

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

OBADA MZAIK

Plaintiff,

v.

SYRIAN ARAB REPUBLIC,

Defendant.

Civil No. 22-cv-00042

Complaint For Torture,
28 U.S.C. § 1605A

DECLARATION OF MAZEN DARWISH

I, Mazen Darwish, hereby declare as follows:

Witness Background

1. I have personal knowledge of the facts set forth in this Declaration. If called as a witness, I would testify competently to these facts under oath.
2. I was born on December 21, 1974. I grew up in Damascus, Syria. I received a law degree from the Faculty of Law, University of Damascus, in 1997.
3. I am a Syrian national, but do not have a Syrian passport. In November 2015 I left Syria for Germany. I obtained German immigration status pursuant to Section 22 of German Residence Act, which is temporary resident status for Germany's benefit. I now reside in Paris, France as a refugee.
4. I am a lawyer and journalist. I currently serve as President of the Syrian Center for Media and Freedom of Expression (SCM).
5. For my work, I have been the recipient of numerous awards, including being named by Time Magazine as one of the world's "100 Most Influential People" (2022), by the United

Nations Office of the High Commissioner for Human Rights as a “Human Rights Champion” (2018), by the Roosevelt Institute for American Studies as a recipient of the Roosevelt Four Freedoms Award (in partnership with German Chancellor Angela Merkel) (2016), and by the International Press Institute as a “World Press Freedom Hero” (2015). I have also received the UNESCO/Guillermo Cano World Press Freedom Prize (2015), the Pinter International Writer of Courage Award (shared with Salman Rushdie) (2014) and the Roland Berger Human Dignity Award (2011), among many others.

Human Rights Activity Prior to February 16, 2012 Arrest

1. In 2000, I was one of the founders of the re-launch of the first human rights defense organization in Syria, named the Committees for the Defense of Democratic Freedoms and Human Rights in Syria (CDF). As a result of this work, I was later expelled from the Syrian Bar Association.
2. In 2004, I founded SCM in Damascus. Because it is legally impossible to register a nonprofit organization in Syria, SCM was ultimately registered in France.
3. Initially focused on protecting journalists and monitoring violations against the media in Syria, SCM has over the years significantly expanded its activities to promoting human rights and legal reform in Syria. One of SCM’s key objectives is investigating, documenting, and preserving evidence of human-rights abuses in Syria.
4. Before I was arrested in 2012, I actively managed SCM’s civil rights efforts, including by frequently addressing issues of journalistic freedom and violations against freedom of expression through various publications and public interviews.
5. The 2012 arrest was not my first arrest. In 2008, I was arrested and tried by a Syrian military court on charges of insulting state institutions and harming national sentiment. The charges

stemmed from an unfinished and unpublished draft of an article I was writing, which contained observations about conflicts between police and civilians. Ultimately, I was convicted and sentenced to 10 days in jail.

6. In early 2011, the Arab Spring uprisings reached Syria, but the demonstrations were quelled by Syrian security forces. Initially, the demonstrations were peaceful, demanding freedom and democracy by using certain slogans. Yet Syrian security forces met those peaceful demonstrations with extreme violence. I think that this response likely reflected an intentional decision on part of the government to push the society toward violence and extremism. Security forces arbitrarily detained people and subjected them to physical and psychological torture, designed to lead protesters from peaceful options to choosing violence.
7. By reacting this way, Syrian security forces pushed the youth systemically toward violence. Indeed, the government's approach to demonstrations as an "open war" caused protestors to react violently in turn, and full-on civil war soon erupted.
8. As the protests were growing, I gave a radio interview and participated in a number of demonstrations in February and March 2011. As a result, I was summoned by the Political Security Branches and arrested on several occasions.
9. In early February 2011, I was summoned to State Security Branch 251 (also known as the Internal Branch), where I learned that I, along with other prominent activists, was being accused of instigating unlawful protests.
10. On March 16, 2011, I helped organize and joined a peaceful demonstration in front of the Ministry of Interior in Damascus, demanding the release of demonstrators and political detainees whom the government had detained. During that demonstration, dozens and

maybe hundreds of members of security forces came out and started brutally beating demonstrators and detaining dozens. I was beaten and arrested by the members of the Military Security Southern Regional branch.

11. Then on March 21, 2011, because of telephone interviews I had given to al-Arabiya and the BBC, among others, regarding the massacre of demonstrators in Daraa on March 18 and before, I was arrested and sent to Branch 215. I was then sent to the Military Security Branch, known as the “branch of death” because many people have reportedly been killed there. There, I was placed in solitary confinement but was not beaten or tortured. While my captors interrogated me, they told me that I was being accused of tarnishing the image of the government and conspiring with the media against the government.
12. In response to the growing violence and increased instances of human rights violations to suppress the uprising, my colleagues and I, in April 2011, launched the Violations Documentation Center as a new division in SCM, dedicated to documenting human-rights abuses in Syria.

February 16, 2012 Raid on the SCM Offices and Arrest

13. In 2011–2012, the SCM office was located on Street 29 of May in Damascus. At the time, the office employed twenty salaried staff members and kept five lawyers on retainer. The lawyers were working out of the SCM office.
14. The raid happened on February 16, 2012, at approximately 12:30 p.m. I was in my office speaking to an SCM lawyer on Skype, when I suddenly heard a lot of shouting. Many heavily armed security officers dressed in military fatigues pushed through the doors and entered the office. Two were dressed in civilian clothing; these were, to my understanding, the commanding officers. Realizing that this was a raid, I removed a SIM card from my

phone and swallowed the SIM card, which was illegal to possess, and threw away a USB stick containing sensitive files concerning ongoing protests and detentions in Syria.

15. I walked out of my office into the main reception area and asked who the armed men were. One of the two commanding officers responded that they had information that there was an improvised explosive device at the SCM office that was going to be used at a nearby primary school. I was trying to keep the conversation going to allow other staff members to warn our other colleagues of the raid and to stay away.
16. The men began searching my office. They also collected everyone's identification cards, except for one employee, who carried a diplomatic passport.
17. They took my identification card and mobile phone. I tried to negotiate, suggesting that they just arrest me and let the rest of the employees go. But nothing came of my pleas.

Detention and Torture at the Air Force Intelligence Investigation Branch at the Mezzeh Military Airport (February 16, 2012 – April 15, 2012)

18. The security forces handcuffed all of us and marched us out on the street. Outside, I saw that the street was completely closed off and full of cars and security personnel. They loaded everyone onto a waiting bus and began driving toward the Mezzeh Military Airport in Damascus. In addition to me, fifteen staff members, including my wife, Yara, were detained.
19. When we arrived at Mezzeh Military Airport, we were taken to an office for intake and registration with personnel from the Air Force Intelligence. Our money, identification cards, and jewelry were confiscated. My wedding band was taken and never returned to me.
20. I was strip searched. Then I was stripped naked, told to squat, and loaded into a cell with other male detainees from the SCM raid. While there, and in anticipation of the

interrogations that we were all about to face, I tried to instill confidence in my colleagues and reminded them of the importance of SCM's mission, and that its activities were all public and all legal.

21. The first night, all male detainees stayed together in one cell. That night, a new detainee, who introduced himself as "Kawah", was added to the cell. He told a number of stories about his acts of defiance against the police and his demonstrations. I thought that there was something suspicious about him, so I responded, "May God break your hands for attacking a police station." Shortly after, "Kawah" knocked on the door, and the guards let him out—confirming my suspicions that he had been planted there by the guards.
22. Later that night, I was removed from my cell and did not see any of the other SCM detainees for many months. Guards led me out into a narrow corridor between cells, where I stayed. Later, the guards blindfolded me and led me to an office for interrogation. I was interrogated by the head of the Air Force Intelligence Investigations Branch, a Brigadier General from the Air Force Intelligence. The interrogation was essentially a political discussion. The branch head asked questions about a radio interview I had given, my opinions about Bashar al-Assad and the government, and documentation that the SCM was collecting. He accused me of inciting people to demonstrate.
23. After I was initially interrogated, I started to be treated much more harshly. I was led back to the narrow corridor, where I spent sixty-four days. This was in a detention complex within the Air Force Intelligence Investigation Branch at the Mezzeh Military Airport that was dubbed "the old prison" (because a "new prison" was also built within the same complex).

24. Guards would step on me, and sometimes stomp or kick me. I was blindfolded the entire time during those sixty-four days. My hands were always cuffed behind my back, except when I was being fed and using the toilet, which was twice a day. I was not allowed to sit comfortably.
25. A day or two after the first interrogation, I was led into another interrogation. The interrogator was an officer, Captain Ra'id of the Air Force Intelligence. During the interrogation, guards removed my blindfold and handcuffs. Captain Ra'id started the interrogation by asking me what my opinion would be of my wife if the guards raped her in front of me. Captain Ra'id then began questioning me about my work at the SCM. After he was done, I was cuffed and blindfolded in the snowy courtyard.
26. Several days later, I faced yet another interrogator, Colonel Dr. Muhammad. I later learned that he was a military judge transferred to the Air Force Intelligence Investigation Branch. Dr. Muhammad was interested in funding that SCM was receiving from foreign organizations accused of being supported by hostile powers. He also claimed that I was connected to armed groups. That interrogation went on for several days.
27. Captain Ra'id and Dr. Muhammad alternated in interrogating me. Captain Ra'id would question me in the morning, relay any information learned to Dr. Muhammad, who would interrogate me later in the day. Captain Ra'id took a more punishing approach. For instance, he left me standing for three days in the snowy courtyard, without a coat or warm shirt. I was left there blindfolded and handcuffed for hours at a time. After the three days, I was moved back into my narrow corridor, where I would again be kicked and stomped upon.

28. Over time, the guards became more violent towards me. In protest, I went on a seventeen-day hunger strike. At some point during this period, Dr. Muhammad informed me that the female SCM detainees had been released.
29. I also witnessed many other detainees being tortured by the Air Force Intelligence guards and investigators. For example, while I was living in the corridor, I witnessed how guards treated other detainees. One detainee, Bassam Ahmed, told me that others were going to start a hunger strike. In another instance, an older detainee requested to go to the toilet because he had diabetes. The guards ignored him, and he ended up urinating in his cell. Around 1:00 a.m. that night, a particularly cruel guard entered the cell and started beating the diabetic man, forcing him to lick his urine while stepping on his head
30. In total, I spent sixty-four days at the Air Force Intelligence Investigation Branch at the Mezzeh Military Airport.

Further Detention and Torture at Other Air Force Intelligence Locations

31. On the last day of my detention at the Air Force Intelligence Investigation Branch at the Mezzeh Military Airport, a guard told me that I was going to be transferred to the Fourth Division Detention Center, which was nearby the Mezzeh Military Airport complex. I, along with a number of other prisoners, was transported by bus whilst blindfolded and handcuffed.
32. My understanding is that we were held at the Fourth Division Detention Center because of a capacity problem at the Air Force Intelligence Investigation Branch but that we were still considered part of the detainees under the control of Air Force Intelligence Investigation Branch. Our food, for example, still came from Mezzeh Military Airport.

33. I was held at the Fourth Division Detention Center for about six months, during which time I and the other detainees were tortured on a near-daily basis, including through beatings, electric shocks, being subjected to the “tire” treatment, and many other types of abuses. The health conditions were abysmal. On my last night at the Fourth Division Detention Center, I was taken out of the main group cell and taken to another individual cell where I was beaten severely and then placed in a bathroom for multiple hours.
34. After approximately six months at the Fourth Division Detention Center, I was transferred to the Air Force Intelligence Administration building, which is situated in Damascus outside of the Mezzeh Military Airport.
35. I was placed in solitary confinement. Although my cell was smaller than the one I had lived in at the Fourth Division Detention Center, I shared it with five other prisoners. To fit inside, I had to pull up knees to my chest. There was no toilet in the cell, and we were taken to the toilet only twice a day. The trip to the toilet was torture in and of itself. I would be led there, face to the ground, while being electrocuted by cattle prods. Guards would unreasonably restrict how much time a detainee had and would beat them if they exceeded the allotted time. I was subjected to the car-tire beating on many occasions for using too much time during bathroom visits.
36. I also experienced another type of torture at the Air Force Intelligence Administration building. Guards would attach a metal bar with a cable at each end to the detainee’s ankles. Two guards would lift the bar off the ground, while a third guard would beat the detainee on the soles of his feet.
37. On the third day of detention at the Air Force Intelligence Administration building, I was summoned to appear before an officer. When I did, the officer said, “The Head of the

Branch sends you a greeting for Eid.” Then five or six guards armed with batons, cattle prods, and green plumbing pipes beat me until I lost consciousness. I woke up in a shower, with a bloodied nose and mouth. Two guards carried me in a military blanket back to my cell.

38. The torture continued for another four or five days. The guards beat my feet with cables. At some point, one of the guards punched me in the face so hard that I lost consciousness again. The guards must have thought I was dead, because I woke up in the place where they stored the corpses under the stairs. Once the guards figured out their mistake, I was returned to the cell. My cellmates tried to take care of me. The beatings stopped at that point.

39. After one week, I was carried on a blanket to be fingerprinted and affix an impression of my finger on to some documents. When I asked to read the papers before putting my fingerprint on them, the guards threw the papers on the floor.

40. One day, a guard came in and told me to pack my stuff. Along with some other detainees, I was handcuffed and a guard read out our names. When the guard announced my name, he stopped and said “you are still alive?” and then he started to beat just me. I was eventually transported by bus back to the Mezzeh Military Airport. I was brought back to the Air Force Intelligence Investigations Branch registry to collect my belongings, which had been taken upon my intake and was given everything back except for my wedding ring.

Detention at Non-Air Force Intelligence Centers and Eventual Release in 2015

41. Following the collection of my belongings at the Air Force Intelligence Investigations Branch, I was transported to al-Qaboun military police prison. I did not witness any torture

or beatings at that prison. Instead, the principal problem was overcrowding, with up to 40-50 men squeezed into a single cell.

42. After seventeen days, I was moved to Adra prison, where I was held for about a year and a half.

43. After Adra, I was transferred to Hama prison, about 300 km away from Damascus.

44. On June 9, 2014, the prosecution's trial against me in the Anti-Terrorism Court began. I was charged with violating Article 8 of the Terrorism Law, which criminalized propaganda for "terrorist" acts.

45. Twenty-three hearings followed, during which I was represented by counsel. Each hearing was nothing but a farce. It was simply a mechanism to prolong my detention.

46. Sometime in 2015, after about twenty such hearings, I was so angry at the delay that I told the judge that he needed to issue a decision, that the trial was a mockery of the judicial process, and that the judge should resign. After this outburst, I and two of my SCM colleagues were transferred to the General Intelligence Directorate (GID), where we were tortured in different ways for forty-five days.

47. In May 2015, the regime finally granted me amnesty. Although I was told that I was going to be released, at the last minute I was detained and transferred back to Hama for three days, and then to the GID, where I spent twenty-three days in solitary confinement.

48. Finally, one morning I was brought to the Anti-Terrorism Court, where the judge told me that I was being released. I requested my identification papers but was not provided with any. Forty-five days later I received a new ID.

49. On November 5, 2015, I escaped Syria into Lebanon. On November 9, 2015, I arrived in Berlin. While in Berlin, I was treated at the Center for Victims of Torture.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on 11 / 29 / 2024, in Paris, France.

A handwritten signature in black ink, appearing to read 'Mazen Darwish', written over a horizontal line.

Mazen Darwish