. He recalled a big demonstration in April or May 2011 where 200 people disappeared which was reported everywhere. Then in December 2011 a person was shot in the head at a checkpoint, the family was able to get the corpse but it was still reported everywhere as it was rather unusual. Then in 2012 people would no longer be released when arrested and in late 2012 and early 2013 it was normal that people were being shot.

Wiedner asked Reuter whether he was familiar with Tishreen and Harasta hospitals. Reuter affirmed adding that a witness (a rich businessman) told him that he was allowed to search for his brother’s corpse at one of the hospitals, accompanied by soldiers that helped him dig through the corpses.

Wiedner asked Reuter when the massacres in Houla happened and what exactly happened there. Reuter said it was on 31 May, however he is not entirely sure. He said a UN representative came to



Homs the following day saying that evidence indicates that the military came from the Alawite hills to the Sunni villages and killed people in their homes. Reuter said he was not in Syria at that time but read an [article in a well-known German newspaper](#) approximately three weeks later which said that rebels from Homs were responsible for this attack. However, the sources and the article itself were quite dubious and one more sign for the second narrative spread by the Syrian government. Reuter said he and his team wanted to go to Houla (it took three weeks for them to get there) where they spoke with eyewitnesses for two days. These statements as well as the topographic background led Reuter to conclude that the massacre was launched by militias supported by the Syrian government, as they only killed people in houses that were in the firing line of the government-held military base on top of the hill. Reuter said all reports by eyewitnesses said the same: that a silver pick-up drove down the hill on the only street entering the village, which was also in firing line of the military base (Reuter recalled witnesses saying that they themselves often had to hide behind big trucks when entering the village so they would not get shot by the military), attackers killed everyone they could find inside their homes (Reuter recalled eyewitnesses saying that they thought the attackers were looking for young men, so all young men hid in stables, cabins etc. but the attackers just killed everyone they could find so all families were murdered, except the young men who hid in stables etc.)

Wiedner asked whether Reuter has findings that the attack was ordered by the government. Reuter said it was at least tolerated by the government and that there were great efforts to cover it up. He added that the militias would probably not have entered the villages without backup by the military.

Wiedner said he has a couple questions regarding the intelligence services. Can Reuter say how the activities of the intelligence services changed from 2011 on? Reuter confirmed and said the general connotation of intelligence services is to collect insights and usually has nothing to do with military activities. However, in Syria, intelligence services always collected insights and acted in a military manner. Reuter said people were also being tortured before 2011 but there were only a few places where detainees were tortured. Reuter said the infrastructure to torture people already existed in 2004 but that the behavior of the general intelligence directorate only significantly changed in 2011/12. He said they developed into “death stations” mainly torturing and killing people.

Wiedner asked Reuter whether he knew Division 40. Reuter said he does not remember their precise activities but that he heard of it back then, however, did not conduct further research on what they did, as he focused on other aspects.

Wiedner asked Reuter whether he knows the name Deeb Zaytoun. Reuter affirmed saying that to his knowledge, Zaytoun was the head of the Syrian intelligence service.

Wiedner then went on to ask Reuter about Tawfiq Younes. Reuter said he knows the name but cannot remember details.

Wiedner mentioned Hafez Makhlof and asked Reuter whether he knew him. Reuter affirmed saying that in Damascus, Makhlof had a reputation of being brutal and choleric. Reuter said he was the head of a division within the general intelligence directorate and brother of Rami Makhlof. Even though Hafez Makhlof had a relatively low rank, he was untouchable due to his family relations to the president. Reuter said Makhlof had a “strange” role. He was later in the doghouse with the regime and went to Belarus.

[10 minute break in proceedings]

Wiedner asked Reuter whether he is familiar with the CCMC [Central Crisis Management Cell]. Reuter asked whether that is “the one that blew up in June 2012?”

Wiedner asked him whether he is sure that they are talking about the same thing. Reuter said they are, if CCMC is the one including Assef Shawkat and other heads of intelligence services, then it is the one that was blown up in June 2012.

Wiedner asked Reuter about the functions of the CCMC. Reuter said it was established to provide security related answers on how to deal with protests.

Wiedner asked about the date of establishment. Reuter said he does not know when it was established but he and his team were rather interested in the explosion. However, he thinks it was established relatively early on [spring 2011].

Wiedner asked what kind of decisions the cell made and what activities it pursued. Reuter said he is not able to differentiate what was decided outside the cell and what was decided by the cell.

Wiedner asked Reuter about the ending date of the CCMC. Reuter said he believes it ended in 2012 with the explosion in a meeting room inside the CCMC’s compound. Reuter said a group of rebels admitted to setting up the explosion, however the group did not have any insights into the attack. Reuter said he by chance met two people who were involved in the explosion, both of them officers working in the CCMC building. He said they had pictures and documents from the room where the explosion happened. Reuter said that there was not much surveillance on the compound as there were only a few employees. He said that it was no problem for these soldiers to be accompanied by other persons not working at the cell as there were barely any checks. This way they were able to smuggle small amounts of explosive substance into the building and place it in the ceiling as there were no cameras. Reuter said the bomb was ready long before the actual explosion but that the members of the CCMC always met in different rooms so it took a couple weeks before they came back to this room where the bomb was triggered via phone. Reuter said that the CCMC personnel first suspected the explosion originated from the buffet so “the first thing they did was to arrest and beat up the catering staff from the Four Seasons”. Years later rumors arose that the explosion was ordered by Assad himself, but there is no corroboration for this version. Reuter said he and his team never published their story on this.

Wiedner asked Reuter whether he recognizes anyone on the accused’s bench. Reuter said “yes, him” [Reuter looked straight at Raslan nodding in his direction, without pointing at him].

Wiedner asked Reuter to talk about Raslan’s motives to talk to him and if Raslan was willing to provide information. Reuter said Raslan was observant and hesitant at the beginning. He said he was probably the first journalist that Raslan ever spoke to. Reuter said it was a new situation for all former high-ranking officials to talk to journalists. Western journalists were previously considered to be the enemy and officials would have probably not even told them what time it is, and now they are providing details about their work to them, which would have been the end of their careers. Reuter said the conversation became more open when Raslan realized that he was not asking dumb questions like “is



it an unjust regime?"¹³ or "what does an intelligence agency do?", but rather "what about that group?", "what about this attack?", "did an Al-Qaeda cadre really stay in a Syrian government's guest house?". Reuter said it was a conversation between forensic experts, people fascinated by details. Reuter said his researcher/colleague also had a "photographic memory for details." Raslan told them how he once arrested Jihadists who then told him to "call Assef Shawkat" and it turned out they were only staged by the regime. The same happened in early 2011 with Ali Mamlouk [as the person staging Jihadist attacks] when allegedly Jihadist weapons which were confiscated by Syrian forces were presented on TV. This practice was not very well known but nonetheless a popular means for Assad to present himself to the international community as a lesser evil. According to Reuter, they [government] also did that back in 2005 to make the occupation of Iraq more costly. Reuter said that he and his team were mainly interested in these orchestrations of Jihadist terror. Reuter said that he recognized the same disgust with Raslan as with other former Syrian officials about the fact that people were no longer arrested and investigations were no longer conducted upon probable cause (Raslan considered arrests as a legitimate way of preventing peaceful demonstrations) but instead hundreds of people were arbitrarily arrested. Reuter said Raslan did not support these grounds of arbitrary arrests (people being arrested and detained solely to scare them) and felt like his work being trivialized. Reuter said they had a long and open discussion as Raslan has an analytical memory and mindset and was able to present himself as a professional inspector.

Wiedner asked Reuter whether he believes what Raslan told him. Reuter affirmed saying that they also met with the former head of the political security directorate in Latakia. This person also wanted to change sides without voiding his professional biography.

Wiedner asked Reuter whether he spoke to Raslan about his daily work. Reuter denied, saying that they only had two days to chat with him and their focus was on staged terror attacks by the regime who then presented itself as victim of this terror. Reuter said they had lots of witnesses telling them about torture in detention facilities, but Raslan was one of the few people who could tell them about staged terror attacks.

Wiedner asked Reuter whether he himself still got an impression of torture taking place through his conversation with Raslan. Reuter said they spoke about his reasons for defecting and why he defected relatively late: Raslan first supported the system which then got out of control. Reuter said that it was commonly known that people were beaten at Al-Khatib however not that they went missing.

Wiedner recalled Reuter's statement with the BKA where he said that he was under the impression that Raslan bothered about a lack of professional behavior and only useless torture taking place. Wiedner recalled Reuter providing an example on a lawyer who was tortured at Al-Khatib for no obvious reason. Reuter said he remembers.

Wiedner wanted to know if Raslan was bothered by the treatment of detainees or the fact that his profession as an investigator was trivialized. Reuter affirmed the latter.

Wiedner asked whether this was also the reason for Raslan to defect. Reuter said that Raslan did not support mass killings and large-scale torture. He said that Raslan was a Sunni "career officer" who was

¹³ Note from the Trial Monitor: the term "Unrechtsregime/Unrechtsstaat" as Reuter said has a strongly negative connotation in German language where it is the antonym to the "Rechtsstaat" (democratic state governed by the rule of law). The term "Unrechtsstaat" has its origins in 1952 when the famous [German prosecutor Fritz Bauer](#) first used it to describe the Nazi regime. To this day, the term is commonly used to describe the Nazi regime as well as the communist regime in the former German Democratic Republic.

under pressure as he came from a region with rebellious background. Reuter said in this position and due to his family being massacred, one either gives 150% or he has to leave. However, according to Reuter they did not talk in depth about Raslan's reasons for defecting.

Wiedner asked whether Raslan said that [give 150% as Sunni or leave]. Reuter denied, explaining that he knew that from other people as they conducted an environment analysis and that Raslan was widely known in the community of defected officers in exile.

Wiedner wanted to know whether Raslan himself said anything on this. Reuter affirmed explaining that Raslan did not support "this". According to Reuter, Raslan did not support the fact that hundreds of people were arrested and that he on top was supposed to torture them. Reuter said that Raslan felt like his professionalism would be trivialized by this.

Wiedner asked why Raslan did not desert earlier and if Reuter asked Raslan about that. Reuter said it is common practice to ensure that one's family is safe before deserting, to not take any risks. Reuter thinks that this was an issue in Raslan's case. However, Reuter said that other people in exile thought that Raslan was an opportunist as at the end of 2012 the regime was about to collapse anyway. Reuter recalled that people defecting in late 2011 were considered heroes, people defecting early 2012 were considered to be "alright" and people defecting in late 2012 were considered to float with the tide as they might have been killed anyway.

Wiedner asked Reuter if Raslan had unsuccessful attempts to escape and recalled Reuter's statement with the BKA saying that Raslan was being observed as to why his preparations for escaping took some time but he did not have an unsuccessful attempt to escape. Reuter confirmed his statement with the BKA saying that there is simply no such thing as an "unsuccessful attempt to escape" as in case one got caught while trying to flee, he would have been killed and not been able to start a second attempt.

Wiedner asked Reuter whether they also spoke about Raslan's background as a Sunni. Reuter said they only spoke about this very briefly but that he spoke about Sunni backgrounds with others in more detail. These people told him about a general paranoid distrust by the Alawite leadership towards Sunnis. Reuter said there were allegedly meetings taking place regarding travel bans of retired Sunni officials during which Alawites allegedly supposed that Sunnis should never be able to leave the country. Reuter said there was a general distrust towards Sunnis.

Wiedner asked whether Raslan mentioned anything in this direction. Reuter denied, repeating that they only spoke about Raslan's Sunni background very briefly.

Wiedner recalled Reuter's statement with the BKA during which Reuter said that Raslan was deeply unsettled by the fact that his background as Sunni was a problem. Reuter said if it is noted in the file then it would be correct.

Wiedner asked Reuter whether Raslan told him about tensions with superiors. Reuter affirmed saying that Raslan wanted investigations after the Kafar Souseh attack but Ali Mamlouk declined.

Wiedner recalled Reuter saying that Raslan felt threatened due to his Sunni background and that there were tensions between Raslan and Hafez Makhoulf due to a group of people who were arrested and beaten in early 2012 and whom Raslan allegedly released. However, according to Reuter's statement with the BKA, Raslan was supported by Tawfiq Younes in this matter. Reuter confirmed his statement adding that they were based on notes which he took during the interview but never used for publishing purposes and that the interview happened a long time ago.

Wiedner further asked Reuter whether it is true that he asked Raslan about an alleged truth serum which Raslan thought was useless as people were not able to say anything, since they did not know anything. Reuter confirmed this statement.

Wiedner wanted to know what Raslan said about the alleged release of the previously mentioned group of detainees. Reuter said he remembers that the group was beaten with metal tubes however, he does not remember if he specifically asked Raslan about whether he released this group or whether he can remember this instance from another context.

Wiedner concluded that the torture did not happen in Raslan's Branch but that he indirectly confirmed that he released them. Reuter affirmed.

Wiedner recalled Raslan saying that he was neutralized and asked Reuter about his knowledge on this claim. Reuter said they did not talk about this in specifics as they were focused on other issues and there was no opportunity where the metal pipe incident from 2012 came up again.

Wiedner asked whether they specifically spoke about the treatment of detainees. Reuter denied, adding that he does not remember every detail of the conversation, since he never used the notes he made during this interview for any publication.

Wiedner asked whether Reuter's statements with the BKA are based on his notes. Reuter affirmed.

Wiedner asked Reuter whether the following statement he made during his questioning by the BKA would consequently be correct: "We spoke about torture and beating of detainees with regards to Raslan's attempts to release some detainees". Reuter confirmed his statement

Wiedner wanted to know whether they also spoke about Raslan's potential role within the opposition. Reuter said that Raslan was hoping to fulfill a role in a new Syrian state. Reuter said it might sound strange nowadays but back in 2012 no one would have thought that Assad would remain in power. People expected that Assad would not be able to secure his power "with only Alawites and some opportunists". Reuter added that the higher-ranking deserters were in the regime, the warmer the welcome by the opposition was, as these former high-ranking officials were key to overthrow the regime.

Wiedner asked whether Raslan had documents with him when he deserted. Reuter denied, saying that they knew from others that they were waiting on a list with missing detainees but with regards to Raslan his photographic memory was more promising to them than documents.

Wiedner wanted to know whether Reuter spoke with Raslan or other people about cooperation with the opposition. Reuter said they spoke about this with everyone. Reuter recalled that at that time [late 2012] the opposition coalition was only about to emerge. They had talks with Saudi Arabia or Jordan trying to figure out which government can support them and what the US's role would be.

Wiedner asked Reuter whether Raslan told him about contact with the opposition during his "active" time [while working at Branch 251]. Reuter said Raslan only told him about alleged observation which made it hard for him to leave. He also told Reuter that the general suspicion towards Sunnis would have made it very dangerous for him to contact the opposition.

Wiedner recalled parts of Reuter's statement with the BKA saying that it took weeks for Raslan to leave Syria. Reuter affirmed, adding that it rather took months than weeks.



Wiedner asked whether they also spoke about the possibility for Raslan to return to Syria. Reuter said Raslan wanted to continue working in his field of profession (as investigator or head of police forces) either in Syria or somewhere else, however only once Assad would have been gone.

Wiedner wanted to know if Reuter also spoke with Raslan about his plans for the future when they met in Germany. Reuter said they touched upon that, adding that Petra Becker, at that time working for [SWP](#)¹⁴, had more frequent contact with Raslan. Reuter recalled Raslan expecting to be questioned by the BKA and the German intelligence so his skills would be of use.

Wiedner concluded that Reuter's conversation with Raslan in Germany was not very fruitful. Reuter said he had many people to talk with in Germany and that their interest in Raslan was still focusing on the same issues but he did not provide much new information. Reuter said Raslan's role within the opposition was not of interest to them in their conversation as one would eventually hear about it any way. They were rather interested in information which is difficult to access and which only Raslan can provide.

Judge Kerber intervened asking whether Raslan was in contact with anyone else. Reuter said he thinks so.

Kerber asked whether Reuter heard that Raslan wanted to provide information or documents to someone. Reuter said he knows that some people were waiting for a list with detainees but he did not follow up on this. Reuter recalled that he assumed, since Raslan spoke to him and his team about damaging things [for the Syrian government] in so much detail, he expected that Raslan would also share information with other people.

Kerber wanted to know what Reuter means when talking about Raslan's "photographic memory"; whether he says that Raslan has an actual photographic memory in a narrow scientific sense or merely has a great memory for details. Reuter said he barely met interlocutors who were able to provide so much details without any file or notes. This is also why he and his researcher met with Raslan two days in a row.

Judge Wiedner asked Reuter how many hours they spoke with Raslan in total during these two days. Reuter said from morning to late evening on the first day and for half a day on the second day.

Wiedner wanted to know whether Reuter spoke to Raslan himself or with the help of a translator. Reuter said he researcher/translator also has great memory for details and immense knowledge so he asked questions as well. It was basically a three-person conversation.

[65 minute lunch break]

Prosecutor's Questioning

Prosecutor Klinge asked Reuter whether he has findings about events in March/April 2011 in Dar'a and Douma as well. Reuter said he has never been there so he has no firsthand knowledge but he knows about arrests in Douma and an increase in violence.

Klinge recalled Reuter saying that people were tortured even before 2011 but it changed in quality and quantity from 2011 on. Klinge asked how it is to rise [make a career] in 2011 with the constant presence

¹⁴ "Stiftung Wissenschaft und Politik": German foundation/think-tank acting as a consultant on security and foreign affairs related matter for the German parliament and government, EU, NATO and UN.



of torture. Reuter says he knows from Iraq that if the only way to promotion is to adapt to a dictatorship, then there is no resistance (neither by the military, nor pilots, nor by the police); then there is only this one way. From 2011 on people changed sides and people were willing to forgive those people who changed sides. Reuter recalled a soldier who ran towards the protestors during a demonstration to change sides and join them. Reuter said people gave him a warm welcome and greeted him as a friend. Reuter added that not everybody in the opposition is a hero like Anwar Al-Bunni who has always been on the right side.

Klinge asked when the first desertions happened. Reuter said some time in 2011.

Klinge asked Reuter to provide names. Reuter said he does not know names but he knows of a pilot who flew his plane to Jordan and escaped that way. Reuter added he does not know about any intelligence service officers from the air force who deserted already in 2011. He said Nabil Dandal probably deserted in 2012, one person might have deserted in summer 2011. Reuter said it was all about changing sides, people wanted a different state. Reuter said army officers defected since 2011.

Klinge wanted to know whether these people joined any group after deserting. Reuter said they joined the Free Syrian Army (FSA) as soon as it was founded. However, according to Reuter the opposition was a cumulation of different groups which constantly grew and kept changing. Reuter said there was one constant - to overthrow Assad - and that they were raving about Turkey at that time [2011/12]. Reuter said deserters were proud of their rank within the regime, they just wanted a different state. That is also the reason why they recorded videos (as an initiation ritual) in which they appeared in their uniforms, publicly declared their desertion and said "Down with the regime".

Klinge asked Reuter to provide his opinion on Raslan, whether he was generally interested in his environment or not aware what was happening around him. Reuter denied the latter saying that Raslan is an extremely thoroughly observant human being, Reuter recognized that from his conversation and was also told by others. Reuter added that he does not know which things Raslan willingly ignored.

Klinge wanted to know whether Raslan made plans regarding Germany at the time Reuter met him in Jordan. Reuter said Raslan was generally optimistic but rather interested in contacting the German government regarding a change of regime in Syria.

Klinge asked Reuter about Raslan's relationship with western journalist and his main motivations for talking to them. Reuter said he spoke to them [western journalist] simply because he was able to. Reuter said Raslan and others were not able to speak at all for 30 years.

Klinge asked Reuter whether he knows other journalists who spoke with Raslan. Reuter denied, saying that what he and his team did was rather unusual; most journalists were in Idlib in 2012 conducting interviews there. However, he does not know to whom Raslan spoke later on.

Defense Counsels' Questioning

Raslan's defense counsel Böcker concluded that Reuter cross-checked all information regarding Raslan according to journalistic standards. Böcker then recalled a sentence from Reuter's testimony with the BKA saying that people in Syria engaged [opposed/demonstrated] within the margins of the dictatorship but it became too much at one point and went murderous, especially in the 1980s and was rather relaxed from 2000 onwards. Reuter said that there were endless rebellions at the end of the 1970s and beginning of the 1980s when Aleppo was besieged for one year. The uprising of the Muslim Brotherhood was violently shut down and 10,000 to 15,000 people were killed in the inner city. Everyone was now aware that they would be killed if opposing the government and that pilots were arrested and went missing. Reuter recalled the biography of a person whose father went missing

at the air force. Reuter said this person wanted to know what happened and started researching in 2011. He was fine with everything and arranged with the regime previously, but realized in 2011 that the regime doesn't offer anything, so he started wondering what happened to his father. Reuter said when he himself was in Syria in the early 2000s there were already some deserters but they were rather free as there was only a small number of them considered to be harmless for the government.

Böcker wanted Reuter to clarify whether the fact that it was only a small number of deserters and protests was the main reason for relatively less repressions. Reuter said that the preconditions for repressions were existent within the regime but the number of demonstrations was relatively small so there were only a few killings.

Böcker recalled Reuter previously saying that if one wants to get promoted, he has to arrange with the regime and its rules and asked Reuter what one had to do to leave the position that Raslan had when he deserted in late 2012, what would be the consequences and which options one had if he wished to not get promoted but to leave. Reuter said Raslan's core family was in Houla....it would not be easy to provide a clear answer to this question. Reuter said there were suspicions on both sides [government and opposition] and one would certainly not have been able to simply resign and request pension.

Böcker asked whether a black and white picture [of government and opposition] would then be correct. Reuter said there were certainly shades of gray in ones' personality but not in the overall context. Reuter said too many people were tortured on both sides, by the opposition as well as by the government when people quit their loyalty.

Böcker asked if they paid Raslan for the interview. Reuter denied.

Böcker asked whether others [deserters] were interested in money (for interviews). Reuter denied.

Böcker wanted to know if Reuter heard from other people that Raslan requested money. Reuter denied.

Böcker wanted to talk about journalistic techniques to verify a source and asked Reuter whether Raslan's statements were coherent and corroborated by other sources and/or material or if there were limits to his coherence. Reuter said he cross-checked Raslan's statements and person as previously described. Reuter added that they had to find new corroboration for some of the things he told them as he was the only one telling them about this but that this information was plausible as they had similarities with other related stories.

Reuter asked Böcker whether he thinks that Raslan limited or made restrictions regarding his own position or whitewashed it or rather drew a proper picture. Reuter said he can confirm neither as they only spoke about his role from the uprising onwards [2011] very briefly. Reuter said they were mainly interested in him as a witness regarding orchestration of terror attacks etc. Raslan's role was therefore secondary. Reuter said they did speak about Raslan's reasons for changing sides but did not prioritize it as their research focus was different. According to Reuter it might be possible that Raslan did some whitewashing but they did not ask him about that as they preferred to use their time to talk about orchestration of terror etc.

Böcker asked whether Reuter or Petra Becker had information that Raslan was instructed by German authorities to stop talking to journalists. Reuter denied.

Böcker asked whether Becker has more information on this. Reuter denied.

Böcker asked whether Reuter has information that the German Foreign Office or the German intelligence service (BND) contacted Raslan. Reuter denied adding that one can read his books and articles to see that he had no more contact with Raslan in Germany than the one meeting he



mentioned earlier and did not follow up on him. Reuter said of course he heard about Raslan going to the German police claiming that the Syrian intelligence service was observing him: Reuter said if this is true then Raslan would have been in great danger.

Plaintiff Counsels' Questioning

Plaintiff counsel Scharmer recalled Reuter mentioning government-led attacks on flash mobs and asked him who exactly used gun fire. Reuter said that one could not tell as they [people that were shooting] were all wearing sneakers and camouflage clothing. Reuter further said that many times all of them [military, police, intelligence services] were mixed, even at checkpoints. The only instance in which one could tell who was shooting were instances where tanks were driving through the streets, so it had to be the military.

Scharmer wanted to know more about the distribution of competencies between the different agencies. Reuter said that if one would flee from a checkpoint, he would be shot by the intelligence service and people who refused [fled from checkpoints] were often Sunnis. The distribution of competencies between the different intelligence services varied from town to town.

Scharmer recalled Reuter saying that demonstrators defended themselves with knives etc. Reuter said that demonstrators carried knives with them at the beginning of the protests as they were often attacked and beaten up by *Shabhiya*, Reuter himself witnessed such an instance in August 2011 in Homs.

Scharmer wanted to know if that also happened in other places. Reuter said he was told afterwards that demonstrators started carrying weapons and to defend themselves.

Scharmer wanted to know when this development started. Reuter said it might have started in Douma already in August 2011 but in other places probably later, depending on the situation in the particular town. He said that demonstrators carrying knives and being attacked by the *Shabiha* was still common in Aleppo in June 2012 while at the same time it was a state of war in Homs. Reuter added that there were big demonstrations in Dara'a until 2012 due to a peaceful governor and after he was displaced, people left and went somewhere else.

Scharmer asked whether Hama was special and whether it is true to say that the more established the opposition the likelier they carried weapons. Reuter affirmed recalling a member of the opposition telling him that he admires Mahatma Ghandi but that he would already "be dead hanging on a fence". Scharmer said that might be true not only for Syria. Reuter affirmed.

Scharmer said Raslan allegedly opposed arrests and detentions. Reuter said that Raslan was in favor of arrests and detentions if there was probable cause that someone violated the law, however people were then allegedly round up in hundreds which Raslan opposed.

Defense counsel Kroker asked if, before 2011, certain state institutions were more likely to be involved in torture etc. Reuter said the air force intelligence service as well as the military intelligence service were infamous for their brutality, however it depended on the exact case and they were mainly targeting foreigners. Reuter further said that regarding brutality, these services were followed by the general intelligence directorate, the political security directorate and the police. The army was less likely to use torture.

Kroker asked whether there were possibilities of getting promoted within this system in a less brutal agency. Reuter said this was of course possible.

Kroker recalled Reuter mentioning a meeting between Raslan and Ali Mamlouk and heads of other services and asked Reuter which services/branches these people headed. Reuter said they were heads within the general intelligence directorate.



Kroker wanted to know what kind of people attended this meeting and if it was possible for a regular low-ranking soldier to attend this meeting. Reuter said that not everyone was allowed to meet with Ali Mamlouk. Reuter further explained that the explosion [reason for the meeting] happened relatively far away from the center of the general intelligence directorate in some annexes. The meeting was consequently attended by the heads of the targeted buildings.

Kroker asked if that would also include Raslan. Reuter affirmed, saying that Raslan was head of interrogation, however he does not know Raslan's exact motives for attending the meeting.

Kroker asked whether it would be realistic that a person who was allegedly neutralized and turned his back to the government attended such a meeting. Reuter said that it was exceptional circumstances so everyone whose Branch/division etc. was affected by the attack would attend such a meeting. However, both versions would be possible [meaning that Raslan was able to attend the meeting as he was in fact not neutralized].

Kroker asked whether Reuter and his team first got information regarding mass graves in 2012. Reuter said they met the first witness on this in 2013. The witness had contacts with the intelligence services and they assumed that there were graves in Tishreen. Before this conversation they only assumed that there were mass graves in Homs and later Damascus.

Plaintiff counsel Oehmichen asked Reuter whether Raslan felt bitterness due to the general suspicions towards Sunnis. Reuter said Raslan felt a professional mortification as he was no longer investigating but rather torturing and that clashes between biographies and ethnic backgrounds were increasing.

Plaintiff counsel Scharmer cited one passage from [one of Reuter's articles](#) saying "they all made their careers within the dictatorship, but since the beginning of 2012 it was no longer about investigations against actual opponents of the regime, but about killing innocent civilians", and asked Reuter whether Raslan said that [beginning of 2012]. Reuter said he is not sure whether they spoke about a specific point in time as everyone was aware of the violence. Reuter said it is possible that he did not ask Raslan about a specific point in time.

Scharmer asked whether the passage he just read out was an indirect citation. Reuter said he does not remember whether they explicitly talked about the exact point in time on which the violence increased or whether they implicitly agreed on that.

Scharmer asked Reuter whether he does not remember if this is what Raslan actually said. Reuter said he remembers talking about the massacre in Raslan's hometown Houla and that the arrests and detentions started before Raslan deserted.

Scharmer wanted to know how they spoke about this. Reuter said he remembers that they did speak about it but not how.

Scharmer asked whether Reuter always has his notes at hand. Reuter said he usually has the most important ones at hand and also had them with him during his questioning by the BKA so the statements made in course of this questioning are based on the notes he took during his interview with Raslan.

Scharmer asked whether Reuter is sure about his citations saying that Raslan told him that he previously did not care about peaceful opposition being detained. Reuter said that Raslan told him that he did not have any loyalty conflicts before 2012 when things started happening which eventually led him to leave.

Scharmer concluded that Raslan did not bother about killings. Reuter affirmed, saying that Raslan stayed after all. Reuter added that Raslan explained that he was always loyal to the government until the revolution when things happened which bothered him and eventually led him to leave.

Scharmer asked whether this is a direct citation to a statement made by Raslan or Reuter's own conclusion. Reuter said it was a conclusion he made.

Scharmer wanted to know whether Raslan told the German Intelligence Service (BND) about this as well. Reuter said he only knows that he told everyone.

Scwarer wanted to know how Reuter knows. Reuter said he does not want to answer to protect his source.

Scharmer asked whether Reuter is sure it is true [that Raslan spoke to everyone about what happened since the beginning of the revolution and his reasons for deserting]. Reuter affirmed.

Scharmer asked whether Raslan told Reuter about his bitterness regarding the increasing negative importance of his ethnicity. Reuter affirmed.

Scharmer asked whether Reuter has reason to question this statement. Reuter denied, saying that they heard the same stories from other Sunnis.

Raslan's defense counsel Böcker intervened by saying that the answer to this question falls under Reuter's right to refuse an answer in order to protect his source but that he at least wants to ask whether there is a source within the BND saying that Raslan was at the BND. Reuter affirmed.

Plaintiff counsel Mohammed asked whether Reuter has handwritten notes from his interview with Raslan. Reuter affirmed.

Mohammed asked whether the court can have access to them. Reuter denied.

Plaintiff counsel Schulz asked Reuter whether he tried to rebut Raslan's statements. Reuter affirmed, adding that he would be the first to say that things were even more brutal and more people have been killed.

Schulz wanted to know more about the interactions between the intelligence services. Reuter said the distribution of competencies between the intelligence services remains unclear and there are constant fights about who is entitled to do certain things. For example, Hafez Makhlof would be more powerful than his mere rank allowed him to be.

Schulz wanted to know whether it is true that Bashar Al-Assad makes all decisions himself. Reuter denied, explaining that earlier Bashar's decisions were largely based on suggestions of long-serving generals, later on his mother became more important. Reuter said one of his sources confirmed that Bashar Al-Assad heavily relied on what his mother said. Reuter concluded that Bashar Al-Assad is not the brain of the regime.

Schulz asked Reuter to describe the architecture of the Syrian intelligence services. Reuter said that the concept of internal competition within intelligence services as seen in Syria is a relatively common concept as one can see from the Nazi regime and Iraq under Hussein.

Schulz said that the court translators as well as Reuter himself constantly used the term "Staatssicherheit" when talking about the general intelligence directorate and asked whether the two would be similar regarding competencies, structure etc. Reuter said the translation would be correct however "[Erich Mielke](#) would turn in his grave seeing so much competition between different services"



[meaning that the Staatssicherheit, the intelligence service in the former German Democratic republic, had more far-reaching competencies than the Syrian general intelligence directorate].

Reuter was dismissed as witness and expert.

The proceedings adjourned at 2:15 pm.