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- PRESS RELEASE -

Guernica 37 – International Justice Chambers and its partner in Madrid G37 - Despacho Internacional, are filing a criminal complaint before the Spanish National Court against members of the Syrian security forces and intelligence for the commission of crimes of state terrorism

MADRID, February 1st. 2017 – Today, *Guernica 37 International Justice Chambers*, with its Spanish counterpart, *G37 Despacho Internacional* has filed a criminal complaint against members of the Syrian Security and Intelligence Forces. *Guernica 37* acts on behalf of Mrs. A.H., a victim of Spanish nationality, whose brother was arbitrarily detained, forcibly disappeared tortured, and executed in 2013 in a detention centre in Damascus under the control of the Syrian Security Forces.

The evidence submitted clearly demonstrates that the Syrian State led by President Bashar al-Assad committed the Crime of Terrorism against its civil population using its security forces and intelligence apparatus.

Since March 2011, in response to the spontaneous and peaceful demonstrations in the context of the *Arab Spring*, high ranking officials of the Syrian Security Forces designed a national security plan aimed at quelling those protests and silencing all dissidence. Therefore, the purposeful implementation of a policy of mass arbitrary detention, forced disappearance, torture and systematic execution.

As a consequence, tens of thousands of civilians have been deprived of their liberty and transferred to detention centres where they have subject to brutal methods of torture and held in acutely overcrowded cells under conditions that cannot be said to be anything other than inhumane.

Thousands of detainees have been executed or have died as a result of torture, mass starvation and illness. Despite the families' constant efforts to obtain information about their loved ones, Syrian authorities keep the fate of the detainees secret, and further, have developed formalised procedures so as to prevent information about the status of disappeared persons reaching their family members.

As part of the national security plan aimed at repressing protests, Syrian Security Forces began photographing the bodies of thousands of detainees who died whilst being held in these detention centres in order to create a scrupulous registry of oppression. In order to complete this task, they instructed forensic policemen to document by way of photographic records the detainees' tortured and lifeless bodies in several military hospitals in Damascus, where these bodies were transferred.

In September 2013, a forensic officer in charge of the supervision of the photographic registry, defected from his position and escaped from Syria, smuggling more than 50,000 photographic images. The photographs taken by *Caesar*, the pseudonym under which he is known, contain images of the bodies of more than 6,000 victims.

Several of these photographs correspond to the tortured and lifeless body of Mrs. A.H.'s brother, who was illegally detained in February 2013 by security forces. It is due to the existence of these photographs, that his family now know he was tortured and executed in one of the detention centres in Damascus, the Syrian capital.

Mrs. A.H. has Spanish nationality and is a victim of the forced disappearance, torture and execution of her brother. Spanish Courts, therefore, enjoy jurisdiction to investigate and prosecute these events, constitutive of state terrorism.

The systematic tactics of violence and oppression carried out in these detention centres were coordinated and ordered by the highest elements of the political, military and security chain of command.

The four main intelligence agencies involved in the security plan were: (i) Department of Military Intelligence; (ii) Air Force Intelligence Directorate; (iii) Political Security Directorate; and (iv) General Intelligence Directorate, which jointly constitute the ‘Mukhabarat’ (Intelligence Services in Arabic).

The four agencies cited above were under the control of the National Security Bureau (NSB), which coordinated them and distributed and implemented the orders coming from the Central Crisis Management Cell (CCMC), the highest institution tasked with coordinating the response to protests.

During the last few years, lawyers at *Guernica 37*, with the inestimable collaboration of Stephen J. Rapp, former United States Ambassador-at-Large for Global Criminal Justice, and key leaders of Syrian civil society, such as Mr. Mouaz Moustafa from the *Syrian Emergency Task Force*, have conducted investigations concerning the commission of international crimes by the Syrian state. The Caesar photographs have bolstered these investigations.

Almudena Bernabeu, international human rights lawyer, co-founder of *Guernica 37 International Justice Chambers* and *G37 Despacho Internacional*, stated:

“This complaint materializes the efforts of extraordinary professionals from Syria and other parts of the world, who have tirelessly fought for justice during the last five years. More particularly, this complaint denounces that even before the beginning of the armed conflict in Syria, the state inflicted systematic violence against its own civil population. The Caesar photographs demonstrate the degree of perversion of a state when it decides to attack its people through its institutions. Our desire is that this first step would allow for criminal justice efforts in other jurisdictions, and consequently, bring hope to the thousands of Syrian civilians that continue suffering the consequences of this barbarity”.

Toby Cadman, international criminal lawyer, co-founder of *Guernica 37 International Justice Chambers* and *G37 Despacho Internacional* stated:

“As a result of the International Criminal Court’s lack of jurisdiction to investigate international crimes committed in Syria and the UN Security Council’s practical stagnation, this case highlights the need to identify alternative jurisdictions to pursue justice for grave violations of International Humanitarian Law committed by the Syrian State under President Bashar al-Assad for during the last 5 years. The lack of accountability and the continued impunity enjoyed by the Syrian Regime with the support of Russia and Iran represents a stain on the reputation of the international community. States must now collectively mobilize to enforce the red lines drawn decades ago by the fundamental principles of International Humanitarian Law and jointly affirm that there can be no peace without justice.”

Guernica 37 International Justice Chambers is an innovative Chambers established in November 2016. It is associated with G37 Despacho Internacional (est. 2017) and the Guernica Centre for International Justice, a non-profit organization based in London and later this year in Washington DC. Our international team of lawyers, specialize in, International Criminal Law, and strategic transnational litigation to obtain accountability for international crimes and human rights violations. Guernica37 seeks to contribute to national processes of justice by designing legal strategies in partnership with key professionals in countries that are experiencing transitional processes after conflict or post-conflict situations.