

«Surrounded by Death»:
Former Inmates of Aleppo Central Prison
The Syrian Arab Republic

12 August 2014



This paper is published by the Office of the United Nations High Commissioner for Human Rights (OHCHR).¹ It sheds light on the situation of former inmates of Aleppo Central Prison in the Syrian Arab Republic following their transfer to other places of detention until 8 August 2014. It further addresses the dire situation faced by those inmates prior to their transfer during a year-long siege imposed on Aleppo Central Prison. The paper highlights violations by the Syrian Government forces, as well as armed opposition groups. The paper is based on research conducted by OHCHR, including interviews with former inmates, their families and other sources.

I. Background

Aleppo Central Prison, located in al-Musallamiya town, northern Aleppo Province, was at the centre of a battle between Government forces and several armed opposition groups from March 2013 until May 2014. During this period, part of the prison complex was transformed into a military base for Government forces, having originally been a wholly civil facility under the authority of the Ministry of Interior. In mid-2013, the prison was besieged by Ahrar al-Sham, Jabhat al-Nusra, and other armed opposition groups. During the year-long siege, the inmates endured dire conditions, including degrading treatment as a result of actions by besieging armed opposition groups, as well as by Government forces, including prison guards.

On 22 May 2014, Government forces broke through the siege, recaptured the surroundings of the prison complex, and effectively regained access to the entire prison and its population, which at the time reportedly amounted to at least 2,500 inmates. Subsequently, Government forces released a number of prisoners and detainees and transferred others to places of detention in Aleppo City, Damascus and Rural Damascus.

II. The Human Rights Situation in Aleppo Central Prison

a. The situation before and during the siege

At the beginning of May 2014, Aleppo Central Prison contained several different categories of inmates with a total of 2,500 inmates. The bulk of the prison population included prisoners sentenced for criminal offenses not related to the conflict. It also included 75 female inmates, four of them incarcerated with their children (five children in total), in addition to an unknown number of juveniles.

According to information received by OHCHR, approximately 150 of the total inmates were held in connection with their alleged participation in anti-Government protests in 2011 and 2012, and 53 had been in detention prior to 2011, allegedly for political reasons. Of the latter, 10 were never brought before a judge, and at least 25 had already completed their sentences but remained in Government's custody.²

Before May 2014, the prison housed many prisoners who had completed their sentences, or had been pardoned as a result of various presidential amnesty decrees, but nevertheless

remained in Aleppo Central Prison. OHCHR received information about the release of prisoners and detainees - through coordination with the Syrian Arab Red Crescent (SARC) - during the siege period.³ However, the release process ended after the prison registry reportedly burned down as a result of shelling, months before Government forces recaptured the prison.

1. Allegations of Torture and ill-treatment by government forces

Former prisoners, interviewed by OHCHR in 2013, spoke of routine torture and ill-treatment by prison officials in Aleppo Central Prison before the siege.⁴ This included video footage that shows an alleged incident of torture followed by the execution of one inmate by five prison guards in July 2013. In another incident, a former prisoner allegedly witnessed an execution of 14 prisoners by an officer in August 2012:⁵

“During the month of Ramadan 2012, some of us got into a brawl with some of the guards as they would not let us pray together. Once the fight was over, one officer took aside 14 prisoners that he thought were involved in the fight, lined them up against a wall in the centre of the prison, and showered them with live bullets from his rifle. We then had to bury their bodies.”

OHCHR received information that on 6 May 2014, a political detainee, who completed his sentence but remained imprisoned, had been reportedly killed by a member of the Government forces who fired into his cell in celebration at the news that Government troops were advancing towards the prison. The body of the victim was reportedly left in the cell for two days before it was removed.

OHCHR received satellite imagery analysis, purporting to show the existence of a burial site in the eastern yard of Aleppo Central Prison, where hundreds of prisoners had reportedly been executed by prison guards and buried since 2011. A former prisoner informed OHCHR:⁶

“I buried dozens of persons in the prison’s eastern yard; people who were executed by the guards; people who died because of disease and people who died of starvation.”

In November 2013, a former prisoner informed OHCHR:⁷

“People are dying from hunger here. Conditions are very bad and there is no one who can help us other than God. Some prisoners are like little children, they are crying from hunger.”

2. Incommunicado detention amounting to forced disappearances

During the imprisonment in Aleppo Central Prison, the Syrian authorities refused to provide families with information about the whereabouts of their relatives.

A former prisoner described his time in detention without trial for a period of two years during which his family did not know about his whereabouts:⁸

“I was surrounded by death, fear, hunger, obscurity, my unknown fate, the suffering of my family, and their constant fear for my life.”

The Independent International Commission of Inquiry on the Syrian Arab Republic (the Commission) found that Government forces, have been committing enforced disappearances as part of a widespread and systematic attack against the civilian population that amount to a crime against humanity.⁹ The Commission further noted that, “the Government has perpetuated a system of arrests and *incommunicado* detention that is conducive to enforced disappearances.”¹⁰ There are serious concerns that the continued detention of a number of those who were held in Aleppo Central Prison may amount to enforced disappearances. A son told OHCHR about his prolonged search for his father, following his arrest by the Government forces:¹¹

“My father was taken to Aleppo Central Prison from where he managed to inform us of his detention. In June 2012, he appeared before a judge who accused him of being a spy, an offence which my father denied. We have had no news from him since then. We do not know whether he was charged or not, sentenced or not. It has been two years.”

b. Starvation and diseases

In March 2013, the first attacks were launched on Aleppo Central Prison by several armed opposition groups, including Liwaa al-Tawhid, Ahrar al-Sham and Jabhat al-Nusra. The attacks intensified in May 2013, when these groups besieged the prison and took control of its entry and exit points. Some 300 members of the Government forces, who were initially deployed to reinforce the perimeter of the prison compound, remained inside the prison throughout the siege. Several inmates died at the beginning of the siege, reportedly when armed opposition groups heavily shelled the compound. In May 2013, at least six prisoners were reportedly killed as a result of mortars fired by armed opposition groups.

The year-long siege and the regular fighting in the vicinity to gain control over the prison led to inconsistency in humanitarian assistance and a serious deterioration of conditions in the prison. This, alongside discriminatory distribution of food by prison guards, resulted in the death of a number of inmates from starvation and a lack of medical treatment.¹² Volunteers of the Syrian Arab Red Crescent Society (SARC) were often unable to deliver humanitarian supplies due to sustained fighting between Government forces and armed opposition groups. Over the month of February 2014, for instance, SARC was only able to access the prison four times due to the poor security situation in the area, including as a result of the exchange of fire between the armed opposition groups and Government forces located inside the prison.

Armed opposition groups sometimes interfered with and refused to allow SARC to deliver particular humanitarian supplies to the prison, as they feared that Government forces inside

the prison would seize them for their own use. For instance, according to information received by OHCHR, these groups reportedly denied the delivery of canned food and medicine to the prison, where some inmates suffered tuberculosis.

Between December 2013 and March 2014, at least 30 individuals reportedly died of starvation. Dozens of sick prisoners were unable to receive any treatment, which reportedly led to the death of seven minors during the siege period, and a female prisoner on 4 May 2014.

A prisoner wrote in a letter sent to his family:¹³

“Please try to send me money, because I do not want to die of hunger. Tell my aunt that my two cousins died of hunger. They were both buried in the prison.”

A sister of one of the deceased prisoners told OHCHR:¹⁴

“I received a phone call from the family of another prisoner informing me that my brother died in prison because of tuberculosis. It had been two years since we last saw or spoke with him. We were never allowed to visit him. Now I want his body so that our family can be at peace.”

On 25 June 2014, OHCHR sent a note verbale to the Permanent Mission of the Syrian Arab Republic in Geneva, requesting, among other things, information on the Government’s intentions with regards to inmates’ corpses and on procedures in place to enable families to retrieve the body of a deceased prisoner. OHCHR also requested information on measures in place to investigate allegations of torture or ill-treatment in the prison. On 28 July, the Permanent Mission of Syrian Arab Republic replied that the bodies of inmates buried in Aleppo Central Prison would be handed over to their families, in line with applicable procedures, once roads are secured.

c. Breaking the siege and relocation of inmates

On 22 May 2014, Government forces broke through the siege and regained control over the prison and its entire population. On 24 May 2014, Government forces began transferring the inmates of Aleppo Central Prison to several places of detention, including makeshift detention facilities in Aleppo City, Damascus and Rural Damascus. The vast majority, including an unknown number of juveniles, were allegedly transferred to al-Wahda school in neighbourhood of New-Aleppo. Inmates were being reportedly held there severely overcrowded rooms. The overcrowding is exacerbated by rising summer temperatures and water shortages. A number of tuberculosis cases have been reported in this facility. OHCHR is aware of at least two prisoners who reportedly died of tuberculosis in al-Wahda school in July 2014.¹⁵ Reports indicate that some sick inmates have not been quarantined, and that juveniles are not segregated from adults.

Some of the remaining inmates from Aleppo Central Prison were initially transferred to a school in Ri’aiat al-Shabab area in al-Suleimaniya district of Aleppo.¹⁶ Many of the 52

political prisoners and detainees were reportedly moved to Adra Prison in Rural Damascus. Dozens of inmates were transferred to Ibn Khaldoun and Ibn Roshd hospitals for treatment for conditions such as malnutrition, tuberculosis and skin disease.

The female inmates and their children have reportedly been transferred to a female juvenile detention facility in Aleppo City. According to information gathered by OHCHR, these inmates received first aid, including medical examinations and treatment, from humanitarian actors. Many inmates previously held in Aleppo Central Prison have reportedly been receiving visitors in their new locations.

As of early June 2014, the Syrian authorities have reportedly started releasing some of the transferred inmates who had completed their sentences or been pardoned by previous amnesty decrees. However, the whereabouts of a number of political detainees and prisoners remain unknown.¹⁷ OHCHR is concerned about their safety and well-being, particularly in view of previous allegations of torture and ill-treatment by Government forces.

In the aforementioned note verbale dated 25 June 2014, OHCHR also requested the Permanent Mission of the Syrian Arab Republic in Geneva to provide information on the whereabouts of the transferred detainees and prisoners, their ability to contact their families or a lawyer, and the judicial process in place for those who remain in Government's custody. In its response, the Permanent Mission, reported that 363 prisoners had been released from Aleppo Central Prison, and that the remaining inmates had been transferred to an alternative prison in New-Aleppo neighbourhood. The Permanent Mission further reported that the new facility enables family visits twice a week.

Furthermore, the Permanent Mission noted that following the transfer of the inmates, judicial authorities had resumed trials, and that, in view of the implementation of the amnesty decrees, a judicial committee has been visiting the new facility to review the status of inmates. As to the allegations of torture and ill-treatment of inmates, the Permanent Mission noted that they were being investigated and perpetrators were being brought before the judicial authorities.

III. Conclusions and Recommendations

During the year-long siege and the fighting over Aleppo Central Prison, the detainees and prisoners, as well as their families endured indescribable suffering. The life, security and physical integrity of the inmates were threatened, and many lost their lives. The reported denial of humanitarian aid, including food, and medicine, as well as attacks by armed opposition groups resulted in deaths and injuries among the inmates. These acts constitute serious violations of international humanitarian law that may amount to war crimes.

Breaking through the siege has not entirely relieved the suffering of the prison population. While some have received the needed humanitarian aid and have been moved to hospitals for treatment, others have been transferred to other detention

facilities where they reportedly continue to be subjected to dire conditions of detention. Among them are prisoners who completed their sentences or were pardoned.

In addition, the whereabouts of a number of prisoners and detainees remain unknown to families in circumstances, which may amount to enforced disappearance. Some other families were informed of the death of their relatives. Some inmates might be dead but families have not received their bodies. The mental anguish caused to these families may rise to the level of torture.¹⁸

Reported deaths in Government's custody, including extra-judicial killings; arbitrary detention; and torture and ill-treatment by Government forces constitute serious violations of international human rights and humanitarian law, some of which may amount to war crimes.

All these serious violations of international human rights and humanitarian law committed by the Government and some armed opposition groups have occurred in the absence of adequate accountability measures.

OHCHR proposes the following recommendations:

1. Urges the Government of the Syrian Arab Republic to immediately release all those who are arbitrarily detained, including all those who have completed their sentence, or were pardoned.
2. Urges the Government of the Syrian Arab Republic to end the practice of enforced disappearances and of *incommunicado* detention, which often facilitates the former; and allow those in custody to have immediate and regular access to their families, as well as to lawyers and doctors.
3. Urges the Government of the Syrian Arab Republic to immediately end torture or ill-treatment of those in custody, and ensure they are treated humanely, with respect for their dignity, and provided with adequate food, water, clothing, shelter and medical attention.
4. Urges all parties to the conflict to allow the International Commission of Inquiry on Syria, OHCHR and relevant humanitarian organizations full and unimpeded access to all detention facilities and prisons.
5. Urges the Government of the Syrian Arab Republic to fully investigate the violations reported in this report, including those that may amount to war crimes, and to bring those responsible for any wrongdoing to account. Survivors and their families should receive reparations for harm done to them.

ENDNOTES

¹ As per the mandate of OHCHR provided by General Assembly resolution 48/141 of 20 December 2013.

² Information received by OHCHR indicates that the majority of the political detainees, who were sentenced, had been tried by the State Security Court, which was abolished in 2011. The court was notorious for its harsh sentences and trials failing to conform to internationally recognised fair trial standards enshrined in international treaties to which the Syrian Arab Republic is a party. In its 2005 Concluding Observations on Syria (CCPR/CO/84/SYR), the Human Rights Committee reiterated that procedures of this court were incompatible with Article 14 of the International Covenant on Civil and Political Rights on fair trial rights. During the conflict, the State Security Court has been replaced by the Anti-Terrorism Court.

³ Most of those released were escorted out of prison in small numbers following interventions of the Syrian Arab Red Crescent visits to the prison on different occasions.

⁴ This concern was repeated in OHCHR paper *Open wounds: Torture and ill-treatment in the Syrian Arab Republic*, April 2014.

⁵ OHCHR interview, May 2014.

⁶ OHCHR interview, May 2014.

⁷ A letter, November 2013.

⁸ OHCHR interview, May 2014.

⁹ Independent International Commission of Inquiry on the Syrian Arab Republic, *Without a trace: enforced disappearances in Syria*, December 2013, available at:

<http://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/ThematicPaperEDInSyria.pdf>

¹⁰ Independent International Commission of Inquiry on the Syrian Arab Republic, *Without a trace: enforced disappearances in Syria*, December 2013, available at:

<http://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/ThematicPaperEDInSyria.pdf>

¹¹ OHCHR interview, February 2014.

¹² See press statement of the High Commissioner for Human Rights on 21 May 2014.

¹³ A Letter, November 2013.

¹⁴ OHCHR interview, May 2014.

¹⁵ Both inmates were sentenced for various criminal offenses not related to the conflict.

¹⁶ Those who completed their sentence or were pardoned were released, while others were transferred to al-Wahda school.

¹⁷ On 23 May, with news of the Government regaining control of the prison, the High Commissioner for Human Rights expressed concerns over the safety and physical integrity of a number of prisoners and detainees, including this group - perceived by Government forces as sympathetic to the opposition. Press briefing note, available at: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14632&LangID=E>

¹⁸ Independent International Commission of Inquiry on the Syrian Arab Republic, *Without a trace: enforced disappearances in Syria*, December 2013, available at:

<http://www.ohchr.org/Documents/HRBodies/HRCouncil/ColSyria/ThematicPaperEDInSyria.pdf>