

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

OBADA MZAIK
Plaintiff,

vs.

SYRIAN ARAB REPUBLIC,
Defendant.

Civil Action
No. 1:22-42

Washington, DC
August 7, 2025

10:03 a.m.

TRANSCRIPT OF EVIDENTIARY HEARING
BEFORE THE HONORABLE ANA C. REYES
UNITED STATES DISTRICT JUDGE

APPEARANCES:

For the Plaintiff:

Anika Havalдар
Ruth Montiel

FRESHFIELDS BRUCKHAUS DERINGER LLP
700 13th Street NW
Suite 10th Floor
Washington DC, DC 20005
202-777-4500
anika.havalдар@freshfields.com
ruth.montiel@freshfields.com

David Yury Livshiz

FRESHFIELDS US LLP
3 World Trade Center
175 Greenwich Street, 51st Floor
New York, NY 10007
David.Livshiz@freshfields.com

APPEARANCES CONTINUED:

For the Plaintiff:

Daniel McLaughlin

CENTER FOR JUSTICE AND
ACCOUNTABILITY
278 Bush Street, Suite #3432
San Francisco, CA 94104
dmclaughlin@cja.org

Reported By:

LORRAINE T. HERMAN, RPR, CRC

Official Court Reporter
U.S. District & Bankruptcy Courts
333 Constitution Avenue NW
Washington, DC 20001
lorraine_herman@dcd.uscourts.gov

*** Proceedings recorded by stenotype shorthand;
transcript produced by computer-aided transcription.

P R O C E E D I N G S

1
2 **DEPUTY CLERK:** This is civil action 22-42,
3 *Obada Mzaik vs. Syrian Arab Republic.*

4 Would the parties come forward and identify
5 themselves for the record?

6 **MS. MONTIEL:** My name is Ruth Montiel. I am
7 appearing for the plaintiff, Mr. Mzaik.

8 **THE COURT:** I'm sorry. What was your last name?

9 **MS. MONTIEL:** Ruth Montiel.

10 **THE COURT:** Oh, okay. Yes. Thank you.

11 **MS. MONTIEL:** Thank you.

12 **MS. HAVALDAR:** Good morning. My name is
13 Anika Havalдар, and I am appearing for the plaintiff,
14 Mr. Mzaik.

15 **THE COURT:** Hello.

16 **MR. LIVSHIZ:** Good morning, Your Honor. David
17 Livshiz, also for the plaintiff.

18 **THE COURT:** Mr. Livshiz, we meet again.

19 **MR. LIVSHIZ:** We do, indeed.

20 **THE COURT:** Remind me what case we on together or
21 against each other.

22 **MR. LIVSHIZ:** It was the *Glencore v. Bolivia*
23 arbitration. And you represented a third-party witness,
24 former president Gonzalez --

25 (Simultaneous speaking.)

1 **THE COURT:** Oh, that's right.

2 **MR. LIVSHIZ:** Two quality days in a deposition
3 room.

4 **THE COURT:** Yes, I remember. We were in some law
5 firm. I don't know if you remember the law firm, but they
6 had bottled water with the law firm on it. And my firm
7 never had anything on anything, ever. So I made a lot of
8 fun of the firm. What was it, again?

9 **MR. LIVSHIZ:** Dugger.

10 **THE COURT:** How did that case work out for you
11 guys?

12 **MR. LIVSHIZ:** We won.

13 **THE COURT:** Yeah?

14 **MR. LIVSHIZ:** Yeah.

15 **THE COURT:** All right. Well, congratulations.

16 **MR. LIVSHIZ:** Thank you, Your Honor.

17 **MR. McLAUGHLIN:** Good morning, Your Honor. Daniel
18 McLaughlin representing the plaintiffs.

19 **THE COURT:** Hello.

20 All right. Anybody else? No? Going once. Going
21 twice.

22 **MS. MONTIEL:** Should I introduce the plaintiff?

23 **THE COURT:** Oh, yes, of course.

24 **MS. MONTIEL:** Mr. Mzaik is here and his uncle is
25 also in the courtroom.

1 **THE COURT:** Welcome, gentlemen.

2 **MS. MONTIEL:** Thank you.

3 **THE COURT:** All right. So the first thing I think
4 we should do is deal with your motion to pre-admit exhibits.
5 And thought we would go through them one by one quickly.
6 Who wants to take those up?

7 **MS. HAVALDAR:** Hello.

8 **THE COURT:** Hello. Let's just go through each one
9 you want admitted. The State Department Human Rights
10 Report.

11 **MS. HAVALDAR:** So the State Department Human
12 Rights Report would be admitted under Federal Rule of
13 Evidence 803.8. It's issued by public office. It contains
14 factual findings, pursuant to a statute that authorizes the
15 State Department to issue a report about country practices.
16 And there is no indication that there is a lack of
17 trustworthiness of the report.

18 **THE COURT:** Okay. That's fine.

19 If there are hearsay statements within the report
20 that you want me to rely on, that would be double hearsay.
21 So we'll have to take those as they come, if needed. I know
22 this. I am painfully aware of this because I got in trouble
23 by a court for having a State Department report admitted.
24 But for right now we will admit it. But if we have to -- if
25 there are certain, sort of, quotes in there, I will have to

1 take those back up.

2 **MS. HAVALDAR:** Yes.

3 (Plaintiff's State Department Human Rights Report was
4 admitted.)

5 **THE COURT:** All right. The Treasury Department
6 press releases.

7 **MS. HAVALDAR:** So we have two press releases that
8 announce designations and sanctions, pursuant to executive
9 orders. They are also admissible and they are public
10 records. Similarly, they contain factual findings pursuant
11 to these executive orders. They don't bear any indicia of
12 unreliability. And the Court has relied on similar press
13 releases in other FSIA cases.

14 **THE COURT:** Okay. Those are admitted.

15 (Plaintiff's Treasury Department's press releases were
16 admitted.)

17 **MS. HAVALDAR:** The third category is three
18 U.N. Reports by Commission of Inquiry. They are also
19 admissible under the public records exception. The U.N., as
20 this court has found, is a public office. And all three
21 reports were submitted pursuant to U.N. authorization, as
22 identified in the reports and also in various U.N.
23 resolutions.

24 **THE COURT:** Okay. Those are admitted.

25 **MS. HAVALDAR:** The next report is another U.N.

1 report by a different body. This is the U.N. International,
2 Impartial, Independent Mechanism for Syria. Similar to
3 commission reports, this is admissible under the public
4 records exception to hearsay.

5 **THE COURT:** Okay. Admitted.

6 (Plaintiff's U.N. Reports by Commission of Inquiry were
7 admitted.)

8 **MS. HAVALDAR:** And the last document that we would
9 like admitted is experts of the plaintiff's passport, at the
10 time of his detention. This is admissible pursuant to
11 22 U.S.C. 2705 or, alternatively, under public records.

12 **THE COURT:** Okay.

13 All right. And then roman three, you are not
14 really asking me who do anything at this point. Right? You
15 are just telling me what I can do. The Court may make
16 findings of fact and conclusions of law based on fact and
17 expert evidence?

18 **MS. HAVALDAR:** That's right. At the case
19 management conference, Your Honor asked us for some
20 authority in the motion, so we just included it.

21 **THE COURT:** Oh, okay. Yeah. It was probably good
22 of me to do that. All right.

23 **MS. HAVALDAR:** Then the last part of the motion is
24 just asking the Court to take judicial notice of a few
25 facts.

1 **THE COURT:** All right. A is fine. B is fine.
2 Syria is a state sponsor of terrorism. Syrian Air Force
3 Intelligence is a foreign state under FSIA.

4 The cases that you cite, do they take judicial
5 notice of that or was there evidence presented?

6 **MS. HAVALDAR:** This was judicial notice, I believe
7 in the second case cited, and the first case stated as a
8 fact.

9 **THE COURT:** Okay. Let me look at that a second.
10 (Brief pause.)

11 **MS. HAVALDAR:** Your Honor, just to note that we
12 will also be presenting evidence on this.

13 **THE COURT:** Oh, well, good. Because I was about
14 to tell you that I don't think I can take judicial notice on
15 an arm of the state being the State. So if you will present
16 evidence on that --

17 **MS. HAVALDAR:** Yes, we will.

18 **THE COURT:** Great. All right.

19 So I will not take judicial notice that the Syrian
20 Air Force Intelligence is a foreign state under FSIA. It
21 looks, from the case law, that if you put in evidence, that
22 should be sufficient.

23 **MS. HAVALDAR:** Yes, Your Honor.

24 Then the last judicial notice is just the fact
25 that Major General Jamil Hassan, who is the head of the Air

1 Force Intelligence, is subject to U.S. sanctions. And this
2 is based under Treasury Department sanctions list.

3 **THE COURT:** He is on the sanctions list?

4 **MS. HAVALDAR:** Yes.

5 **THE COURT:** All right. I'll take judicial notice
6 that the Major General Jamil Hassan is on the sanctions
7 list. I don't think I can take judicial notice that he is
8 the head of the Air Force Intelligence in 2012. So you will
9 be putting in evidence of that?

10 **MS. HAVALDAR:** Yes, we will.

11 **THE COURT:** Ok. Great.

12 Anything else you want to discuss before we get
13 going? Do you want to have a short opening or tell me what
14 we are doing here?

15 **MS. MONTIEL:** Yes, Your Honor. Thank you.

16 **THE COURT:** Okay.

17 **MS. MONTIEL:** Thank you.

18 Good morning, and may it please the Court. We are
19 here today for the case of *Obada Mzaik vs. The Syrian Arab*
20 *Republic*.

21 Obada Mzaik is a Syrian-American man, who in early
22 2012, was detained and tortured by agents of a Syrian
23 Intelligence agency, the Air Force Intelligence Directorate.

24 **THE COURT:** And when was this? Sorry.

25 **MS. MONTIEL:** This was in 2012. He was also

1 detained by another branch of the Syrian Intelligence
2 Agencies in 2011, but primary case today is 2012.

3 **THE COURT:** Okay.

4 **MS. MONTIEL:** As you will hear later today,
5 although exact details are unique to him, these types of
6 detentions were far from unique under the former Syrian
7 regime. Mr. Mzaik's detention and torture were part of a
8 broader campaign of terror carried out under the government
9 of Bashar al-Assad in December of last year. Before we
10 delve into the facts of the case, I'd like to recap the
11 procedural posture before the Court.

12 This case involves the terrorism exception to the
13 Foreign Sovereign Immunities Act. Under this exception,
14 foreign state sponsors of terrorism are not immune from
15 jurisdiction, where money damages are sought against a
16 foreign state, for personal injury or death, that was caused
17 by an act of torture, among other acts.

18 As we will demonstrate today, and as we have
19 thoroughly explained in our papers, each element of the FSIA
20 terrorism exception is fulfilled in this case.

21 Turning now to today's testimony. Today the Court
22 will hear directly from the plaintiff the torture method
23 directly from Mr. Mzaik, the plaintiff applicant. He will
24 testify that in January of 2012, at the age of 21, he was
25 captured and held at the notorious Air Force Intelligence

1 Detention Center, at the Mezzeh military airport for
2 approximately two weeks.

3 This was Mr. Mzaik's second detention at the hands
4 of the Syrian intelligence agencies, also known as the
5 Mukhabarat. While at AFI Mezzeh, Mr. Mzaik was subjected to
6 both physical and psychological torture at the hands of
7 Syrian intelligence agents.

8 He will testified that he was repeatedly beaten.
9 He was punched, slapped and kicked. He was forced to wait
10 in anticipation of further torture, in painful stress
11 positions. He was beaten with a PVC pipe, until he could no
12 longer stand. He was nearly choked to death. Beyond his
13 physical torture, Mr. Mzaik was also subjected to extreme
14 psychological brutality at AFI Mezzeh. He was threatened
15 with torture and death. He feared he would be raped. He
16 was also repeatedly forced to listen to and watch the
17 torture of other detainees, including a child. On one
18 occasion, AFI agents forced Mr. Mzaik to watch as his cousin
19 was tortured for hours on end. Mr. Mzaik's cousin was then
20 disappeared by security forces. His family still does not
21 know what happened to him.

22 The conditions at Mezzeh were also horrific.
23 Mr. Mzaik was kept in an overcrowded, underground cell, so
24 cramped that detainees had to lie pressed together on their
25 sides, in order to sleep. Despite the freezing temperatures

1 in January, they did not have blankets to cover themselves.
2 The cell was filthy and insects infected his clothes. The
3 infestation was no bad, that Mr. Mzaik developed a severe
4 rash all over his body, that had to be treated upon his
5 release. Despite the insects and disease that ran rampant
6 at Mezzeh, Mr. Mzaik had no access to medical care. He
7 contracted hepatitis that also had to be treated upon his
8 release.

9 Mr. Mzaik was often kept blindfolded and
10 handcuffed. He was not given adequate access to the
11 bathroom and was beaten if he took longer than 30 seconds.
12 He was not allowed to pray. And he and other detainees were
13 punished if they were caught doing so. Detainees were also
14 forced to share small portions of food, leaving Mr. Mzaik to
15 lose significant weight during his detention.

16 In short, Mr. Mzaik was forcibly held in an
17 environment that was designed to break his will. An
18 environment where fear was pervasive and in which he knew
19 that he could be tortured at any time and for any reason.

20 As a psychiatric expert, Dr. Pau Pérez-Sales will
21 testify, Mr. Mzaik has experienced significant and
22 long-lasting psychological harm as a result of the physical
23 and psychological torture that he was subjected to at
24 Mezzeh. He will talk about these harms in his own words.

25 Mr. Mzaik's experience was part of a much broader

1 pattern of detention and torture. As our expert witnesses
2 have documented in their reports, and as the U.N. and
3 governmental reports that we have submitted attest, for
4 decades the Assad's operated an extensive and brutal
5 detention system, under the control of the Syrian
6 Intelligence Agencies.

7 The pace of detentions and abuse dramatically
8 increased in 2011 during the Arab spring. These
9 intelligence agencies, under the orders of then-President
10 Assad, brutally suppressed protests and any activities they
11 perceived as anti-regime through a campaign of mass arrests,
12 detention, torture, killing and forceful disappearance.

13 Hundreds of thousands of Syrians were sent to
14 Assad's prisons. Many of whom never returned and are still
15 missing. Today's hearing will illustrate for the Court the
16 devastating human toll caused by this repressive campaign.

17 In regime prisons, including Mezzeh, Syrian
18 intelligence agents subjected detainees to extensive and
19 varied forms of torture. Mr. Mzaik's experience was typical
20 and common. The other three witnesses you will hear from
21 today, Ms. Yaman Al-Qadri, Mr. Mahoud Hamoud and Mr. Mazen
22 Darwish were also detained by Air Force Intelligence at
23 Mezzeh.

24 So were our witnesses who have submitted sworn
25 declarations with our Motion for Default Judgment. Each as

1 subjected to both physical and psychological torture at the
2 hands of Syrian intelligence agents, with lasting impacts on
3 themselves and their families.

4 As Mr. Mzaik and the three other witnesses will
5 testify today, these heinous acts of torture were committed,
6 in large part, to punish and intimidate those viewed as
7 anti-Assad, create a generalized climate of fear or to
8 obtain information about potential opponents to the Assad
9 regime.

10 During Mr. Mzaik's interrogations, he was asked to
11 provide names of individuals who were anti-regime and
12 questioned about his own purported anti-regime activities.
13 Official reports that we have submitted from U.S. government
14 and international agencies, all corroborate what these
15 witnesses experiences.

16 Turning now to the legal standard for Mr. Mzaik's
17 claim. To win a default judgment under the FSIA, we must
18 satisfy three requirements. Personal jurisdiction, subject
19 matter jurisdiction and liability.

20 First, for personal jurisdiction, Mr. Mzaik
21 satisfied this requirement by properly serving Syria through
22 diplomatic service under the FSIA, as reflected at Docket
23 No. 30. Mr. Mzaik used diplomatic service, as none of the
24 first three options under FSIA were available.

25 Second, subject matter jurisdiction. The key

1 issue here is whether Syria subjected Mr. Mzaik to torture
2 under U.S. law. The TVPA, whose definition of torture the
3 FSIA adopts, has four elements. The act must have been
4 directed against an individual and the offender's custody or
5 physical control, it must have resulted in physical or
6 mental pain and suffering. It must have been intentionally
7 inflicted, and it must have been done for a specific
8 purpose, such as obtaining a confession, punishment or
9 intimidation.

10 Mr. Mzaik's treatment by Syrian agents easily
11 satisfies this standard. As we he will testify today, AFI
12 agents intentionally inflicted brutal physical and
13 psychological abuse on him, while he was in their custody at
14 Mezzeh. This mistreatment resulted in severe physical and
15 mental suffering both during his detention and since his
16 release.

17 These horrific acts were undertaken to elicit
18 information about his perceived anti-regime activities and
19 punish him and intimidate him for those activities. Serious
20 treatment of Mr. Mzaik thus qualifies this torture under the
21 FSIA.

22 For subject matter jurisdiction we must also meet
23 three additional requirements. First, the foreign state
24 must have been designated a foreign state sponsor of
25 terrorism at the time the torture occurred and the action

1 was filed. Syria has been designated by the United States
2 as a foreign state sponsor of terrorism, since 1979, and
3 remains so to this day.

4 Second, the plaintiff must have been a U.S.
5 national at the time of the act. Mr. Mzaik is and always
6 has been a U.S. citizen.

7 Third, Mr. Mzaik was obligated to afford Syria a
8 reasonable opportunity to arbitrate his claim. He included
9 an offer to arbitrate, in his service package. A translated
10 copy of which was delivered to Syria, as docketed at
11 ECF No. 30. We have thus established subject matter
12 jurisdiction under the FSIA.

13 Turning now to the third and final element,
14 liability. The FSIA provides a private right of action for
15 U.S. nationals to hold foreign states liable for personal
16 injury caused by acts of torture. In terrorism exception
17 cases, liability is typically established through the lens
18 of civil tort liability.

19 Here, the same facts that underlie Mr. Mzaik's
20 satisfaction of the torture standard for subject matter
21 jurisdiction, also successfully prove that Syria is liable
22 for assault, battery, intentional infliction of emotional
23 distress and false imprisonment.

24 Ultimately, Mr. Mzaik is but one victim of a
25 highly organized state system of arbitrary detention and

1 torture, that has wreaked havoc on the lives of hundreds of
2 thousands of Syrians, including detainees and their
3 families.

4 We respectfully ask the Court for a judgment that
5 finds Syria liable for Mr. Mzaik's torture and acknowledges
6 the severity of the treatment Mr. Mzaik and the other fact
7 witnesses endured; and that, especially at a time of
8 transition in Syria, makes clear that the crimes of the
9 Assad regime are never to be repeated.

10 With that, Your Honor, I would like to call
11 Obada Mzaik as our first witness.

12 **THE COURT:** All right. Thank you, ma'am.

13 Sir, you can come up and come to the witness
14 stand.

15 (Witness sworn.)

16 **EXAMINATION OF OBADA MZAIK**

17 **BY MS. MONTIEL:**

18 **Q.** Good morning, Obada.

19 **A.** Good morning.

20 **Q.** Could you please state your full name for the
21 record.

22 **A.** Obada Mzaik.

23 **Q.** And where do you live right now?

24 **A.** In Columbus, Ohio.

25 **Q.** Who do you live with?

1 **A.** I live with my wife and my daughter and son.

2 **Q.** And what do you do for a living?

3 **A.** I am entrepreneur doing eCommerce business.

4 **Q.** And where were you born?

5 **A.** I was born in Columbus, Ohio, in 1990.

6 **Q.** Are you a U.S. citizen?

7 **A.** Yes, I am.

8 **Q.** And have you been a U.S. citizen for your whole
9 life?

10 **A.** Yes.

11 **Q.** Where did you grow up?

12 **A.** I grew up in Syria since 1994, when I was four
13 years old. My dad came back to Syria, after finishing his
14 PhD in Ohio State University.

15 **Q.** And which University did you attend in Syria?

16 **A.** Yarmouk Private University, in Damascus.

17 **THE COURT:** Can you spell that?

18 **THE WITNESS:** YPU is the shortcut. Yarmouk
19 Private University.

20 **BY MS. MONTIEL:**

21 **Q.** I understand you were detained two times, in 2011
22 and 2012. I would like to start by talking about 2011.
23 Could you describe for the Court what happened to you in
24 late June 2011 at Damascus University?

25 **A.** Yeah. I was with my friend in Damascas

1 University, like -- Damascus University is very big, there
2 are so many faculty. We were outside of the faculties in
3 the university, and suddenly we found there was abnormal
4 amount of Syrian security forces around all of the
5 faculties. And suddenly there was, like, a small group of
6 protestors that started there saying "Freedom! Freedom!"
7 There was, like, 10 people. I was, like, 50 meters at a
8 distance from them.

9 And after that, I found there is, like, a bunch of
10 people coming, like, to the core of the protestors. I
11 thought it would be a very big protest, when I was seeing it
12 from the distance.

13 Then, suddenly, I found many of these people who
14 were coming toward the core of the protest, they start
15 hitting the people and everyone started running away. Most
16 of these people are from the union students, which are
17 assigned by Syrian government to have them, like, write
18 everything that happened in Syria and kill any protestors
19 that could be in the university.

20 At the same time, after a while, like, after two
21 minutes, I was shocked about the scene, what was happening.
22 I found, like, one very huge student holding another student
23 and, like, punishing him and waiting for other Syrian
24 security forces to come and capture him. At that time, he
25 asked for my help to release him from that student.

1 At that time, I just, like, went back to my -- I
2 was married, like, just a few weeks ago. After Friday
3 prayer, in Meydan, when I found hundreds of Shabiha.
4 Shabiha are people assigned from Syrian security forces to,
5 like, hit protestors after Friday protest. So I found
6 hundreds of them under the Meydan bridge. They were having,
7 like, metal ropes in their hands; that scared and spread the
8 fear in anyone in the mosque. If they went out with the
9 protest, they will get hit.

10 So I thought, nothing is going to happen after
11 that Friday prayer, and no one is going to go out and
12 protest. Then suddenly the protest happened after the
13 mosque Friday prayer. And I was, like, just seeing from the
14 distance and seeing how people are captured, hitting by
15 metal pipe. I can't forget the person who was hitting with
16 metal pipe on his -- like, on his head. He was bleeding. I
17 feel very angry and sad. I couldn't help him.

18 I'm sorry.

19 So when I came back in 2011, in June, I saw that
20 person asked me for my help, I seen him getting hit. I got
21 engaged. And tried to help him out and get him released.
22 So I tried to release him and he was released at that time.
23 Then I found myself surrounded with multiple security forces
24 hitting me with plastic and wooden pipe. And then I ended
25 up in the Syrian security forces car with other detainees.

1 Then they took us to the 215 Branch.

2 Q. Branch 215?

3 A. Yeah.

4 Q. And how long were you at Branch 215?

5 A. Thirty-five days.

6 Q. Can you describe a little bit about the kind of
7 treatment you received at Branch 215?

8 A. Yeah. Me and others detainees we were getting
9 slapped and hit and our faces bloody. Every day they come,
10 like, in the morning they came and count how many detainees
11 in the room. And there's always, like, they are hitting us.
12 The first day that I came in, we were, like, getting a lot
13 of hits and slaps on our face and our body until we reached
14 the interrogation room.

15 Then they assign us to one cell next to the
16 interrogation room. That night they put a chain -- they
17 connected us all with a chain and handcuffed and blindfolded
18 our eyes, and they took us to another building underground.
19 During that we were hitting and getting slapped and kicked
20 all of the time until we reached the cell.

21 We were, like, five or six people. Six students
22 in a 200-square-foot room and that number grew up until we
23 were around 60. I can remember there's, like, one person
24 who got electrocuted in a very sensitive area. He couldn't
25 walk for a few days. I can remember one guy who was having

1 injury in his head. They were kicking him, they was
2 punching him in his head on that injury.

3 I remember one fifty years old, he was crying all
4 the time, like, he need to check on his daughter and his,
5 like, family because they cannot eat, they don't have enough
6 money to eat. So he was worried a lot about them. Yeah, so
7 that is what I remember.

8 **Q.** And when you were released, after 35 days, did you
9 report what had happened to you to anyone?

10 **A.** I reported what happened to me to the American
11 embassy in Damascus.

12 **Q.** And after you were released, did you come to a
13 decision about whether to remain in Syria?

14 **A.** After I was released from the 215 Branch, the
15 political branch asking about me in our neighborhood. So I
16 knew about that. I feel, like, fear that I don't want to
17 come back to the detention center. So I decided to leave
18 Syria to the U.S.

19 **Q.** And how long did you stay in the U.S.?

20 **A.** Around four months.

21 **Q.** While you were in the U.S., did you have any
22 involvement in any political issues in Syria?

23 **A.** I involved in the Freedom -- what was called the
24 Freedom Messages for Syria.

25 **Q.** Can you describe what that group was for?

1 **A.** It was, like, a group assigned to send massive
2 messages to the Syrian people in Syria, to encourage them to
3 protest, peaceful protests in Syria.

4 **Q.** Did you take any actions to try to conceal your
5 identity as a member of that group?

6 **A.** Yes. I was using, like, a nickname, like, an
7 activist name, so know one know about my real name except,
8 like, three people.

9 **Q.** And after four months, why did you decide to
10 return to Syria?

11 **A.** After, like, four months I -- when I went out, I
12 felt like the Syrian regime would fall down in, like, a
13 couple months. When it taking longer, I found I need to get
14 back to the Syria, see my family and complete my study. I
15 was one semester away from my graduation.

16 **Q.** And when did you decide to return? Do you recall
17 the date?

18 **A.** Say again? Sorry.

19 **Q.** Do you recall the date on which you returned to
20 Syria?

21 **A.** The 3rd of January.

22 **Q.** What year was that?

23 **A.** 2012.

24 **Q.** How old were you then?

25 **A.** Twenty-one years old.

1 **Q.** Before you returned, did you take any actions to
2 try to make sure that it would be safe for you to return?

3 **A.** Yes. I have asked my family to check on my name,
4 if I am wanted or not. I checked a few days before I booked
5 my tickets. And I also checked when I was in Jordan, in
6 transit, to double check to make sure my name is clear in
7 the airport. Unfortunately, after a few hours I was
8 captured in there.

9 **Q.** Can you describe what happened when you arrived at
10 Damascus airport.

11 **A.** When I arrived at Damascas airport, I passed in my
12 U.S. passport. They asked me for Syrian ID. I handed them
13 my Syrian ID.

14 After that, the officer there, his face was
15 changed. And told me what you have done. And asked, like,
16 officers to come to that check point. And they took me and
17 searched me and checked all my belongings. They were, like,
18 checking on my laptop and searching it until they found a
19 picture for me saying that Freedom for Obada Mzaik. It is a
20 picture that was created for me when I was in the first
21 detention. Then they started hitting me and said, Oh, you
22 need freedom? Then they punished me and slapped me in the
23 face and hit my body with their hands.

24 **Q.** Where did they take you after that?

25 **A.** They keep me there until they search all of my

1 belongings and bags, and then they send me to a detention
2 center inside of the airport. I stayed there for one day.
3 And there was, like, many other international people there
4 also got in that room.

5 Q. And where did they take you after the airport?

6 A. They took me to the criminal branch in Baramkhah
7 in the morning.

8 Q. And Baramkhah is what?

9 A. Baramkhah is, like -- Baramkhah criminal branch is
10 one of the Syrian security forces, but it is assigned for
11 the people who do crimes, usually.

12 Q. How long did you remain in the security branch?

13 A. Until the end of the day, at night. I stayed only
14 one day there.

15 Q. Were you interrogated while you were there?

16 A. Yes, they interrogated with me again, checking my
17 laptop. And also they see the same picture. Then they
18 sealed the laptop to get transferred to another branch.

19 Q. Can you explain where you went after the criminal
20 security branch?

21 A. I went to the political Syrian security branch
22 with other detainees.

23 Q. And how long were you there?

24 A. I stayed there for six nights.

25 Q. For six?

1 **A.** Days.

2 **Q.** For six days?

3 **A.** Yeah.

4 **Q.** And what happened when you arrived at the
5 political security branch?

6 **A.** The first thing they give us, like, get out of the
7 bus. They transferred us through the bus. And we were,
8 like, handcuffed, blindfolded. We walked to the corridor
9 and they put our face against the wall. And they said if we
10 change our head, if we -- like, any movement we do, we will
11 get hit.

12 After a while, they took me to Adan Harir, who was
13 the head of the integration office there.

14 **Q.** And what kind of questions did he ask you?

15 **A.** The first question he asked me about Freedom
16 Messages that I was involved in. And I was shocked when I
17 heard that because -- like, even my close family they don't
18 know about my involvement in that group. So I got surprised
19 and they refused to admit that.

20 **THE COURT:** I'm sorry. Refused? There were
21 Freedom Messages?

22 **THE WITNESS:** Senior Freedom Messages, the name of
23 the group.

24 **THE COURT:** Oh, okay.

25 **THE WITNESS:** Your Honor, it was involved to send

1 massive messages to the Syrian people in Syria.

2 **THE COURT:** Okay. Got it. All right. Thank you.

3 **BY MS. MONTIEL:**

4 **Q.** How often were you interrogated at the political
5 security branch?

6 **A.** I was interrogated every day, like, two times.
7 One in the morning and one in the evening.

8 **Q.** And for how long, approximately, each time?

9 **A.** Like around two hours every time.

10 **Q.** While you were at the political security branch,
11 did you see anything about how other detainees were being
12 treated?

13 **A.** The first night -- like, the first day, when I got
14 detained, they put me in isolated room. So I wasn't able to
15 see anyone. It was, like, one meter by two and a half
16 meter, split between a place to sleep and a place to, like,
17 WC. So it was filthy over there and no light at all. It
18 was super darkness. I couldn't resist that. It was always
19 hitting the door like asking for -- to get me out. One
20 day -- that day they also give me after a few hours food. I
21 refused to eat food, because I feel like I can't resist that
22 isolation I have that there.

23 I ended up with meeting again Adan Hariri. After
24 that they assigned me to a bigger room with other detainees.

25 **Q.** And does you see anything about how those

1 detainees were being treated?

2 **A.** Yeah, I saw one elderly guy, who was naked, just
3 underwear. It was very cold weather at that time, January,
4 in Damascas. He was getting hit by leather lashes on his
5 back.

6 **Q.** And what happened on the sixth day of your
7 detention?

8 **A.** Something told me my interrogation has been done,
9 and I will be transferred to Air Force Intelligence. And he
10 told me that I need to sign all of the confessions I did
11 with him.

12 **Q.** Do you know what was in the confession that you
13 signed?

14 **A.** I was not able to see anything. I just signed
15 them without knowing what I am signing on.

16 **Q.** Do you recall the date of the day that you were
17 transferred to Air Force Intelligence?

18 **A.** It was January 10th.

19 **Q.** And what year?

20 **A.** 2012.

21 **Q.** Where were you transferred that day?

22 **A.** I transferred -- they put us, like, there was
23 other detainees with me. They make us a few stop. The
24 first stop in civil courts, the second one in military
25 court, and the last one is the AFI, the Air Force

1 Intelligence. When they told me they were going to transfer
2 me to the Air Force Intelligence. I thought they were lying
3 to me. I will go to civil court and get released there.

4 I keep having like -- I kept trying to convince
5 myself that I'm not going to that branch because
6 I -- because everyone -- a lot of Syrians they know how many
7 people suffer from that branch. And I always remember Adan
8 Hariri and other people, and I tried to convince myself that
9 I am not going to go there.

10 At each stop, when they called the detainees, that
11 they need to get to the first stop, I feel like, Oh, okay.
12 My name is not there. Then another stop. My name is not
13 there. And then I was alone going to the Air Force
14 Intelligence.

15 **Q.** Do you know the name of the Air Force Intelligence
16 branch that you were brought to?

17 **A.** It is in Mezzeh Airport.

18 **Q.** Can you describe what happened when you arrived at
19 Mezzeh airport?

20 **A.** So the first thing -- my eyes was blindfolded and
21 also I was handcuffed. And when we arrived there, at the
22 check point, they asked me, why you are there? They asking
23 the officers, the other Syrian security forces. They told
24 them they had a detainee to transfer him to that branch,
25 coming from the political branch.

1 Then they gave IDs and give them back and they
2 allowed them to get in. They drive until we receive
3 checkpoints, where they need to transfer me and sign the
4 documents and give all of my belongings to them.

5 **Q.** And can you describe what happened once you handed
6 over your belongings?

7 **A.** When I went there, I was still blindfolded,
8 handcuffed, cannot see, I can't have a full scene of what is
9 going on. It was a small room. It has a few, like, beds on
10 top of each other and there is a small office, small desk.
11 And they are taking my IDs and my information and my
12 belongings. One of them they asked me, he has, like, red
13 hair. He asked me, why you were -- why you were arrested
14 before? I said, maybe because I got detained in 2007. So
15 they need to check on me. That guy, when he listened to the
16 war detainees, he got crazy, and he started choking me and
17 raised my full body to the wall. And continued choking me
18 until another Syrian security forces from the political
19 branch stop him. And he said, we cannot do anything. You
20 cannot kill him until you sign the paper, the transfer
21 paper. Then you can do whatever you want. I thought I was
22 going to be killed.

23 Then they grabbed me, handcuffed me -- like, I was
24 handcuffed again. They grabbed me from my T-shirt, my
25 sweatshirt, and dragged me to the detention center

1 underground. During that, I was getting hit from at least
2 two people, kicked as well, until I got to downstairs when
3 they stripped me naked and searched me.

4 During that time they were hitting me in my body
5 with a pipe, in hands, legs, everywhere. Then they took me
6 to the next room where they get my name and my information,
7 and then they assign me to cell number three.

8 **Q.** Can you describe what happened when you got to
9 cell number three?

10 **A.** When they opened cell number three, there were two
11 soldiers. They looked like they are in 50s and 60 years
12 old, and they were wearing military clothings. There is no
13 rank on their clothing, but they asked them -- we got you a
14 knew boy to play with, and they pushed me to them.

15 This moment was very scary moment for me because I
16 thought I was going to get raped with those two people
17 because they were saying, we got you a new boy to play with.
18 So that was a few, like, seconds until I realized that they
19 are just detainees as well, but they have a good connection
20 and they are part of the regime, but they are not sure why
21 they were there at that time.

22 **Q.** In your cell, can you describe what you were able
23 to hear about how other detainees were being treated at the
24 branch?

25 **A.** Cell number three, in that branch, was very close

1 to the interrogator room, the corridor and the hallway. And
2 every day and every night I can hear the interrogation, how
3 it happens, how they punish and torture other detainees.
4 For me, like, I can't sleep. Listening to the screaming, to
5 the shouting, people they look like -- I can't see what is
6 going outside my room but I can hear and listen to all of
7 the details that is next to my cell.

8 **Q.** Can you give any examples of the things that you
9 heard?

10 **A.** One of the example that one of the detainees was
11 interrogated, the detective or the interrogator told the
12 guards to raise him up, raise him up more. He was
13 screaming. They was hitting him in his back. I can't see
14 which, like, element they are using to hit him in the back.
15 But I can listen and hear how his body react. I can listen
16 to his voices, how it changed from one hit to another hit.
17 They asked him to convince about how many people he killed.
18 He was saying, I didn't kill anyone. They started putting
19 water on his body, followed that with more hits on the back
20 and on his body. I'm not sure where it is exactly. They
21 start -- and then he said, Okay. One. The detainee said,
22 Okay. I killed one. Then the guard said only one or more?
23 He said, Okay. Five. And then he started raising number
24 until he hit 100. When he hit the 100 number, they start to
25 say, What are you to kill, like, 100 soldier? You think you

1 are God? And then they started saying animals and bad words
2 to him, until they raise him up and up, and then make him go
3 down. And suddenly I listened to his body, like, went down
4 and no more hear and no more screaming from him.

5 Q. And can you describe any other incidents that you
6 recall hearing how other detainees were treated?

7 A. One time I listened to one boy who was, like,
8 asking, Please, Ammu. Ammu means uncle. Like, he was a
9 child. Please stop. And then he was getting hit with pipe
10 on his body. It was in the night and it was very cold.

11 And then he asked -- then I heard, like, water
12 getting to his body. And then, like, he was screaming and
13 asking for his momma. He was asking, please, momma. Help.
14 He was getting -- he was crying and getting hit with lashes
15 and pipes.

16 Q. Can you describe how you felt having to listen to
17 the treatment of these detainees?

18 A. It was for me, like -- I was trying to not listen
19 because I cannot, like -- I cannot sleep. I cannot resist
20 while I am listening to all of these screaming and
21 punishment for other detainees. I try to whisper, close my
22 eyes, pray while I am closing my eyes, just to make me not
23 focus on what is going on outside.

24 And after a few days when they told me that I am
25 getting assigned to a different cell. I thought it was a

1 relief for me while. It was more people in it, like, less
2 food in it. But it's still relief because I am away from
3 that, like, listening to that torture next to me.

4 **Q.** And can you describe how the guards treated you
5 when you were brought to your own interrogations?

6 **A.** Say again?

7 **Q.** Can you describe how guards treated you when you
8 were brought to interrogation?

9 **A.** Yeah. So after a few days, after I moved to the
10 second cell, when they took -- when they opened the cell and
11 asked for my name, I got out. They cuffed my hands,
12 blindfold my eyes and they dragged me to the corridor. And
13 I reached the interrogator room. During that they were
14 slapping my face and kicking my head and back.

15 **Q.** And when you got to the room, can you talk about
16 what happened during that interrogation?

17 **A.** They made a trap between me and my second cousin.
18 They told me that my second cousin convinced me about going
19 to protests in Syria. So they need me to admit that. I
20 admitted because I don't want him to get hurt. And then
21 also they did the same for him against me, and they make him
22 a trap. They told me that I have a group that I protest.
23 And they had me also admit at the same time. And then they
24 told us, like, you guys are lying, and you are going to go
25 to -- subject to shabeh and electrocuted.

1 **Q.** Can you describe what shabeh is for the Court?

2 **A.** Shabeh is when they handcuff the detainees and
3 make them raise their hands up, and they stand on their toes
4 and they hang for hour two hours, sometimes more than that,
5 like, days.

6 **Q.** Can you describe what happened after they
7 threatened that you were going to be subjected to that?

8 **A.** They took my cousin, my second cousin, and they
9 subjected shabeh to him in front of me. They told me, you
10 will wait your turn after him. I was handcuffed on the
11 back, blindfolded sitting down on the floor. And also there
12 was too many other detainees like me sitting in the same
13 position waiting for their turn to shabeh treatment.

14 **Q.** Can you describe more about the physical position
15 that you had to stay in while you were waiting?

16 **A.** Like, my hand was in the back, cuffed. I was,
17 like, my face was facing -- my head was facing the floor. I
18 was sitting on the floor with I'm not sure how to describe
19 it but I was sitting down. My hand was in the back. My
20 legs -- my head was facing the floor. And if we -- and if
21 we raise our heads up or turn our heads, that we will get
22 hit by the guards.

23 **Q.** And did that happen to you?

24 **A.** Yes, that happened to me multiple times when I
25 tried to see my second cousin, while he was subject to

1 shabeh.

2 Q. Could you describe what you could see and hear
3 while you were in that position?

4 A. I could see the other detainees, who were sitting
5 same position as mine, and seeing, like, multiple detainees
6 who are subjected to shabeh as well.

7 Q. And for how long were you in the corridor in that
8 position?

9 A. It was before the breakfast in the morning. In
10 the night until in the morning, before the breakfast. So I
11 didn't sleep that night.

12 Q. And was there any other occasion in which you had
13 to be in the same physical position?

14 A. I got interrogated one more time. When they got
15 me to interrogation, it was a different interrogator. He
16 asked the guard to uncuff my hand and remove the blindfold
17 from my eyes. The guard tried to refuse the order and that
18 interrogator, he told him that is the order from me and you
19 have to follow it. I was shocked, like, why this is
20 happening? It's abnormal. They uncuffed my hands, unfolded
21 my eyes so I was able to seem the face of the interrogator
22 and also his name on the desk. I remember his last name
23 was -- [indiscernible].

24 And then after, like, a few -- not less than
25 minutes, I found -- another interrogator came to that room,

1 break the room, like, kicked the chair, make me fall down.
2 And told the other interrogator and said, that is animal.
3 They cannot sit on the chairs, and they couldn't be treated
4 this way.

5 He asked the other guard to, like, also to
6 blindfolded my eyes, cuffed my hand and get to the corridor
7 where the people are waiting for their torture and subject
8 to shabeh and waited there for a few hours.

9 Q. Can you describe what position you were in when
10 you were waiting?

11 A. The same position as before, when I was handcuffed
12 on the back, sitting on the floor, blindfold on my face,
13 facing the floor.

14 Q. Could you describe more about the other kinds of
15 threats that you received during your time in detention?

16 A. One day when I transferred to the other cell, the
17 guards, like, he told me that I am going to get
18 another -- he said my "welcome party" was not enough. He
19 wanted to get me more hits. So that's -- he told me that
20 before going to the bathroom.

21 We only have 30 seconds to go to the bathroom and
22 come back. If we got delayed, we get hit. When he
23 threatened subjecting me to falanga, after the restroom, I
24 was trying to run to the bathroom, doing as fast as possible
25 and come back running, so I don't delay. Afterward, he told

1 me that I am going to be subject to falanga, and he did that
2 for me.

3 Q. Can you describe what falanga is?

4 A. He made me lay on the floor. I have to raise my
5 legs up, and they start using green PVC pipe and hitting my
6 feet. And they start doing that until my legs was, like,
7 had thickness. I couldn't even feel it. I feel like super
8 hot in my legs and my feet. I couldn't stand up afterwards
9 for a few days.

10 Q. Which part of your feet were they hitting?

11 A. The bottom of the feet.

12 Q. Can you describe more about what kinds of things
13 you were asked during your interrogations?

14 A. So the first, like, in the first interrogation
15 when they trapped between me and my second cousin, they
16 asked for more names to give to the interrogator. I found
17 the only way to close that case is to give them some names
18 of people who are already running away from the Syrian
19 regime and they are outside of Syria.

20 Q. Were you asked anything else about your first
21 detention?

22 A. Say again.

23 Q. Were you asked any other questions about your
24 first detention?

25 A. Before my release, they interrogated me. They are

1 asking about my -- about media connection. Because they
2 told me that my name was in press, in media in U.S. They
3 asked me about my first detention and also they asked me,
4 did you report what happened to you to U.S. embassy?

5 I refused. They told me they have evidence that I
6 was there. And they asked me, also, about -- if I have any
7 connection with a politician in U.S. They asked me if I am
8 involved with any media before.

9 Q. Were you ever asked to sign any documents while
10 you were there?

11 A. Yeah. I signed, like -- I signed documents. The
12 second interrogator, who was trying to be nice to me and
13 uncuffed my hands, took me to the kitchen and made me sit on
14 the oil tank. He talked me about my confession and also he
15 asked me to sign papers as well.

16 Q. I'd like to ask you some questions about the
17 conditions in the cell. Can you describe what the cell was
18 like?

19 A. The cell is around one and a half meter by two and
20 a half meter. It has a high ceiling, around 15 to 20 feet.
21 Is there is a small window on the top that we can figure out
22 if there is sun or no sun.

23 There is also, there was blankets on the floor
24 that we can lay down on it, but there is no blanket to,
25 like, cover us that winter. There was a lot of insect

1 disease, like lice, insects there. So, also, there is small
2 one-gallon container for emergency to, like, pee if we
3 needed. Because we are only allowed to go three times, one
4 in the morning after breakfast, one in lunch in the
5 afternoon lunch, and one after dinner in the night.

6 **Q.** And can you describe what effect the insects in
7 the cell had on your body?

8 **A.** Yeah, it gave me have lice disease and my back and
9 legs. All my body was getting a lot -- it become itchy. It
10 cannot be -- like, all my body was red, especially my back.
11 I tried sometimes to calm that down a little to take off my
12 sweatshirt and remove all of the eggs and that kind of
13 insects in my legs. At the same time, I feel super cold. I
14 had to -- I tried to put it back on my body. This cycle
15 never ended. It happened every day.

16 **Q.** And how many detainees were in that cell, that
17 second cell?

18 **A.** The second cell was, like, we start at five and we
19 end with six. When I left, it was six.

20 **Q.** How were you able to sleep in the cell?

21 **A.** It's the same size room as the one before, one and
22 a half meter by two and a half meter. And we only,
23 like -- we can lay down by our sides, backs to faces, facing
24 our sides and our face facing, like, everyone facing each
25 other.

1 **Q.** And were you allowed to shower?

2 **A.** We are not allowed to shower.

3 **Q.** Can you describe the bathrooms, how you were
4 brought to the bathroom?

5 **A.** So we have to take our clothes off and keep only
6 the underwear. We have to face down, make our face, facing
7 down to the floor. And we have to run to the bathroom
8 doing -- we have 30 seconds. And then running back. And if
9 we, like, try to look right or left or raise our heads, we
10 got punishment and falanga as well.

11 **Q.** Can you describe what the condition of the
12 bathroom was like?

13 **A.** It is filthy because we barely can do our -- we
14 only had 30 seconds. We could barely do the restroom and
15 wash our hands and come back.

16 **Q.** Can you describe the smell of your cell?

17 **A.** It was filthy. I was putting my head -- my pillow
18 was a small container, a one-gallon container of urine. The
19 smell is super bad. I got used to it. This was my pillow.

20 **Q.** And can you describe the medical care available at
21 Mezzeh?

22 **A.** There is no medical care. One day during the
23 bathroom session I heard, like, different cells asking --
24 like, one guy asking for his medication because he has a
25 problem. I cannot remember what his problem. But he asked

1 for the medicine and they took him outside and they started
2 hitting him and punishing him.

3 Q. Were you allowed to communicate with other
4 detainees?

5 A. No. Just in the same cell, inside the cell but
6 outside, no. But we are sneaking and talking without the
7 guards seeing us.

8 Q. And were you allowed to pray or do anything else
9 regarding your religious practice?

10 A. No, we are not allowed.

11 Q. And what happened if you did pray?

12 A. We were subject to falanga treatment and -- yeah.

13 Q. Can you describe your access to food and water?

14 A. It was minimum. We got, like, one plate that we
15 have to share it between all of us. And also we got one
16 food that also we need to share it between all of us. As we
17 get one piece of bread that we need to share between all of
18 us. That same amount of food was when we were five, it
19 doesn't change when we were six.

20 Q. And what effect did the deprivation of food have
21 on your body?

22 A. Say again?

23 Q. What effect did the deprivation of food have on
24 your body.

25 A. It made me super thin when I was there and when I

1 got released as well.

2 Q. Were you ever charged with a crime, as far as you
3 know?

4 A. No.

5 Q. Were you ever allowed to speak to a lawyer?

6 A. No.

7 Q. Were you ever allowed to speak to the U.S.
8 embassy?

9 A. No.

10 Q. Can you describe how you came to be released from
11 Mezzeh?

12 A. My family secure my release through the middleman
13 until they reached Jamil Hassan.

14 Q. Do you recall on which day you were released from
15 Mezzeh?

16 A. The 25th of January.

17 Q. Which year?

18 A. 2012.

19 Q. What was your physical condition when you were
20 released?

21 A. So, I was super thin and also I was -- I was
22 super -- have a lot of itching in my body. And my family
23 brought, like, a doctor to give me medicine. They inject me
24 with medicine to stop the itching in my body. And, also, I
25 was starving and eating a lot more than normal. That

1 red-flagged my behavior. When I did the test I found I had
2 hepatitis.

3 Q. When you had recovered, where did you go?

4 A. I went to the Jordan to complete my study and then
5 flew to the U.S.

6 Q. Were you ever contacted by Syrian officials after
7 you left Syria?

8 A. Yes, they tried to communicate with me through my
9 Skype account that it was hacked before, during my first
10 interrogation. And they asked me to come back and they
11 threatened me as well, while in Jordan. And threatened my
12 family as well. They called my family in Damascus and
13 threatened them as well.

14 Q. During the time before the Assad regime fell, did
15 you return to Syria?

16 A. No. Never. Until the Syrian regime -- the first
17 time I came back to Syria it was 2025 in January, after the
18 Syrian regime fell down.

19 Q. Can you describe how it felt for you not to be
20 able to return to Syria during those 12 years or so?

21 A. It is a complicated thing because all my dream I
22 was in Syria to work spend my life there. But after what
23 happened in 2011 and after what happened to me, I felt that
24 this country is not -- it belong to the Al Assad regime.
25 The Al Assad family is not for us. And I thought, like, all

1 my plans and everything changed in my life.

2 When the Syrian regime fall down, it was a very
3 emotional moment. I felt that this country now belong to
4 the Syrian and my feeling changed drastically.

5 **Q.** Can you describe the effect that your detention
6 had on your family?

7 **A.** Like -- I can remember my mom. My mom was super,
8 like, stressed and she was getting a lot of pills during my
9 detention. That affect all my family, including my brothers
10 and sisters. One of my sister still has panic attack until
11 now, she gets panic attacks.

12 **Q.** Do you know what happened to your cousin who you
13 had been detained with?

14 **A.** He disappeared. The last time his mother saw him
15 in 2014 in Saydnaya prison.

16 **Q.** Can you describe about how you feel about what
17 happened to your cousin?

18 **A.** I feel -- I saw him during interrogation and when
19 I got secured, we tried a lot to help him out, to secure him
20 as well. The same connection. We failed. I still
21 have -- I feel some guilty because of that. I got released
22 and he didn't get released. Yeah. So it's very hard for
23 all of us.

24 **Q.** Can you describe anything else about how your time
25 in detention affected you after you were released?

1 **A.** I don't know exactly how I got affected, but I can
2 know that I am a different person after my first and second
3 detention. But I still, like, when I wrote my story, all of
4 my memories, in 2012, I felt myself crying all of the time.
5 When I tried to remember my -- the details and small
6 details, other detainees' details and stories, it released a
7 lot of pressure and negative energy from my body. That's
8 when I read my story, even now, after the Syrian regime fall
9 down. I tried to write more. I still feel a lot of pain
10 and crying while I am doing that.

11 Also, when I was in Syria it was in the first
12 student in my faculty, and that affect also my degrees when
13 I completed my study. I couldn't study as before.

14 **Q.** Did you still feel any effect in any situations
15 today?

16 **A.** Just have fear that's all I can say. I have fear
17 from the airports sometimes, when I am at immigration. Even
18 in U.S., I still have that kind of fear sometimes that trick
19 me.

20 **Q.** Can you describe why you decided to bring this
21 lawsuit against Syria?

22 **A.** I brought this case against the Syrian regime,
23 like, back in 2022, just to make awareness that there are
24 hundreds of thousand of Syrians being held as detainees.
25 They become a number. No one asking for their release. So

1 I felt this kind of case at the federal level could brought
2 attention to them.

3 Also, during that time, there were many countries
4 trying to normalize their relation with the Syrian Assad
5 regime. Also, I believe that I was believing that case will
6 make these country that trying to normalize with the Syrian
7 regime, difficult to them, until the victims and the crimes
8 and violations have been addressed in Syrian Assad regime.

9 Q. What impact do you hope your case will have now
10 that the Assad regime has fallen?

11 A. Now after the Syrian Assad regime fall down, I
12 hope that case will be, like, a good documentation. Not
13 just for history and for the generations, and documents all
14 the violation and suffering that Syrians suffered in Syria.
15 I also hope that can be used for other courts as evidence in
16 different country as well. So that is my hope.

17 Q. Thank you.

18 MS. MONTIEL: Your Honor, I have no other
19 questions.

20 **EXAMINATION OF OBADA MZAIK**

21 **BY THE COURT:**

22 Q. Sir, I have a couple questions --

23 A. Yes, Your Honor.

24 Q. -- if you have some time.

25 So you were born in Ohio.

1 **A.** Uh-huh.

2 **Q.** Was your family from Syria?

3 **A.** My family from Syria, yes.

4 **Q.** Okay. So your parents had come?

5 **A.** Yeah they came by student visa. My father was
6 doing his bachelor's degree, and master's and PhD in Ohio
7 University.

8 **Q.** Okay. And what were his studies in?

9 **A.** Electrical engineering.

10 **Q.** Electrical engineering.

11 **A.** Yeah.

12 **Q.** My dad was an electrical engineer.

13 **A.** Yeah?

14 **Q.** Yeah. A smart guy. I bet your dad was very smart
15 too.

16 **A.** Thank you. I hope so.

17 **Q.** When you all went back, when you were, you said,
18 four years old.

19 **A.** Uh-huh.

20 **Q.** Why did you go back to Syria?

21 **A.** When my father finished his PhD, he went back to
22 Syria and opened his own business.

23 **Q.** So you basically grew up in Syria.

24 **A.** Yeah. I grew up in Syria.

25 **Q.** And in 2011 you were doing your college studies or

1 studies?

2 **A.** Uh-huh. Uh-huh.

3 **Q.** What were you studying?

4 **A.** Civil engineering.

5 **Q.** What kind of engineering?

6 **A.** Civil engineering.

7 **Q.** Civil engineering. All right.

8 Tell me about Syria. Tell me what it was like to
9 grow up there.

10 **A.** It's, like, a very small city. Like, it was very
11 nice. Very -- it was, like, people are friendly over there.
12 We all, like, have a fear from the Syrian regime. So we
13 grow up that we not say anything bad against the Syrian
14 regime. So that's how I grew up.

15 **Q.** Uh-huh.

16 **A.** One small story that I can remember. In the
17 school they treat us to love the Assad regime. It was,
18 like, the opposite. He is as special as a father. So
19 we -- when he died, in 1999, I was, like, nine years old.
20 My mom -- the home was happy. She was, like, dancing. And
21 I was crying on the opposite side.

22 I told her, how come you are happy when our
23 president is dying? They treat us in the school that he is
24 the hero and all of this stuff. So my mother changed her
25 reaction and pretend she was crying.

1 Q. Oh, okay.

2 A. Just to protect her and protect us from the
3 regime.

4 Q. Right.

5 A. That's how the fear we were in. And how the child
6 grew up over there.

7 Q. And it felt like home to you. Right? Because
8 after you were detained in 2011, you came to the U.S.
9 Right?

10 A. Yeah.

11 Q. But something made you want to go back?

12 A. Yeah, I was -- in 2025, you mean?

13 Q. 2012. Why did you go back?

14 A. All my family living there. So I miss them.

15 Q. Yeah.

16 A. That relationship between families are very
17 strong. So I feel, like, very strong to my mother and my
18 father, sisters, brothers. All of them are living there.
19 So I went back. And, also, I feel like I can finish my
20 school, my degree. Only one semester left.

21 Q. And I take it you weren't able to finish your
22 degree there. Were you able to come back to the states to
23 study?

24 A. I was able to transfer some of my subjects to
25 Jordan. So I did two and a half years in Jordan.

1 Q. You were in Jordan too?

2 A. Yes, I went to Jordan after I got released.
3 Finished my school. Then went back to USA in 2014.

4 Q. What was it like for you in Jordan?

5 A. Nice.

6 Q. Yeah?

7 A. It is a little different culture than Syrian
8 culture but it was nice.

9 Q. How are the cultures different?

10 A. Like -- I don't know. For example, in Syria like
11 it's like a city that you can stay for, like, 10, 11 p.m.
12 without any problem. Like nothing closed down. This is one
13 of the things that Jordan closed. I can also, like -- I can
14 remember, for example, how they are, like -- what's called?
15 I can't remember when I was in the university, like, some
16 issue happened. And then I found like many support -- I
17 found, like. I'm sorry.

18 Q. No, you are fine.

19 A. I found, for example, we were in the university.
20 I had just left. It was only one semester, but I left it
21 and transferred to another one. But what happened on that
22 day, they came, a lot of soldier, to the university to,
23 like, spread -- there's a big fight in the university
24 between families.

25 Q. Oh, okay.

1 **A.** Family have thousands. They asked for help from
2 different family member. They came to the university. Then
3 there's another -- so the things I don't see it in Syria.
4 So there's a different culture, different things.

5 **Q.** And is Ohio different than Syria?

6 **A.** Of course. Yes.

7 [Laughter]

8 **Q.** Where in Ohio are you?

9 **A.** West Center, Ohio.

10 **Q.** Do you like any sports.

11 **A.** I used to like basketball and football a lot, but
12 I stopped playing since I get out of Syria.

13 **Q.** Do you watch it at all?

14 **A.** I just watch the World Cup.

15 **Q.** The World Cup?

16 **A.** Yeah.

17 **Q.** Who do you root for in the World Cup?

18 **A.** Just the game.

19 **Q.** Oh, you just like watching.

20 **A.** Watching, yeah.

21 **Q.** The soccer World Cup?

22 **A.** Yeah, World Cup.

23 **Q.** It's going to be in the U.S. next year.

24 **A.** Yeah, yeah.

25 **Q.** It's going to be exciting.

1 **A.** Yeah.

2 **Q.** Tell me about your kids. How old are they?

3 **A.** I have three years old kids and two months.

4 **Q.** Oh, wow. So the two month is the daughter?

5 **A.** Daughter, yes.

6 **Q.** What's her name?

7 **A.** Lydia.

8 **Q.** And your son is three years old?

9 **A.** Yeah.

10 **Q.** And what's his name?

11 **A.** [Indiscernible]

12 **Q.** Have you slept in three years?

13 **A.** For how many?

14 **Q.** You haven't slept very much with baby and a
15 three-year-old.

16 **A.** Yeah, the first was very hard. It is better now.

17 **Q.** What do you like doing with them. Obviously you
18 spend family time together. What do you like doing with
19 them?

20 **A.** Like, right now, I have to help my wife, when I
21 come back from my work. And -- yeah. So that's ...

22 **Q.** So, you have a set of really good lawyers. So I
23 know that they spent a lot of time working with you to
24 prepare the lawsuit and to prepare you to testify today.
25 I'm sure you put in probably over hundreds and hundreds of

1 hours with them. Is that fair?

2 **A.** Yes.

3 **Q.** That was very difficult for you, I imagine, having
4 to, sort of, relive a lot of trauma repeatedly. It's hard
5 talking to lawyers over and over again. The lawyers need
6 you to do that so they can put on the best case. I imagine
7 that's been very difficult for you.

8 **A.** Yes, that is true, Your Honor.

9 **Q.** And you talked about wanting to bring this case,
10 to bring publicity to what happened to you and others like
11 you.

12 **A.** Uh-huh.

13 **Q.** Is there some part of you that also, sort of,
14 wants to leave something for your children? Something for
15 them to see that something traumatic can happen and you can
16 move past it or you can, sort of, survive and go on to try
17 to do something to make some good out of it?

18 **A.** Your Honor, would you please, like, repeat your
19 question?

20 **Q.** Sure. No worries.

21 So you talked about wanting to bring this lawsuit
22 so that you could bring publicity to what happened to you
23 and others like you in Syria; so that countries who were
24 trying to normalize relations with the Assad regime would
25 understand fully what they were doing.

1 Is part it of it, or maybe it's not leaving
2 something behind for your children for them to see that you
3 can go through very difficult things and survive them?

4 **A.** I'm sorry.

5 **Q.** It's okay. It's okay. I'm not being clear.

6 **A.** I'm sorry.

7 **Q.** Where did you meet your wife? How did you meet
8 your wife?

9 **A.** 2019 in Istanbul.

10 **Q.** You were in Istanbul too?

11 **A.** My family, my dad and mom, was living there. They
12 get out of Syria. They lives in Istanbul. I met my wife
13 while visiting my family.

14 **Q.** My brother lived there and liked the city very
15 much.

16 Anything else you would like to say before you get
17 off the stand?

18 **A.** Thank you very much, Your Honor.

19 **Q.** Thank you for doing this. It will certainly get
20 publicity. I know it's been very difficult for you, but
21 it's pretty impressive what you have done today.

22 Thank you for testifying today.

23 **A.** Thank you. Thank you, Your Honor.

24 **THE COURT:** All right. You can call your next
25 witness.

1 **MS. MONTIEL:** Thank you.

2 Our next witness is by Zoom, Dr. Pau Pérez-Sales.
3 Would Your Honor mind if we take a break?

4 **THE COURT:** Actually, we should do that for the
5 court reporter too.

6 **THE COURT:** Why don't we come back at 11:40.

7 **MS. MONTIEL:** Great.

8 (Recess from 11:19 a.m. to 11:40 a.m.)

9 **THE COURT:** You may call your next witness.

10 **MS. MONTIEL:** Thank you, Your Honor.

11 Our next witness is appearing by Zoom. This is
12 Pau Pérez-Sales.

13 **THE COURT:** Good afternoon, your time, sir.

14 **THE WITNESS:** Good afternoon.

15 **EXAMINATION ON QUALIFICATIONS OF PAU PÉREZ-SALES**

16 **BY MS. MONTIEL:**

17 **Q.** Dr. Pérez-Sales, state your name for the Court.

18 **A.** My name is Dr. Pau Pérez-Sales.

19 **Q.** Where do you work, Dr. Pérez-Sales?

20 **A.** I am the director of the SiRa Network for the
21 forensic documentation and rehabilitation of torture
22 survivors in Madrid, Spain.

23 **Q.** How long have you worked there?

24 **A.** Well, the center for the last ten years. But in
25 documentation of torture survivors, for more than 20 years.

1 **Q.** Can you describe what some of your duties are at
2 that job?

3 **A.** Well, I am psychiatrist. As I said, I lead a
4 team, which is a mood disability with psychiatrists, doctors
5 of psychologists. I have a specialty in forensic and
6 psychiatric forensic documentation. I also work in a
7 general hospital as a regular psychiatrist, where I am a
8 senior consultant.

9 **Q.** And can you explain your medical qualifications
10 for the Court?

11 **A.** Yeah. I studied medicine in Barcelona, Spain.
12 And then I made my PhD in Madrid, related to trauma and
13 psychotherapy of trauma. My specialty in psychiatry also
14 here in Madrid.

15 Now I am professor of the University Complutense,
16 Madrid, where I am the director of two master's degree on
17 mental health consequences of political violence.

18 **Q.** And for how many years have you been practicing?

19 **A.** Altogether, psychiatry around 30 years, and
20 specifically with torture survivors around 20.

21 **Q.** Do you give any publications or conduct any
22 research?

23 **A.** Yes. I have published 12 books. The last one in
24 2017 on the definition, assessment and measurement of
25 psychological torture. And one forthcoming book, I hope, in

1 a couple of months on the documentation of torturing
2 environments.

3 Q. And are you a member of any professional
4 organizations?

5 A. Yeah. I'm a member of the Section of
6 Psychological Consequences of Persecution and Torture of
7 World Psychiatric Association. I was the chair of the
8 section from 2015 to 2018.

9 Q. Have you received any honors or awards?

10 A. Not yet.

11 Q. What is your experience in assessing and
12 documenting torture and ill treatment?

13 A. Well, this is my daily practice. This is what I
14 do every day. It's difficult to separate that from what is
15 my work. I could not say how many survivors have I
16 assessed, but probably hundreds, if not thousands.

17 Q. And can you describe your experience and expertise
18 with respect to torture in Syria?

19 A. Well, I have not personally been in Syria, but we
20 have assessed a big number of survivor from Syria into
21 Spain, when they came asking for asylum status. And many of
22 them have been assessed by our team. And some of the people
23 that we have interviewed have been in the same detention
24 center as the plaintiff. And we have experience in which
25 are the methods/situations that they describe there and have

1 been documented.

2 I've also done several trainings for Syrian
3 organizations who are in the field who are working there.

4 **Q.** And have you ever served as an expert witness
5 before?

6 **A.** Yeah. Of course, in national court, but also in
7 American human right courts, in cases from Nicaragua, from
8 Peru, from different countries. And the European human
9 right courts, in cases from Italy, from Bulgaria, from
10 Spain, et cetera, and also before different United Nations
11 and communication sources from different United Nations as
12 well.

13 **Q.** And did you prepare a report for this case?

14 **A.** Yes, certainly.

15 **Q.** Can you explain which materials you reviewed when
16 you were preparing your report?

17 **A.** Well, I based the report on my own expertise, on
18 all of the research done while writing the books and also
19 expertise in documenting similar cases to the one presented
20 here. And also on United Nation reports and international
21 organization reports, Human Rights Watch, Amnesty
22 International and others.

23 After that, we did an extensive psychodynamic
24 assessment of the client before having two hours
25 videoconference with him, when we apply the Istanbul

1 Protocol to document the case and to make a report.

2 **Q.** Can you explain what the Istanbul protocol is?

3 **A.** The Istanbul Protocol is the United Nations'
4 reference manual for documentation of torture. It's, well,
5 to say in a few words, two parts. One is what we would
6 describe as ethical requirements for doing an assessment of
7 a torture survivor in terms of important consent, in terms
8 of trauma-sensitive interview. There is a description of
9 how the clinical interview should be conducted, with a
10 checklist of things.

11 Finally, when all the experimentation is done and
12 you have a firsthand account of the events by a survivor.
13 And you have your medical and psychological exploration,
14 then the Istanbul Protocol provides the consistency
15 analysis, the way in which both things can be compared and
16 where the expert can finally provide an opinion what is
17 described tantamount to torture, from a medical and
18 psychological point of view.

19 **Q.** Can you describe your specific expertise with the
20 Istanbul Protocol?

21 **A.** Well, I think, part of different communities have
22 been updating the Istanbul Protocol for the last 10 years.
23 The last updated version is from 2022. And I've been doing
24 training seminars in more than 50 countries based on the
25 protocol. I also have been working on the international

1 guidelines in different countries, Ecuador, Bolivia, in
2 different countries, on how to apply the Istanbul Protocol
3 in domestic legal medicine institutions.

4 **Q.** And how widely used is the Istanbul Protocol?

5 **A.** To my knowledge, it's not a good reference point.
6 I don't know any other similar document of its kind. Since
7 it was initially approved, in 1990, it has been -- the usage
8 has been improved everywhere in the world. And I don't
9 think there is any other option of doing that if the
10 assessment is to be done according to scientist protocols.

11 **Q.** Thank you.

12 **MS. MONTIEL:** Your Honor, at this point we tender
13 Dr. Pérez-Sales as an expert in psychiatry and psychological
14 torture.

15 **THE COURT:** So qualified.

16 **MS. MONTIEL:** Thank you.

17 **EXAMINATION OF PAU PÉREZ-SALES**

18 **BY MS. MONTIEL:**

19 **Q.** Dr. Pérez-Sales, can you describe how you
20 understand the concept of psychological torture?

21 **A.** Yeah. When we think of torture, very often we
22 just think of, let's say, methods to produce physical pain.
23 There is this kind of mental association between this middle
24 age, in efforts of producing pain and hold it in the context
25 of international torture, can break the will of the person.

1 But, of course, pain is just one of the avenues to
2 break a person. The idea is that although physical and
3 psychological torture are part of the same, two sides of the
4 same coin, we changed the mindset and try to think on which
5 are the ways in which the person can break down in terms of
6 identity, in terms of self-endurance. So it's farther more
7 than just pain. So we would describe psychological torture
8 as the physical and emotional methods that attack identity,
9 attack the self of the person aiming to be destroyed.

10 **Q.** And how has the understanding of psychological
11 torture developed over time?

12 **A.** Well, I think there is increasing awareness of its
13 importance. Every time more courts and every time more
14 academic research centers include the importance for
15 psychological torture, I think it is important to be aware
16 when we talk about psychological torture there are different
17 levels of psychological torture. We don't want to extend
18 too much on that. There are some methods of psychological
19 torture, which are purely cognitive, purely emotional.

20 It's ways of breaking the person without touching
21 the person, and this is through threats or through
22 situations that produce guilt and attack the dignity of the
23 person. This erodes the personality. But there are also
24 methods we consider psychological torture which are based on
25 attacks to the body but not touching the body, simply

1 providing circumstances that break the resilience of the
2 person.

3 For instance, when the person does not have enough
4 food, enough water, cannot have restful sleep or is held in
5 unhealthy conditions, all of these elements slowly break the
6 capacity of the person to keep comfortable of the situation
7 and to think clearly and defend himself.

8 There are also methods that one could think are
9 physical but, in part, although there is a physical element,
10 there is a physical manipulation of the body, the important
11 point is -- for instance, in what we call dry asphyxia, in
12 United States it's called water boarding, where the physical
13 risk for the person to die during the process is low. But
14 the psychological anxiety that having water flow in your
15 face is so high, the fear you will die in a very short time,
16 is so high that it breaks the person. And is the
17 psychological suffering much more important than the
18 straight physical consequences of the method. So it's a
19 wide concept for psychological torture. The important idea
20 is when we break a person using methods breaking the self of
21 the person.

22 **Q.** Can you describe the physical affects of
23 psychological torture that you observe?

24 **A.** Well, in parts of psychological torture or break
25 is similar to those of physical torture in clinical and

1 non-clinical terms.

2 In clinical means, in what we would diagnose as
3 psychiatrists or psychologists, PTSD, depression or
4 whatever. But I would also consider non-clinical impacts.
5 Non-clinical impacts, means the experience breaks some
6 essential elements of the way you survive, the way you see
7 others, the way you see the world. In the sense that, let's
8 say, when you see the dark side of things, and this is
9 psychological torture, it's impossible to see the world in
10 the same way again; a different way to describe this as
11 non-clinical symptoms.

12 And there is a big difference between physical and
13 psychological torture. Survivors quite often say that you
14 forget pain quite soon, but you never forget guilt and
15 humiliation. So the impact of psychological torture remains
16 sometimes for all of your life and is something that is very
17 difficult to treat. It's very difficult in our
18 consultations, when we have these kind of impacts, when all
19 of the breaks and things would be worse than when there are
20 medical consequences.

21 **Q.** Can you describe your understanding of the term
22 torturing environment?

23 **A.** Yeah. As I said before, we quite often think
24 torture in terms of a list, a checklist of torture methods.
25 And then we think on Middle Age, pain-producing devices.

1 But, in fact, every element of your daily life can be used
2 to torture you. If you think on even small elements of what
3 constitutes your daily life, they can be used in a way that
4 would produce serious suffering.

5 The concept of torture environment is trying to
6 see all of the combination of elements, all of the
7 accumulative elements that create an environment that
8 produce severe suffering, enough to be considered torture.
9 So we try to analyze all the media, all the conditions that
10 the person is enduring, and to see all of them together, the
11 way they combined, the way they participate one as to the
12 other as a global, let's say, torture method. This is what
13 we try to analyze in part of our expert report when we try
14 to analyze when seeing the conditions the plaintiff was in.

15 **Q.** Turning to Syria specifically, can you describe
16 the evidence that you reviewed to come to an understanding
17 of the environment in the Syrian prisons?

18 **A.** Well, there is ample documentation on what
19 happened in Syrian prisons. There are a lot of terrible
20 pictures, files, thousands of pictures that come out over
21 time. There are different human right reports with
22 excellent documentation, hundreds of testimonies.

23 And also, the Syrian Network of Human Rights have
24 produced important documents and specific reports for the
25 different detention centers in Syria. So a review of all of

1 this documentation provides a solid background in which to
2 compare the testimony of the plaintiff and to see whether
3 it's current with what the evidence describes as usual
4 practices in those detention centers.

5 **Q.** And are those kinds of documents the types of
6 documents that experts in this field would ordinarily rely
7 on in trying to understand the conditions in prisons?

8 **A.** I'm not sure to understand.

9 **Q.** I can rephrase.

10 Would experts who are trying to understand the
11 conditions in prisons typically look at those kinds of
12 reports, that you described, is that the general type of
13 thing that an expert would look at?

14 **A.** Yes, especially from official sources, from United
15 Nation sources. But also, as I have told you, we have
16 documented many cases. According to the Istanbul Protocol,
17 this means that we already had done a conscientious analysis
18 of these previous cases that we attended. And this provides
19 us with a basis in which we can rely. We can compare it
20 with what the plaintiff has declared to us.

21 **Q.** Can you summarize your understanding, generally,
22 what the conditions were like based on the research that you
23 reviewed?

24 **A.** The person was submitted to daily torture sessions
25 that combined with very hard physical conditions. He was

1 detained in a very small place that did not reach the
2 minimum standards for detention of prisoners, which is four
3 square meters, in very unhealthy conditions and with
4 unsanitary conditions. He was also tortured with
5 manipulation of the temperature, and he was not provided
6 with enough food. He was interrogated at different times,
7 which means that his sleep was broken and he cannot recover
8 in an emotional sense.

9 So there is a cumulative effect of this
10 environment that makes a person feel every time more in a
11 submissive position of accepting whatever happens to him.

12 **Q.** And can you describe the ways that threats can
13 contribute to the torturing environment?

14 **A.** Well, threats are probably the most frequent
15 torture method worldwide, and this is because they are very
16 effective. In threats, especially threats to relatives, are
17 very effective, because they produce unsurmountable anguish.
18 Because threats, you know, there is free imagination to
19 think what can happen when the perpetrator suggests or
20 simply, according to the circumstances, or according to
21 witnessing what is happening there, you can imagine it
22 happening to you. Imagining what can happen produces more
23 fear than actually when the pain begins. Some survivors
24 say, when they began to beat me, I feel relief, because
25 expecting what could happen and being submitted to threats

1 produces so much psychological suffering. At the end when
2 the pain comes it is, like, okay, I know what is it and I
3 can try to control that.

4 Threats are more, let's say, damaging or produce
5 more suffering when they are credible, when they are
6 imminent and when they are severe. And the three conditions
7 were in this case. They were severe, of course, because the
8 plaintiff witnessed people were tortured and even his
9 cousin, who was disappeared. And imminent because in the
10 same torture session the threat was -- um, the person
11 suffered what had been announced before and, of course, were
12 credible because of all of the situation. This produces a
13 loss of control and will emphasize the pain the person is
14 suffering.

15 So I think that threats are essential to
16 understand experience of the person, and this is also
17 reflected in the clinical symptoms we detect later, when we
18 have an internalized fear. So this means fearing in
19 situations where a person would normally not have fear. And
20 this is because of the impact of all of the situation of all
21 of these threats, threats of against him, threats of sexual
22 violence, to loved ones, threat of rape. I mean, all kinds
23 of threats were described by the plaintiff.

24 Q. And based on your review of the evidence about
25 Syria, more generally, what is your understanding of the way

1 that the Assad regime typically used threats in detention
2 settings?

3 **A.** Well, I think that it's part of the relationship
4 between perpetrator and victim. It's a way of denouncing
5 what will happen. But in this case, most of the threats
6 were later come true.

7 For instance, many times we see in other countries
8 where there are threats to relatives. And one can think
9 that this will never happen. But in the case of Syria, the
10 perpetrator, through the telephone of the person who was
11 detained, and they began to detain all of their contacts in
12 the telephone list.

13 It's like, you know, fishing. Anybody could be a
14 suspect. So simply by having the contact with someone, and
15 of course your relatives, and of course your neighbors and
16 of course your friends, is enough to be detained. So you
17 can imagine the guilt feelings that the detainee can have
18 because he was the door for loved ones to be detained.

19 So threats were an essential element because many
20 times they come true and you could see the other person
21 detained. You were faced with the other person just one or
22 two days of detention. So anything, the news, could be
23 true. And this includes rape, and this includes anything
24 that the imagination that the person can imagine.

25 **Q.** Turning more to Mr. Mzaik, specifically, and your

1 assessment, could you explain how you conducted your
2 assessment of Mr. Mzaik?

3 **A.** Well, after review of the documentation, we sent
4 him different psychological tests, which he answered online.
5 We have a special website where we have different
6 psychomatic tools, and we have a marked correction system.
7 So we have all of this material beforehand, before
8 interviewing him. And then we conducted an online
9 assessment, more or less a two-hour assessment, where we
10 first get an account of events.

11 It's not, let's say, the usual account of events.
12 We use specific interview techniques in which, on the one
13 hand, we try to see whether there are contradictions. We
14 are testing consistency. And on the other, we want to go
15 beyond the normal account of the events. Then we ask about
16 emotions, and we challenge emotions. And we try that the
17 person connects with what happened.

18 Of course, this is useful to see the clinical
19 symptoms. It is useful to make this consistent analysis and
20 is part of a processing which, of course, once we have
21 finished the assessment, we work with all of these elements
22 trying -- or forensic assessment has also some therapeutic
23 value.

24 So those are more or less them. Then we make an
25 initial draft and we crosscheck the draft with the

1 plaintiff, whether there are points in which we are not
2 clear or we think require further clarification and write
3 the final report with all of these materials.

4 **Q.** And could you walk us through the findings that
5 you made through your assessment of Mr. Mzaik?

6 **A.** Well, I think there exists high consistency
7 between the account of events and the medical and
8 psychological symptoms that we found. So we can conclude
9 that he was subjected, over a prolonged period of time,
10 three or four weeks of torturing environment of extreme
11 gravity.

12 Of course, this amounted to psychological torture.
13 He was submitted daily to conditions, to very severe
14 conditions of detention, to situations that produced
15 unsurmountable fear, pain, humiliation, attacks to dignity.
16 He knew he may die during detention. He was beaten dozens
17 of times. All of this, of course, months to -- all the
18 elements that we encompass in the definition of a torturing
19 environment.

20 **Q.** Could you describe the physical acts that
21 Mr. Mzaik was subjected to that factored into your
22 conclusion that he experienced the prolonged period of
23 psychological torture?

24 **A.** Well, as I explained, he was beaten dozens of
25 times, many, many times in this part of the process. If you

1 want threats to be effective, you need to, from time to
2 time, produce severe pain so that the person cannot, you
3 know, make mental blockade to the threats.

4 He suffered cognitive results. He, for instance,
5 describes the "welcome party" where many officials beat him
6 at the same time, and he could not defend himself and
7 finally lose consciousness.

8 And he was subjected to stressful positions, which
9 is also a very important psychological torture method,
10 because when you have to stay for hours or you are hanging
11 for hours or you are bounded in a very painful position, you
12 are all the time ruminating, thinking, trying to understand
13 the pain. This is a process to produce a huge emotional and
14 cognitive exhaustion.

15 In spite of being in stressful position seems to
16 be less damaging than being beaten, in fact, it is a process
17 that is very, very effective to break the will of a person
18 and to destroy a personality.

19 **Q.** And could you describe the conditions of
20 confinement? You described it a little bit earlier, but
21 could you say a little bit more about the conditions of
22 confinement that impacted your conclusion?

23 **A.** Well, I already mentioned the cell, which didn't
24 have the minimum standards. He was in overcrowded
25 facilities with unhygienic conditions. He was not permitted

1 to wash himself. He was not permitted to have a shower,
2 which is not just about sanitation and health, it's also
3 about dignity. It is about keeping a self image that still
4 portrays you as a human being.

5 He was in alternating something with very heated
6 environments, and he describes insects. He describes -- of
7 course, as I mention it, food, water, sleep. He was also
8 blindfolded many times. He was sensory deprived.

9 Blindfolding means you cannot orient yourself. And this
10 creates confusion. Confusion in the hour, in the moment of
11 the day, confusion in what could happen to you, when you
12 have to walk being blindfolded, you never know when someone
13 will beat you or when someone will kill you. So increases
14 the impact of fear.

15 So it's an enormous amount of things. And, of
16 course, for all of these things, he did not have any kind of
17 medical treatment. He was denied medical treatment.
18 Besides that, it's important for him to -- the religious
19 element. He was not allowed to pray according to his
20 beliefs.

21 **Q.** Are there any other psychological acts that
22 factored into your conclusion about Mr. Mzaik?

23 **A.** Well, we already mentioned that he was to be naked
24 on multiple occasions. I think this is especially rare
25 because this makes a person feel, in a situation, a special

1 vulnerability. The idea there are no limits in what the
2 other can do to you; that idea that nothing is forbidden;
3 that there is no respect for his body; you are an object;
4 anything can happen to you, is something that destroys a
5 person.

6 So threats of sexual assault, being naked, I think
7 that is important elements to underline in terms of dignity,
8 in terms of humiliation, but also in terms of expecting the
9 worst. Added to this, he suffered -- I mean, it's playing
10 with hope. It's giving you the idea that you will be
11 released and then you have some hope, and this is broken
12 some hours later. And the impact of this kind of, let's
13 say, psychological lies, psychological traps also can have a
14 profound impact on the capacity of resilience of a person.

15 **Q.** And could you describe the impact of his cousin
16 impacted your conclusions?

17 **A.** There is short-term and long-term impacts of all
18 of what we have described until now. The short term, he
19 suffered complex PTSD and psychological. Complex PTSD
20 means, basically, that you cannot forget anything that has
21 happened; that it comes to you, once and again, in
22 nightmares, images during the day or you see small periods,
23 I would say, of what happened to you, and then you feel
24 ashamed or you feel guilty.

25 With time, this diminishes. I must say that the

1 plaintiff is a resilient person. He has good resources to
2 cope with the psychological symptoms. With time it
3 diminishes. What we saw is avoidance symptoms appear.
4 Avoidance means you need to turn the page. You don't want
5 to hear anymore about it. You try to avoid any situation
6 that could be related to what happened to you. Sometimes
7 this means you're isolating yourself. Sometimes it means
8 trying not to explain or talk about this. When there are
9 some times that remind you what happened, then everything
10 comes back again. This is more than clinical side.

11 In the non-clinical, what I explained before,
12 there are permanent damages, permanent sequelae. Mostly in
13 what I would say the belief in the goodness of human beings.
14 You can never again believe that you can trust; that you can
15 be confident in human beings when you have been confronted
16 with persons that are able to produce so much pain for you,
17 apparently with no impacts for them.

18 The capacity of empathy, the capacity to feel
19 affection, what we would describe as the ability to think in
20 the future, to think that you can have a meaningful life
21 with others because there is, in a sense, the idea that
22 everything can break down in the moment. All you have can
23 be lost simply in a moment. This is idea is something that
24 is very difficult to overcome.

25 Q. And turning back to PTSD, can you walk us through

1 what your findings were and how you reached those findings?

2 **A.** Yeah. Well, as I explained, we use a psychosomatic
3 tool, the perisomatic checklist, civilian version, which is
4 the standard tool for this kind of measurement. It is a
5 21-item measure that resembles the items of the DSM-V
6 diagnosis of PTSD.

7 At the point of the assessment he scored 27, but
8 that's not that high. As I explained, this is because there
9 has been many years since he was released, and he is a
10 resilient person. He is a person that has been able to face
11 some of the symptoms and to overcome them.

12 But in the clinical assessment, anguish was all
13 the time, appeared when we touched on certain topics. Of
14 course, the avoidant behaviors were pretty obvious. He
15 tried not to discuss some sensitive topics. It was part of
16 our task to finally go and work with them. He still has
17 sleep disorders and nightmares from time to time. I think
18 that although part of the symptoms have disappeared, there
19 is still detectable PTSD symptoms.

20 **Q.** Can you walk us through your specific findings
21 regarding depression?

22 **A.** Yeah. We use the Beck Depression Inventory, which
23 is the standard tool, internationally standard tool, for
24 measuring depression. Again, he scored, to a mild/moderate
25 depressive disorder, not a severe disorder. And I think

1 this is related, basically, to a sense of sadness of
2 inability to enjoy life, what we call anhedonia. To have an
3 irritability. Like, how can people be happy when these kind
4 of things happen in the world? It is a feeling of malaise,
5 you know? And I think that this crosses the experience of
6 that person is, sort of, locked up into depressive measures.

7 So I wouldn't say he has depression in the sense
8 that he would need anti-depression treatment, but there is,
9 kind of, pessimistic view of life, which is quite consistent
10 with the experience he endured.

11 **Q.** Can you walk us through your specific findings on
12 the life impact scale?

13 **A.** Well, this is 150 items measured. It is a very
14 complex measurement with 55 super scales. And it measures
15 the impact of traumatic instances, like this one, in terms
16 of emotions, in terms of cognitive measures, in terms of
17 coping measures and in terms of world views.

18 It is quite clear, he is still asks, Why me? Why
19 this happen to me? He is not able to provide a logical
20 explanation what happened to him. This kind of question
21 comes precipitantly. You need to find meaning, but it is
22 impossible to find a meaning for something like that.

23 Also, I already mention it, the internalized fear.
24 Fear for things that would normally not produce in other
25 persons, but he is always expecting something will happen to

1 him. And there is damage to the belief in the kindness of
2 human being and the capacity to feel affection, to feel
3 empathy, to trust others. So this is, basically, the main
4 impacts we detected.

5 **Q.** Can you describe Mr. Mzaik's presentation during
6 your interview?

7 **A.** Yeah. Well, he appeared quite calm, but anxiety
8 symptoms appeared very soon when we began to make very
9 complete questions on what happened to him. And we tried to
10 help him remember things that we saw or he just mentioned it
11 in a very short way. And then there was some situations
12 that were coincidence with the description of torture
13 events, which is an important element of consistency.

14 **Q.** And, finally, can you explain what kinds of
15 support Mr. Mzaik might need as a victim of torture?

16 **A.** Well, unfortunately, a torture survivor could need
17 rehabilitation. Rehabilitation in the sense of coming
18 psychological treatment. I've already said that he has
19 found ways with his family to more or less. I think there
20 are other elements that would be more important than
21 reorientation. One is justice. Justice is an important
22 healing element.

23 I think that in this case when, as I said, the
24 person is still trying to understand, why this happen to me,
25 justice could be a very essential element of support for

1 him. Also reparation. Reparation in the sense of restoring
2 dignity in the sense of the society some would say that we
3 acknowledge what happened to you. And there is symbolic way
4 to try to repair that.

5 **Q.** Thank you so much, Dr. Pérez-Sales. I have no
6 further questions.

7 **THE COURT:** Doctor, thank you very much. I know
8 you are incredibly busy. So I appreciate your time drafting
9 your report, submitting it, meeting with the plaintiff and
10 speaking here today. So thank you very much.

11 **THE WITNESS:** You are welcome.

12 **MS. MONTIEL:** Thank you.

13 **THE COURT:** Alright. Who is your next witness?

14 **MS. MONTIEL:** Our next witness is Ms. Yaman
15 Al-Qadris. She is available at 2 p.m.

16 **THE COURT:** Do you want to break until then?

17 **MS. MONTIEL:** Yes, Your Honor.

18 **THE COURT:** Alright.

19 **MS. MONTIEL:** Thank you so much, Your Honor.

20 (Recess from 12:24 p.m. to 2:00 p.m.)

21 **THE COURT:** Please be seated, call your next
22 witness and, Ms. White, can you swear her in?

23 **MS. HAVALDAR:** Plaintiff calls Yaman Al-Qadris.
24 She is testifying by Zoom.

25 (Brief pause.)

1 **Q.** What is your nationality?

2 **A.** I am a Syrian citizen as well as a Canadian
3 citizen.

4 **Q.** Where did you grow up?

5 **A.** I grew up three years in Syria and the rest in
6 Saudi Arabia.

7 **Q.** Did you return to Syria after being in Saudi
8 Arabia?

9 **A.** Yes. So my family were working in Saudi. We used
10 to visit frequently. After completed high school, I started
11 University in Syria, in Damascus.

12 **Q.** Which university were you studying at in Syria?

13 **A.** University of Damascus.

14 **Q.** And what were you studying there?

15 **A.** I was studying medicine.

16 **Q.** What year did you move to Syria to study at the
17 university there?

18 **A.** I moved to Syria 2010.

19 **Q.** I want to talk a little bit about your experience
20 on campus after the uprisings began in 2011. Could you
21 briefly describe what activities were taking place on campus
22 at that time?

23 **A.** Yes. So I was living in Damascus attending
24 medical school. It was towards the end of my first year
25 when the Syrian revolution erupted in Syria, but it was

1 mainly in other cities outside Damascus. I knew that
2 through following the news.

3 And then, gradually, I started wanting to be part
4 of some of the activities. So I started to find ways of
5 connecting to fellow medical students and colleagues who
6 would be on the particular side as I was and to try to take
7 part in some of those activities.

8 So my first recollection of the major activities
9 that took place on campus was the sit-in, organized by
10 medical students, maybe in their fifth year. And they had,
11 basically, their white coats on, held roses and stood in
12 silence, holding a banner, requesting for the release of a
13 couple of their faculty colleagues from detention; detention
14 based on political reasons; and that was a silent sit-in on
15 campus.

16 On that day, I was in a buildings, an anatomy
17 laboratory. And I remember the havoc and the noises that I
18 was hearing downstairs, because of the crushing or
19 brutalization of those medical students, our colleagues, by
20 some Shabiha or, like, thugs, or basically student the
21 national student union, students for other informer agents,
22 who would participate in the violence action against the
23 protestors.

24 I remember running down. I remember looking at
25 the scene from the window and then running down to see what

1 was going on. Feeling very, very stressed trying to leave
2 the building. A colleague or someone was standing at the
3 door, perhaps a colleague, asking us to take our white coats
4 off so we wouldn't be confused with the protestors.

5 I remember feeling very upset and angry and
6 refusing to take off my white coat and demanding to be
7 allowed to exit the building. When I exited, I saw some of
8 the main medical students being you know, injured, taken
9 into certain spaces where they were attending to their
10 wounds. There was blood on the campus ground. It was a
11 very, very painful scene that I never forgot. And that made
12 me even wanting to contribute more to the peaceful
13 activities on campus afterwards.

14 **THE COURT:** I'm sorry. When was that? When did
15 this happen?

16 **THE WITNESS:** I believe that must have been
17 towards the end of 2011.

18 Alright. Thank you.

19 **BY MS. HAVALDAR:**

20 **Q.** And how did the security on your campus change as
21 a result of these activities?

22 **A.** So, gradually, we started noticing that security
23 cameras were being installed on different buildings around
24 campus. And I remember talking secretly to some of my
25 friends saying, you know, this is funny because security

1 cameras are meant to be for the security of students and
2 faculty, but it is clearly the timing of it and other
3 reasons for it was to be able to have more of a surveillance
4 on protestors or student activities that are clearly related
5 to the revolution. So we noticed those cameras were being
6 installed. They were never there. We never seen them
7 there.

8 Then, also, a few months in, there were guards on
9 the gates, on the main gates of the campus that were never
10 there before. And then they started checking IDs, those
11 guards. They would open gates during working hours,
12 students would come in and out freely, then guards were
13 placed at every gate and then ID checks were taking place,
14 university ID checks, rather than national ID checks.

15 **Q.** Were there security forces on campus?

16 **A.** Not the form of security forces, no. But there
17 were members of the national student union who were known to
18 be the force, the arm of the governmental authority. And
19 they were feared figures. Some of them were armed as well.

20 **Q.** What kinds of things did the national union do to
21 students? What were their powers?

22 **A.** Basically, they would be part of the surveillance,
23 reporting, intelligence gathering, students who were
24 approaching, medical students, that were politically
25 anti-regime of the revolution, they would probably report

1 that to the dean, and take action to -- to take actions or
2 request from the dean and the head of faculty, to do some
3 disciplinary measures. Some students would be suspended or
4 expelled.

5 They would also take part in detaining students
6 and delivering them to the intelligent security forces.
7 They had direct communication and connection to the Air
8 Force Intelligence in Mezzeh, where the faculty of medicine
9 campus was, also in Mezzeh. They would also take part in
10 the beatings and -- yeah, beatings or ending any form of
11 protest as soon as it starts. Yeah.

12 **Q.** Could you tell the Court a little bit about the
13 pamphlet incident in October of 2011?

14 **A.** So I was trying to maintain my attendance at
15 university and continue to study for my courses. I also
16 wanted to take part in the political activities, but they
17 were very limited in Damascus because of the nature of the
18 significant presence of the security forces in Damascus.

19 So, for example, in Damascus, major protests
20 wouldn't take place. Outside of campus, we would go on
21 certain protests, we would call "flying protests," that
22 would last for a few minutes, only a major street or a
23 major -- what would you call it? Yeah, major street or
24 neighborhood. But then someone would be keeping an eye on
25 this protest in case security forces would be approaching to

1 let people know to terminate it. Only in one neighborhood
2 were some larger forms of protests allowed on Friday after
3 Friday prayer.

4 Additionally, campuses, university campuses, there
5 was awareness that a lot of the protests might also take
6 frequent place at university. It was even -- the security
7 measures were even higher. So protests were rare. So
8 people would either throw fliers or throw things on the wall
9 or plant speakers somewhere in the garden and play certain
10 pro-revolution chants.

11 So, you know, as I was observing that, as I was
12 trying to take part of that, I spoke to a few friends from
13 my cohorts, because I was only in my second year. We said,
14 Okay, it seems pretty hard for the students in fifth and
15 sixth year, who were older than us, to trust us, the
16 freshers and, you know, inform us of what was going on. And
17 how we could contribute. I said, How about we do something
18 on our own by just printing pamphlets and throwing them on
19 campus?

20 We did that. We wrote them on Word documents, a
21 friend of mine printed them in a place where printing
22 papers, a large amount of papers, that he trusted the person
23 was with the revolution. We put them in plastic bags in our
24 backpack. On one day we went to the fifth floor or fourth
25 floor of the physiology building, because that was

1 abandoned. So we were trying to find a spot where the
2 chances of us being caught on those security cameras, as I
3 just described earlier.

4 There was only one safe spot where that laboratory
5 was under construction. So we thought that place would be
6 safer. We went there and threw the fliers, the pamphlets.
7 They were colored. We threw them down and we left the
8 building.

9 Then we went to that spot, we took some photos and
10 videos to document this activity and posted it on Facebook
11 and we left campus. We later heard from other friends that
12 the student union, members of the national student union,
13 were coming to this place, trying to collect them, trying to
14 remove them as soon as possible, before other students read
15 what was on them.

16 **Q.** Could you tell us what was written on the
17 pamphlets?

18 **A.** So, we wrote on the pamphlets the common chants of
19 the protesters at the time. Something like -- so it was a
20 known thing that Syria was called "A Sad Syria". So one of
21 the slogans "Syria for Syrian people." It's not a sad Syria
22 slogan. The Syrian army is meant to protect the Syrian
23 people, not the Syrian regime. Slogans about freedom and
24 dignity. People want to down, down the regime; the common
25 slogans of the time were it.

1 **Q.** Did anyone find out that you had thrown the
2 pamphlets in the campus?

3 **A.** So, it took a while. So when we left campus, we
4 were told later, by a friend that we trusted, that members
5 of the student union were very cross and were very
6 frustrated with this activity. And then they started
7 searching and asking and weren't really keen on getting
8 intelligence and finding who were the students behind this.
9 So we were being told they were searching for us, but they
10 haven't identified anyone.

11 Then a few days later, we were told that they have
12 actually identified the group to be three young men and one
13 woman. And that started to get us a bit worried that, okay,
14 maybe they would actually find out who they were. Then a
15 couple of days later, we were told that we were actually
16 identified on the security camera as we were exiting that
17 laboratory, 'cause they were able to spot where they were
18 thrown from at the time. So they looked at the security
19 cameras and then they were able to identify gender, and then
20 they asked around and probably matched the photos with the
21 names.

22 **Q.** How did you react -- sorry. Go ahead.

23 **A.** And then later one of our -- my friend Ammar was
24 detained. So that confirmed they actually knew who we were
25 and they actually managed to detain one of us, four of us.

1 **Q.** How did you react when you found out that Ammar
2 had been detained?

3 **A.** So, after we were told that they actually
4 identified us to be one woman and three men, we decided to
5 not return to campus; and that was the advice by our trusted
6 friend who said, Just don't come to campus. Stay away. And
7 that's what we did.

8 Then I was at Damascus at my cousin's house and
9 remember I received a phonecall, after I was told Ammar was
10 detained. Maybe on the same day or the next day I received
11 a phone call from his phone number. I was quite confused
12 and shocked to receive a phonecall after I was told he was
13 detained but I answered it.

14 And then I heard him say -- he seems to be
15 anxious. He seems to -- it was clear for me that someone
16 was around him. He said, Hey, how are you? Can we meet? I
17 want to talk to you about something. Then that's when my
18 cousin -- my father's cousin, who immediately noted what the
19 conversation was about, came and took my phone away and hung
20 up, took the SIM card out. He said, You need to really take
21 care and find a place. Maybe leave Damascus for a few days.
22 We realized it was an attempt by whoever detained him to
23 also arrange for a meeting with me and also detain me.

24 **Q.** Did you resume going back to university?

25 **A.** No. After this, no. So I left the place of

1 residence I was at, which was a convent called Saydnaya,
2 next to a church in Damascus. And we lived -- so, it was
3 basically a place of residence for single, young women, who
4 were coming to study in Damascus. So we had a curfew of
5 nine. If we were traveling, we needed to inform the
6 convent.

7 So I said I had a family loss, and that I would be
8 away. I stayed with friends in another neighborhood. So I
9 tried not to return to campus and not return to where I was
10 living or known to know where I lived.

11 **Q.** How long were you staying with friends for?

12 **A.** A matter of weeks. A couple weeks. Three weeks.
13 I can't really recall exactly.

14 **Q.** And did you then return to university at some
15 point?

16 **A.** So as time passed, they only detained Ammar, my
17 two other friends were not detained. We stopped
18 communicating with each other. Out of safety measures we
19 stopped communicating with each other, but I knew that only
20 Ammar was detained out of the four of us.

21 Then my family from Saudi worried. I was not at
22 university. I am disappearing. I am not answering my
23 phone. They noticed I am probably not safe. And my parents
24 were calling me asking me to go to Saudi but I refused. I
25 did not want for that to happen. So there was a lot of

1 pressure on me to return to normal somehow.

2 After a few weeks, I convinced myself that maybe
3 Ammar was enough. Maybe they forgot about us now and were
4 dealing with other activities on campus and enough time had
5 passed, that they might not be looking out for me if I
6 return. I started returning only to attend key lectures. I
7 didn't hang out on campus. I didn't meet people. I would
8 go, attend the lecture and leave.

9 Q. Could you describe the protests that took place on
10 campus after you returned?

11 A. Yes. As I was returning, as I decided to return,
12 I asked friends to always come with me, as we are entering
13 campus for this ID check. I gave her certain family
14 members' numbers. I told her, in case I get detained at the
15 gate, that she would call people.

16 I was very anxious for the first few days going in
17 and out, really praying for things to remain safe and for me
18 to remain okay. Maybe after a few days I thought, Okay. I
19 am safe or they are not looking for me. And then I learned
20 on Facebook that there was a protest taking place on a
21 particular day at our campus, and I thought I would take
22 part in that but I tried to cover my face and identity with
23 my jacket, as much as possible.

24 I was at a lecture. The people were standing on
25 campus and then, as I told you, it was a flying protest.

1 Somebody screamed, Freedom. People started chanting after
2 him. That lasted for a minute.

3 Then the Shabiha and the student union members
4 started running towards the place of protest and started
5 beating everyone down, and I was able to observe that. I
6 wasn't attacked myself, because I tried to hide. But it was
7 very stressing. The dean of the faculty was standing at the
8 door opening, watching what was going on, without being able
9 to stop it.

10 Yeah, they brutalized the protest, perhaps
11 detained a few people. And, of course, pro-regime students
12 would chant the opposite things, you know, slogans that they
13 were pro-Assad. And then I left campus after that. A
14 couple of my friends asked me to leave campus immediately
15 after that protest. And I left to go back home. The next
16 day was the last day before holiday, the religious holidays,
17 the second day. And I had one lecture, laboratory I needed
18 to attend.

19 I thought, okay, I will go the following day,
20 attend that, and leave, and go to my family to spend the
21 holidays with them. Not my parents in Saudi, my extended
22 family in the village.

23 **Q.** What happened that day?

24 **A.** So I woke up that morning. I got ready. I packed
25 a few things that I needed and said good-bye to my friends

1 at my place of residency. I went to uni and attended that
2 one-hour lab. As I left, I planned to meet with friends.
3 So we met and then we were leaving campus.

4 And as we were leaving, we started hearing
5 footsteps coming after, behind us. We looked at each other,
6 my friend, yeah, there are footsteps behind us, someone is
7 after us. So we tried to speed up a little bit to reach the
8 gate and leave campus, but they -- yeah, they came in front
9 of us and they stopped us.

10 He was a fourth-year student of medicine, and he
11 was a key member of the student union. With him were two
12 administrators, two women who worked as administrators at
13 the faculty. And he asked me, Are you Yaman Al-Qadris, by
14 name? He identified me by name. I said, Yes, it is me.
15 Who are you? I pretended I didn't know him, although I knew
16 him. And, yeah, that was the beginning of my detention on
17 that day.

18 **Q.** So after they stopped you on your way out of
19 campus, what happened next? Where were you taken?

20 **A.** So they asked for my ID, student ID, and then he
21 said, Come with us. He said, Soon you will know. They took
22 me to one guard post of the gates of campus and took my
23 friend to another guard post. And then at this guard post
24 they held me there. They subjected me to beatings,
25 psychological -- yeah -- basically scaring me with

1 statements like, We know you are behind the fliers. They
2 presented me with the fliers.

3 You are against the Syrian army. How dare you
4 speak about the Syrian army. You know you will be taken to
5 a place where no one would know where you are. You will
6 lose your med school. They tormented me and I was crying.
7 I was very scared, and they were beating me as well.

8 They looked through my purse. They took my phone
9 from me. During this time, my aunt was calling me. One of
10 the members of the student union came into guard post and
11 said, so and so, your aunt is calling. Do you love your
12 aunt? You will never be able to see her again. Yeah,
13 statements along this line, very much scaring me. They made
14 me also not stand up but sit, because they didn't
15 want -- they made me lower my voice. I wasn't allowed to
16 cry loudly or speak loudly, because they did not -- they
17 wanted to make sure that the other students don't notice
18 that a detention was taking place.

19 So they called the security -- airport
20 intelligence security branch, asking for a car, for a person
21 to come. I remember one of those -- I remember one of those
22 women, the administrators, had a necklace around her neck
23 with a photo of the president at the time, President Bashar
24 Assad, on the necklace, a photo of him. And she was very
25 much -- yeah, pulling my hair while she was beating me and

1 tormenting me for being a medical student; and that the
2 government and the state funded my studies and how
3 ungrateful I was.

4 One other man came in, from the student union as
5 well, and he said -- he was the one who refused to beat me
6 up. He said, I don't touch women or beat women but had you
7 been a man, I would have soaked my hands in your blood.
8 Yeah, something like that. I'm trying to translate from
9 Arabic to English.

10 So I don't know for how long that lasted, but I
11 would say not longer than an hour until the car came to take
12 me to prison.

13 **Q.** Could you tell us what happened next? What
14 happened with the car?

15 **A.** So the car entered from -- yeah, so I don't know.
16 I think it may have been a blue car, but it was a civilian
17 car. A normal car. It stopped or parked right in front of
18 the guard post's door. So it was barely a meter or a couple
19 meters between the car's door and the guard post's door.
20 They immediately tried to, kind of, open the door and shove
21 me into the car very quickly, without drawing attention. As
22 I entered the car, there was a man, yeah, with a rifle on
23 him. And there was the driver. And next to the driver
24 another security man with another rifle. So I saw real
25 weapons, I think, for the first time that are in relation to

1 me. And then as they were closing the door, those two woman
2 I believe, were waving good bye, yeah, and being
3 really -- how can I say -- gloating, as the car drove away.

4 And then they made me lower my head so I couldn't
5 see where the car was heading. I noticed -- as I had my
6 head down, I noticed that my nose was bleeding from the
7 beatings by the, yeah, by the student union members and the
8 faculty members.

9 Q. Do you recall what day this was? You mentioned
10 earlier that it was before Eid, but do you recall the date
11 that this happened?

12 A. Yes. It's the date I was detained, on the 3rd of
13 November, I believe, or the 2nd -- yes, the 2nd of November.
14 I remember the 2nd of November, and I was released on the
15 26th of November; for 23 days.

16 Q. And when you were in the car, did you know where
17 you were going?

18 A. No, no, no. I knew nothing. I was crying. I was
19 very scared. I was thinking that maybe it would be just for
20 one day; that they were exaggerating; that they just wanted
21 to teach me a lesson about the fliers, and they would let me
22 go by the end of the day. I didn't know where the car was
23 heading, but those two security men in the car they started
24 asking me where I was from. And I would answer where my dad
25 was from and where my mom was from. And they would talk

1 about, yeah, those two towns are pro-regime, didn't have any
2 revolutionary activities. How come I am like that? They
3 were having different chats, having total disregard to my
4 emotional state in the car.

5 **Q.** And where did the car take you to? Where did you
6 end up?

7 **A.** Until now, I don't know where I was taken. We
8 arrived at the place. The car stopped. They made me -- you
9 know, they got me out of the car, also head down, so I
10 wouldn't see what was around me until we entered the door of
11 the building. And then there was stairs, downstairs. So I
12 can't couldn't see where I was. I just left the car. Got
13 somewhere downstairs. And then there was an office. That's
14 where -- you know, there was an office where they took my
15 belongings from me, like the purse and the things that I
16 had. They made me sign a paper and then took me to the
17 cell.

18 **Q.** And how long were you in the cell for?

19 **A.** So before -- so they were always aggressive in
20 their language with me. They were always threatening. Who
21 are you? Oh, medical student. Oh, those people. They
22 think they are tajribah. It was always threatening
23 language. I was just trying to be quiet and be safe.

24 One of those guards made a call to empty the
25 corridor from the men who were there, in order for me to

1 cross that corridor to my cell. I realized that corridor
2 had other detainees who were -- everyone was a man. I
3 didn't see a woman. And then they made me cross that
4 corridor to my enter my cell. I stayed in the cell -- I
5 don't know for how long -- hours, before I went to meet with
6 the boss for the interrogation the first interrogation.

7 **Q.** Could you tell us what happened at this
8 interrogation?

9 **A.** So after a few hours they -- so one of the guards
10 came and said -- another guard, actually, not the same one
11 who was very aggressive towards me. 'Cause when they asked
12 where I lived, I said where I lived. So the other guard
13 said, Oh, that's where I am from. The neighborhood I lived
14 at, next to that church. So he seemed or he came across as
15 a bit more softer in his language with me. So he's the one
16 who then came to the cell to take me to the boss. He said
17 you will meet the boss now. He will ask you a few
18 questions, business as usual. So he blindfolded me and
19 handcuffed me with this plastic thing, and he made me walk
20 outside -- out of that underground detention place, up to
21 another building, going a few floors up. I was barely able
22 to see my feet from underneath the blindfolds.

23 As we were walking, I was saying, What is going to
24 happen? What are they going to do me? Please, you know,
25 don't do anything bad. And he was, like, no, no, it's just

1 the boss. He is going to ask you a few questions. Then he
2 left me with another person in another office, and I didn't
3 see him after that but hear his voice, actually.

4 Then I was taken to the secretary office of the
5 boss. And that secretary person was telling me, you were
6 studying medicine -- you know, again, the same thing about
7 the state supporting my education, and why would I be
8 opposite? Yeah, why would I oppose the state. So I would
9 sit and nod, then they opened the door of the boss's office.

10 As I -- immediately, as I entered the door of the
11 boss's office, he screamed. He screamed at the guards and
12 said, Why is her blindfold up? Why are they up? And they
13 said, Sir, just so she can walk. He said, she doesn't have
14 to walk, in a very, very thick threatening voice and
15 language. So immediately my anxiety immediately spiked. I
16 didn't think that boss was just a meeting. I knew it was
17 going to be scary.

18 Then he made me sit on a plastic chair, with one
19 guard on my right side and another on my left side, and
20 started asking me random questions about how many protests I
21 had been into. I said, maybe none. Then the person on my
22 right side slapped me very harshly and he said, Liar. And
23 that was happening, you know, every few questions. But that
24 boss didn't ask about the fliers, the pamphlets. So I knew
25 that they probably don't know enough about why I was there.

1 So I didn't mention anything about the fliers.

2 Then that boss who was behind his desk said, Okay,
3 you are not helping yourself. And he left -- he got up from
4 his desk and picked a taser and started asking me questions.
5 As he was tasing me, if he didn't like the answers. And he
6 wouldn't like the answers anyway. And he used the taser on
7 my arms, on my thighs.

8 Throughout this time I was pleading for my life.
9 I was begging for mercy. I was crying. I was screaming.
10 Then he said, Well, do you want me to use it between your
11 legs? So I said, Please, no. He used it on the upper side
12 of my breasts as well. And then he threatened -- after he
13 did that, he threatened with using it between my legs. And
14 I screamed, No. And then he said, Get me the higher
15 voltage. And then he used the higher voltage. I didn't
16 know it was higher voltage. I'm not sure if it was the
17 higher voltage or not. I couldn't see what was happening.
18 I didn't notice any difference between the pain.

19 And then that was over and then he, that boss
20 said, Okay. Take her back down. Give her a piece of paper
21 and let her write everything she knows, and then remind me
22 of her after eight. When I heard that, "remind me after
23 eight," I screamed. You know, my reaction was, like, No.
24 So he screamed back at me and he said, You don't like this?
25 You don't like what you are hearing? Do you want me to take

1 you down to my guards to rape you? These were his words.
2 So I screamed louder, No. At this point he said, Just take
3 her down. And then I was escorted back to the same cell I
4 was at.

5 **Q.** How did this interrogation make you feel?

6 **A.** When I returned to my cell, I was very -- there
7 was a sense of relief that that interrogation was over, but
8 there was also a confirmation of the primitive fear that I
9 might not survive this. I might die or they are capable of
10 doing anything. If they did this through beatings and then
11 used electricity and threatened with rape, I was extremely
12 afraid of what would happen next or whether I would survivor
13 not.

14 But also started, in the cell, feeling the impact
15 of the electrocution physically. So I started, not
16 massaging but applying pressure on my body just to regulate.
17 I was crying and I was praying. And then the other
18 detainees kind of overheard my voice of a female, a young
19 female crying, after having come back from a meeting with
20 the boss.

21 So they were very emotionally impacted by that as
22 well. They were trying to console me. I couldn't see them
23 I just heard their voices saying. We are very sorry. We
24 are very sorry for this our sister, my sister. One of them
25 started crying as well. Were praying for me. And then

1 another guard came back and took -- there was a chair. He
2 took the plastic chair out of the cell and said, no chair
3 now. Gave me white papers. And asked me to write down my
4 family members' names, anything and everything.

5 So they didn't have any specific information that
6 they wanted from me. They didn't know about the pamphlets
7 or anything. They just asked me to write names and things
8 about myself.

9 So I started writing distant family members' names
10 who I know they wouldn't be implicated in anything
11 political. And then after a few hours they said, Okay.
12 Come with us. You are now leaving. Your uncle is waiting
13 for you. We are going to take you to your uncle and you are
14 leaving.

15 So they lied and said that I was leaving now. Put
16 me in another car with two other guards, also blindfolded
17 and handcuffed. And throughout -- at this point it's
18 probably past midnight but not the next morning yet. They
19 said, We called your uncle. He's going to come pick you up.
20 The car drove to another branch, another place.

21 **Q.** So before we talk about the next place that you
22 were taken, could you remind the court how old you were at
23 this time?

24 **A.** I was 18.

25 **Q.** And you mentioned that you did not know where the

1 first place you were detained was. Did you later find out
2 where that was?

3 **A.** Yes. I later found out, yes. It was Harasta Air
4 Force Intelligence Branch; that is Damascus.

5 **Q.** How did you find out that it was Harasta?

6 **A.** Later on. Throughout my detention for the
7 following 23 days, I can't tell you how I knew I was there
8 in Air Force Mezzeh branch, and then before that I was in
9 Harasta. I can't exactly recall the specific moment of how
10 I knew, but through interrogations and conversations and
11 overhearing things, I was able to know where I was.

12 Perhaps one of the guards in Mezzeh Air Force told
13 me or mentioned it on or I overheard it between
14 interrogators. So with time I came to know the name of
15 those places and where I was. But it wasn't a specific
16 moment someone came and told me, You were there and now you
17 are here. It wasn't a clear communication. I gathered that
18 over time.

19 **Q.** Thank you. So you were taken then from the first
20 detention center to the second detention center, which you
21 later found out was Mezzeh military airport detention
22 center. How long were you detained there for?

23 **A.** For 23 -- for the following 23 days, until
24 November 26th.

25 **Q.** And could you describe the cell you were detained

1 in at the Mezzeh military airport?

2 **A.** So in Mezzeh military airport, I wouldn't call it
3 a cell. It was more of a room, an abandoned room over
4 ground. The one I was held at in Harasta branch was a cell,
5 because it was -- yeah, underground with a iron door, a bit
6 of a window. It was a classic cell with writing on the
7 walls. It was a classic cell.

8 But the one in Mezzeh was an overground,
9 abandoned, small room with a broken armchair and just a
10 couple blankets on the floor for me to sleep on. It was
11 like a holding room between two interrogation rooms.

12 **Q.** And could you see outside the room?

13 **A.** No. So on the back wall there was a small window,
14 up a little bit, that was always open. Never closed. So it
15 made it cold. It made that room cold in November.

16 The front wall where the door is, next to the
17 door, half of the wall was glass or a type of plastic that
18 wasn't fully transparent. So I couldn't see things or
19 identify things, but I could see the light. It only allowed
20 some light in. It was broken from one of the corners.
21 Sometimes I would peek out of that very tiny break in that
22 glass to see what was happening outside.

23 **Q.** You mentioned that the room that you were in was
24 close to the interrogation room. Did you hear what was
25 happening in those interrogation rooms?

1 **A.** Yes. That is what makes this room very different,
2 because for those few hours in Harasta, I knew that other
3 detainees were in the adjacent cells. While in this one, I
4 was alone. Everyone around me was an interrogator or guard.
5 So on the left side of the wall there was the interrogation
6 room and on the right side there was also another
7 interrogation room. And I was able to hear, throughout my
8 entire time there, all of the torture taking place in those
9 two interrogation rooms, especially at nighttime, because
10 they would usually start later at night, especially, the
11 first day after they put me many that room.

12 When I arrived there, they took my belongings
13 again. They were about to close the door. I said, but
14 wait. I was told my uncle is here to take me. They said,
15 Tomorrow, tomorrow. I realized no one is here to take me.
16 I am just at another detention base.

17 In that room, that night, after I arrived there, a
18 few hours later, I started hearing the voices of the
19 interrogation, someone screaming and crying and being
20 beaten. Their bodies would just bang against the wall.
21 Being insulted, cursed, threatened. I was able to hear all
22 of that clearly, as if I was with them in the room, because
23 only one thin wall separated me from that.

24 I remember I tried to put my coat in my ears tried
25 to cover my ears with fingers just not wanting to hear any

1 of this because it was very terrifying. I was babbling to
2 myself, just to distract myself from the voices, the
3 screams. But then over time, I believe I became a bit
4 desensitized to the torture sessions happening every night,
5 for 23 days. So over time I was able to be in that room and
6 pray for them or cry for a little bit but -- I was -- I got
7 a bit better at coping with the screams.

8 Q. You mentioned that you could overhear curses and
9 threats from the interrogators. Could you give us examples
10 of things you could hear interrogators say?

11 A. They would -- so, not particularly. I couldn't
12 hear the questions. But then when -- so if the conversation
13 was normal tone, I couldn't hear it fully. But when it goes
14 into the torture, which is, you know, loudly screaming at
15 someone and cursing someone, it was very clear. So it would
16 be, like, Who do you think you are? Cursing at their
17 mothers and their mosques and people's religious beliefs
18 and, really, insults like -- I don't know how -- your
19 typical insults: Dogs, sons of dogs, animals, traitors, you
20 don't know God. Cursing at people's gods. And, yeah,
21 sacred, sacred figures, mothers, wives and beating people.
22 But mainly the most disturbing voice was the screams of the
23 detainee pleading for their life, asking for mercy.

24 **THE COURT:** I'm sorry. I'm sorry. I missed it.
25 The worst screams were from whom?

1 **THE WITNESS:** The worst -- for me, the most
2 disturbing and upsetting sound was not the interrogators
3 particularly cursing or screaming, because they were regime.
4 It was mainly the screams of the detainee pleading for
5 mercy.

6 **THE COURT:** Got it. Okay. Thank you. Thank you.
7 That helps.

8 **BY MS. HAVALDAR:**

9 **Q.** You mentioned that the room you were in had a
10 little glass, you know, from which you could see a little
11 bit outside. Did you see what was happening outside your
12 room?

13 **A.** It was a tiny break in the glass, in the corner.
14 I could slightly peek and see a slice of the outside space.
15 And through that, if I recall, a few incidents across the
16 street from where my room was or the interrogation rooms
17 were I saw a man under the sun handcuffed, blindfolded and
18 left there, next to the opposite interrogation room, for
19 hours bowing, you know, down on the ground. He was,
20 like -- what would you call it -- not standing but not fully
21 lying on the floor, and handcuffed with his head down on the
22 ground, just in a position of not being able to move, and
23 left there for hours.

24 Also, on another day, during the day, there were
25 two soldiers or two guards right in front of my door, right

1 in front of my room. As they waited for that detainee to
2 get into the interrogation room, they were just playing
3 games with him. He was also blindfolded. He was an older
4 man, blindfolded, also handcuffed. And they were
5 requesting -- they were asking him to, kind of, walk in a
6 military way back and forth between the two of them and they
7 asked him, How do you know things about his wife? How do
8 you speak with your wife? Asked him to imagine them
9 sleeping with his wife, and very much humiliating him and
10 ordering him around and making him just obey every request
11 and answer any questions about his family and private life.

12 And then on another occasion, they brought a group
13 of, I think, detainees, that was in the evening, in one
14 batch. And they made them all stand, line up, also in front
15 of my door. So I was able to see their head, the back of
16 their head or the shape, the shape of their heads. They
17 made them line up and they asked them to strip down. And it
18 was cold, November, as well.

19 Perhaps someone said, we will bring cold water or
20 something. But I didn't hear cold water being thrown at
21 them but they were made to strip naked and stand there for
22 also a few hours before they took them somewhere else.

23 **Q.** Were you interrogated while you were at the Mezzeh
24 detention center?

25 **A.** Yes, multiple times.

1 **Q.** And could you tell us, you know, what did the
2 officials say to you during these interrogations?

3 **A.** So the day of meeting, the next day -- I had my
4 first interrogation the next day, and I was blindfolded,
5 also handcuffed, they asked me about the pamphlets. They
6 asked me about the activity at uni. So I knew at Mezzeh
7 they were more connected to campus, and knew who I was and
8 why I was there.

9 They were asking many questions about protests, my
10 thoughts. Why I was against the regime? Why did I throw
11 the pamphlets? Who funded me? Also in a very threatening
12 way. And then I think I was crying. And then one of the
13 interrogators screamed at me, shouted and said, Stop crying
14 you -- like, "your lot," behave as heros outside and then
15 you come here and you act like cockroaches. He had his gun
16 on him, because I was able to see a little bit from beneath
17 my blindfold. So I remember that kind of remark he made
18 about how we behaved outside and how we are when we are
19 detained.

20 **Q.** Could you tell us -- sorry. Could you tell us
21 about the time you were interrogated alongside your friend?

22 **A.** Yes. So I was threatened with using the taser
23 again, but they didn't use the taser on me during those
24 first couple of interrogations. Then the following day
25 or -- I don't know how long after that first one, they

1 brought me back in, asked me, again, the same questions, my
2 family, they realized that my dad was also detained back in
3 the 80s. And they started hypothesizing the reason I am
4 against the regime because my father kind of poisoned my
5 mind against the regime. I, of course, denied all of this,
6 pretending that my family is apolitical and had nothing to
7 do with that.

8 Then they said the fliers. Then they said, Do we
9 have Ammar here? They told me now we will bring him here.
10 And he will sit on this couch. And he will be fully silent.
11 You will fully shut your mouth. And you will hear what
12 guards say.

13 They made me sit. I was blindfolded. And then
14 they asked for Ammar to come in. He came with another
15 guard. And then I could see from underneath my blindfolds
16 Ammar's feet and the bottom of his jeans. And I could see,
17 yeah, these are the feet of someone who was in bad condition
18 perhaps, yeah, tortured. He did not have any shoes on or
19 any footwear.

20 So then they started asking him those questions
21 about the pamphlets. Tell us again about that woman who was
22 with you. Is she the one who told you to do this? And then
23 they were, basically, asking him questions to make him say
24 out loud, as I listened, his version of the narrative, which
25 was basically that he was romantically interested in me and

1 printed those pamphlets to please me. And that's why he did
2 that and, in reality, he wasn't against the regime or
3 anything like that.

4 So I started to understand that this was the
5 narrative in my mind. I was thinking it doesn't matter. Of
6 course he had to say whatever he had to say to survive. We
7 were not romantically involved. We were friends. Then they
8 started asking him, Tell us what you did at that flat of
9 hers? Tell us -- you know, they were insinuating -- they
10 wanted him to describe our relationship sexually. And he
11 was just very much, in a very scared tone, answering
12 whatever. Saying, Yes, sir. Yes, sir.

13 Then they said, by the way, you know that we've
14 got her. We've got her here. And he, you know, Ammar said,
15 To hell with her. And they said, Oh, by the way, she is
16 hearing you. She is here in the room. We were both
17 blindfolded. And then they made me stand up and they nudged
18 me and said, Speak. So I spoke, also with a lot of sadness
19 and trepidation. I said, Hi, Ammar. Why are you saying
20 this, or something like that. And then -- yeah, I think I
21 blocked that conversation. I don't remember exactly. It
22 was a very brief encounter.

23 They just wanted him to know that I was in the
24 room listening. Then they pulled me out and kept him in the
25 room. The guards responsible for me got me out of the

1 interrogation room and he remained inside, and that was the
2 last time I saw him.

3 Even after my release, he was released after me,
4 and we never -- we never spoke again. After he was released
5 I called him to say, you know, congratulations or something.
6 I just called him to check in very briefly. We didn't
7 mention that encounter. I think it completely -- it was
8 something that we just couldn't speak about again. It was
9 very humiliating. It was very upsetting, very disturbing.

10 It was clear for me that they were really playing
11 on that relationship and trying to damage that trust,
12 because it was a common theme as well, that you don't know
13 what he said about you. And there was that sense of you
14 think you guys are bonded by the revolution but everyone
15 kind of says, you know, rats you out. There was that
16 tendency to break that trust between us.

17 **Q.** I want to end with a few questions about your
18 release from detention. What was the impact of your
19 detention on your family?

20 **A.** I believe I was detained on a Thursday, if I am
21 not mistaken. And then on Friday, which was a weekend, my
22 dad -- my mom was at the hospital, she had a shift in Saudi,
23 and my dad was at home and he turned on Al Jazeera. And as
24 he was watching the news, the reporter was speaking to
25 someone from Damascus in their pseudonym, as an activist

1 under pseudonym, who was then saying to Al Jazeera, Yes,
2 this regime continues to crash the protests and, actually, I
3 was told earlier this morning that yesterday they detained a
4 young medical student, a female medical student from campus.
5 Her name was Yaman Al-Qadris. So my dad heard that on TV.

6 Then they went to -- tried to break the news
7 slowly to my mom, who was very distressed. They told her
8 while she was in the car. She attempted to open the car
9 door and throw herself out. She was very shaken and
10 disoriented by the news.

11 Then a couple days later or maybe the next day or
12 so she moved to Damascus to find a way to know where I was,
13 and see if there's any way to get me out. My dad stayed in
14 Saudi and tried to go to the embassy, the Syrian embassy,
15 and tried to do anything possible to support my release.
16 But that was on -- that was one side, while on the other
17 hand, the other activist for colleagues had a Facebook page
18 about me. It drew a lot of attention. At that time it was
19 the early days of the revolution. And detaining women for a
20 long period of time, from the major cities like Damascus or
21 Aleppo. Most female protestors were detained for a day or
22 two at the police station, and then perhaps let go. While I
23 was gradually spending more and more and more time in
24 detention; and that got attention from activists and people
25 who were documenting the regime's crimes.

1 I think because of this media pressure the -- I
2 was able to notice, while I was detained, that the nature of
3 the interrogations were changing; that over time I was made
4 to meet with the head of the Mezzeh airport intelligence
5 branch, Salam Mahmoud. He met with me twice, or three
6 times, in order to try to figure out what was the fuss
7 about, and why was I important in the revolutionary circles.

8 So they changed the nature of the interrogations
9 from being threatening and intimidating and abusive to
10 curious. They asked me all sorts of questions about
11 funding; my friends at campus; who did I know; whether I was
12 connected to certain people in the opposition; whether I was
13 related. They asked me all sorts of questions about my role
14 as an activist, which was not very big. I was just an
15 18-years-old medical student. But they were baffled by the
16 reaction.

17 **Q.** I have just one more question. As you know, in
18 December 2024 the Assad regime fell. What are your views on
19 how this effects detention practices in Syria?

20 **A.** Can you repeat the question, please?

21 **Q.** I said, as you know, last year the Assad regime
22 fell and you were involved in these activities against the
23 regime before, and you are participating in this case. I
24 wanted do ask you how you thought that the fall of the
25 regime affected the importance of this case and similar

1 activities.

2 **A.** I think I was involved in this case before
3 December 2024, yeah, as an attempt for me to contribute and
4 participate in efforts that would document the Assad regime
5 crimes. I think this is something, since I was able to
6 leave Syria and go to Canada and have a bit more of a voice
7 as a survivor of detention, I tried to use that platform,
8 whether Amnesty International or at the U.N., maybe, once I
9 gave testimony.

10 I wanted to, kind of, be a voice to students and
11 young activists, who did not have the chance I had at the
12 time, to be in safety and in the west mainly. Then when
13 this case came along and I was asked to be a witness, yeah,
14 I did not hesitate to, kind of, offer my testimony as well.

15 Then, of course, in December the political scene
16 in Syria changed. The Assad regime fell. And I never had
17 anticipated for that to happen. I was one of those who,
18 kind of, lost hope that the regime would fall in the way we
19 thought it would in the early months and years.

20 So, yeah, I think the hope was something -- in
21 Mezzeh, for the first couple of days, as I was trying to
22 cope with those screams and witnessing this torture, I
23 remember that as I was trying to cope, I was trying to
24 verbally talk to myself, to calm myself down, and to remind
25 myself of why I was here in the first place, and try to

1 ground myself. I remember saying, this is for a reason and,
2 you know, we are part of the solution. It is for a just
3 cause. And I was trying to just talk to myself. As part of
4 that thinking in those -- while I was in detention was that
5 one day -- I was looking around and trying to take things in
6 and I remember saying to myself that one day these places
7 will be empty and those things will not take place and they
8 will become maybe museums to document things after those
9 crimes and all of that.

10 When the regime fell in December, I had hoped that
11 this would be the moment where things would drastically,
12 completely shift for those things to never take place in
13 Syria. However, you know, things are not as straightforward
14 and are not as simple and over the past seven or eight
15 months human rights abuses have been taking place. I think
16 it is a long journey towards that rule of law and respect
17 for human rights.

18 I have hope and I hope, yeah, you know nothing
19 will measure to the Assad regime's security apparatus for 50
20 years but that's why I think those testimonies and those
21 cases and those -- this effort is key in order to create
22 that total separation from the past and ensure that what's
23 going to be built is based on respect for human rights and
24 ban illegal torture for political opinion, yeah.

25 **MS. HAVALDAR:** Thank you very much, Your Honor. I

1 have no further questions.

2 **THE COURT:** Ma'am, I have a couple questions for
3 you, if you have time.

4 **THE WITNESS:** Yes.

5 **THE COURT:** First of all, thank you for working
6 with the attorneys and for appearing here today. I know
7 that when you work -- I was an attorney for a long time and
8 I know that when you work for attorneys, you have to meet
9 with them a number of times to tell your story, review a
10 declaration, prepare for testimony. So it's not this hour
11 that you spent with them, I'm sure you've spent many, many
12 hours with them. So I just want to thank you for that,
13 because it's been incredibly helpful to me in deciding how
14 to address this particular case.

15 And I have a question that -- it's not really
16 related to the case. So if you don't want to answer it or
17 can't answer it, that's just fine. But I am just struck,
18 listening to you. I guess the question I come away with is,
19 Do you regret having put out the pamphlets? If you had to
20 do it over again, knowing what would happen, would you do
21 it?

22 **THE WITNESS:** That's a question my mom asked me
23 after I was released in order to, perhaps, check whether I
24 had felt regret or scared enough in order to keep myself
25 safe, if I am to stay in Syria. And when my answer was, no,

1 she was very, very upset. Very sad. And cried a lot. And
2 thought, Okay, you are still in that mindset.

3 I think the older generation were hoping for us to
4 learn a lesson, that the authorities also wanted us to learn
5 a lesson, that this was a country that was ruined in a
6 particular way, and political dissent was not an option she
7 wanted me to focus on med school and my future.

8 But, no, I think because this detention had taken
9 place, within the broader context of the uprising, it helped
10 me, actually, heal. It's protected me from a bigger
11 psychological impact, because it was contextualized within a
12 bigger cause; and that my suffering was very small and
13 minimal compared to others who lost their lives or sustained
14 bigger injuries or were detained for months and months and
15 months on end. So, no. No, I don't regret that.

16 **THE COURT:** Thank you for that.

17 Secondly, when this is all over, I have to write
18 an opinion that describes what happened, the evidence that
19 the plaintiffs have presented, and come up with a decision.
20 I can say as much in that opinion as I want or as little as
21 I want. It's really up to me. One of the things I try to
22 do is describe the testimony of witnesses. So my next
23 question is, Are you okay with me writing in the opinion
24 what you've testified about here today. And then if I do,
25 do you want your name associated with it?

1 And then third, I guess, most importantly, if
2 there is anything you want to say that you definitely would
3 want on a written record, is there anything you would want
4 to make sure I add?

5 **THE WITNESS:** The first point, yes, of course, I
6 would love to read your opinion on the case, certainly, as a
7 hired respectable judge in this case against Syrian state.
8 And I don't mind for my testimony to be involved in that
9 opinion and for my name to be associated with it. I have no
10 problem with it at all.

11 And to the last point, if there is anything I
12 wanted to add, I think there is something perhaps that maybe
13 I missed answering one of the questions around the impact of
14 detention on me, I think following my release. If you don't
15 mind there are a couple things I just want to add.

16 **THE COURT:** Sure. Of course.

17 **THE WITNESS:** About the impact.

18 **THE COURT:** Sure. Take your time.

19 **THE WITNESS:** During my stay there, because of the
20 conditions of detention, and how unhygienic it was in those,
21 kind of, blankets I used to cover with, they had this
22 particular insect, which caused me a skin condition that was
23 quite severe. It caused me to itch a lot and lose sleep and
24 be in quite a lot of pain. They attempted to bring me a
25 doctor to, kind of, put -- give me a cream and get me to

1 shower, just to get it out of my body and clothes.

2 But it was also -- other than the physical pain of
3 initial torture at Harasta and the cold being in that room
4 and that skin condition was physically painful, I had to
5 continue the treatment beyond my release, psychologically,
6 mainly; it impacted my family quite significantly.

7 I think this is the second trauma my father had
8 undergone because of the regime. First, when he himself was
9 detained in the 80s and was tortured under Assad the father,
10 in 1982. Growing up with him, seeing how scared he was
11 every time we went to Syria, every time we visited, how
12 really anxious he was about the Syrian state or about
13 visiting Syria every summer.

14 I think him living through those days and weekends
15 for his own, you know, eldest daughter and his child not
16 knowing whether they were dead or alive for the first 10
17 days, he would be searching my name amongst the list, they
18 would sometimes release, of those who died under torture.
19 He would search for my name in those lists for the first
20 couple of weeks, before they knew that I was safe and okay.

21 For me, when I left Syria, I lost everything. I
22 lost my med school. I lost my country, friendships. I had
23 a life that I was gradually building and quite excited to
24 have, especially after the revolution, because there was a
25 hope that even the political system would change, and we

1 would have different future; and that was, you know, taken
2 away from me.

3 If I had my way, I would have stayed in Syria
4 after my release, but my parents would not have allowed and
5 I didn't want them to live through this anymore. So for
6 those few months before I was able to secure a visa to
7 Canada and apply for asylum there, for those few months, I
8 was depressed. Now they call it, I know, particularly
9 suffer from PTSD because I had the chance to talk about what
10 happened to my dad. And there were a lot of real support
11 from family and friends, and a lot of people who celebrated
12 me as a hero.

13 So it was -- I would say that I had PTSD, but I
14 was certainly lost, very sad, without direction and grieving
15 the loss of everything. Feeling quite -- yeah, feeling
16 quite defeated, because I distributed a few pamphlets they
17 managed to scare me, scare my family, get me out of my
18 university, change my future, and deprive me of my right of
19 being in Damascus and being where I wanted to be.

20 Yeah, very difficult few months, I think, until I
21 managed to go to Canada and then maybe start building my
22 life and using my voice in in advocacy efforts, in order to
23 regain that sense of self in order to regain that power a
24 little bit.

25 But I know for a fact that I'm, for example, and

1 many people did not have that, the privilege of that
2 psychological resilience or bouncing back psychologically,
3 emotionally or socially, and have the support of their
4 family the way I did. And the media attention that I got.
5 I know that so many friends and people did not have that, so
6 maybe I bounced back. Now, psychologically, I am here
7 testifying all of these years later while being okay, but
8 that wasn't the case for so many survivors.

9 **THE COURT:** Okay. That's incredibly helpful.
10 Thank you.

11 And you're a psychologist now?

12 **THE WITNESS:** Yes.

13 **THE COURT:** But you are in London now, not Canada.

14 **THE WITNESS:** Yes. I came to London after Canada,
15 yes.

16 **THE COURT:** When did you move to London?

17 **THE WITNESS:** I'm sorry. I came from May of 2017,
18 and then I returned in September 2019 for my doctorate.

19 **THE COURT:** And do you have your doctorate now?

20 **THE WITNESS:** Yes.

21 **THE COURT:** Congratulations.

22 Do you think -- and, again, you don't have to
23 answer this, if you don't want. Do you think part of
24 becoming a psychologist was motivated by your experiences
25 and what happened to you and, sort of, to help other people

1 through difficult psychological experiences or was that the
2 plan all along?

3 **THE WITNESS:** The plan was from med school to go
4 into psychiatry.

5 **THE COURT:** Okay.

6 **THE WITNESS:** Because that was the only profession
7 in Syria -- [indiscernible]. I had always had the passion
8 about mental health. And I think after the Arab Spring, and
9 their regime crisis, I think -- yeah, the Arabic -- it was a
10 straightforward decision for me to work with refugees. Now
11 I work in London, specifically in this sector, with young
12 refugees and asylum seekers all over the world.

13 **THE COURT:** Oh, that's terrific.

14 When I was a lawyer, I did a lot of asylum work.
15 I represented a lot of people attempting to get asylum in
16 the United States. And I know how horrific, like yours, a
17 lot of the stories are. I'm glad you are able to do that.
18 I'm sure you are incredibly helpful.

19 One final question is, I love London. So what's
20 your favorite restaurant in London, so the next time I go I
21 know where to eat?

22 **THE WITNESS:** That's a very good question.

23 **THE COURT:** You can give me top five.

24 **THE WITNESS:** [Laughed]

25 Just 'cause it's top of my head, because I was

1 there yesterday, there's an Iranian restaurant in Mayfair
2 called Tejrise.

3 **THE COURT:** I got it. Iranian restaurant in
4 Mayfair.

5 Thank you very much. Thank you for your time
6 today.

7 **THE WITNESS:** Thank you.

8 **MR. McLAUGHLIN:** Thank you.

9 **THE COURT:** Bye.

10 When is your next witness ready to testify?

11 **MR. McLAUGHLIN:** We will need to --

12 **THE COURT:** Let's come back at 3:50.

13 **MR. McLAUGHLIN:** Thank you, Your Honor.

14 **THE COURT:** Do you know how long that witness is
15 about to take? I'm not rushing you in any way.

16 **MR. McLAUGHLIN:** We have two more witnesses.

17 **THE COURT:** Oh, you have two more witnesses.

18 Okay.

19 **MR. McLAUGHLIN:** They are both in Paris testifying
20 one after the other. We will try to squeeze them, so we can
21 get them in today.

22 **THE COURT:** Okay.

23 **MR. McLAUGHLIN:** If Your Honor has any guidance on
24 when we need to wrap up by...

25 **THE COURT:** Let's try to be done by 5:30, if at

1 all possible.

2 **MR. McLAUGHLIN:** Yes.

3 **THE COURT:** I'm not rushing you. If it takes
4 longer, it takes longer; that's okay.

5 **MR. McLAUGHLIN:** Understood, Your Honor.

6 **THE COURT:** Thank you.

7 (Recess from 3:32 p.m. to 3:51 p.m.)

8 **THE COURT:** You can call your next witness.

9 **MR. McLAUGHLIN:** Plaintiffs call Mahmoud Hamoud.

10 (The witness was sworn.)

11 **DIRECT EXAMINATION OF MAHMOUD HAMOUD**

12 **BY MR. McLAUGHLIN:**

13 **Q.** Good afternoon, Mr. Hamoud. Please state your
14 full name for the record.

15 **A.** Good afternoon. My name is Mahmoud Hamoud.

16 **Q.** Where were you born, Mr. Hamoud?

17 **A.** I was born in Moadamiyeh al-Sham, a suburb of
18 Damascus.

19 **Q.** Are you a Syrian citizen?

20 **A.** Yes, I am.

21 **Q.** And where do you currently live?

22 **A.** Now I live in Paris, in France.

23 **Q.** At the beginning of 2011, did you still live in
24 Syria at the time?

25 **A.** Yes, I was in Syria.

1 **Q.** And in 2011, with the start of the Arab Spring,
2 were there protests in Syria?

3 **A.** Sorry. I couldn't -- can you repeat, please?

4 **Q.** Yes. In 2011, with the start of the Arab Spring,
5 were there protests taking place in Syria?

6 **A.** Yes.

7 **Q.** And did you participate in any of these protests?

8 **A.** Yes, I participated in all of them in my city.

9 **Q.** At some point in 2012, did you leave Syria?

10 **A.** Yes.

11 **Q.** Could you describe when you left and why?

12 **A.** Yeah, I left the 29th of July. It was because of
13 the bombing of my city, my father decided to let us go out
14 of Syria, because of the situation in my city, at the time,
15 was dangerous.

16 **Q.** Did you later return to Syria in 2012?

17 **A.** Yes. I returned to Syria in the 14th of October,
18 2012, to complete my study and high school degree.

19 **Q.** And can you describe what happened when you
20 returned to Syria in 2012?

21 **A.** The 14th of October, 2012, I was in the airport,
22 um, Syria -- I was wanting to go back to Syria. And when I
23 was waiting to submit my passport to put the stamp on it, as
24 I entered into Syria, the guard asked me, Where am I from?
25 When I answered him that I am from -- [indiscernible] --

1 there was another guard that was behind me and he just
2 arrested me.

3 Q. And, I'm sorry, did you say he arrested you?

4 A. Yes, he arrested me.

5 Q. Okay. And why do you think you were arrested when
6 you told them where you were from in Syria?

7 A. Because at that time, it's a small city in Syria,
8 it's, like, against the regime of Bashar Assad. When anyone
9 from this place came back through the checkpoint, they would
10 get arrested, just because he is from this place that is
11 against the regime of Bashar Assad.

12 Q. Following the return at the border in October of
13 2012, were you taken anywhere?

14 A. Yes. After that, I was taken the next day to the
15 airport intelligence in Al-Suweida?

16 Q. How long were you held at the Air Force
17 intelligence branch in Al-Suweida?

18 A. I was there at the intelligence branch from the
19 15th of October 2012 until the 18th of October 25, 2012.

20 Q. And following your detention in Al-Suweida were
21 you transferred somewhere else.

22 A. Yes, after that I was in the airport of Mezzeh and
23 investigation branch.

24 Q. How did you know you were being taken to the Air
25 Force intelligence branch at Mezzeh?

1 **A.** During the transportation -- during the
2 transferring me from Suweida to the Air Force of Mezzeh, the
3 guards were talking between each other, and I heard them,
4 and I could see when I was blindfolded on the bus, I could
5 see the street, and I know the area very well because it's
6 my city, and I could know that I was going to Air Force
7 Mezzeh.

8 **Q.** So Mezzeh is near the neighborhood that you grew
9 up in; is that correct?

10 **A.** Yes, exactly.

11 **Q.** And how old were you when you were transferred to
12 the Air Force security branch at Mezzeh military branch
13 airport in October of 2012?

14 **A.** I was 17 years old.

15 **Q.** And ultimately how long were you detained at
16 Mezzeh?

17 **A.** For two years and one month.

18 **Q.** And during the approximately two years that you
19 were detained at Mezzeh, were you ever permitted to contact
20 your parents to tell them where you were?

21 **A.** Not at all.

22 **Q.** Were you ever able to contact a lawyer?

23 **A.** Not at all, no.

24 **THE COURT:** I'm sorry. One second. How long was
25 he there total?

1 **MR. McLAUGHLIN:** Two years and one month.

2 **THE COURT:** Okay. All right. Thank you.

3 Sorry. Go ahead.

4 **MR. McLAUGHLIN:** Okay.

5 **BY MR. McLAUGHLIN:**

6 **Q.** And over the course of your approximately two
7 years and detention at Mezzeh, did you develop a knowledge
8 of the general layouts of the detention center complex?

9 **A.** I'm sorry. Do you mean the prisons?

10 **Q.** Yes. Did you understand, did you develop a
11 knowledge of the different detention centers at Mezzeh?

12 **A.** Yes.

13 **Q.** I want to focus first on your conditions of
14 detention at Mezzeh during your two years and one month in
15 detention there. Could you generally describe the
16 conditions in the cell, please?

17 **A.** Actually, it was like I was in three different
18 prisons. Prison in the Air Force Intelligence and the
19 Airport of Mezzeh. It was super cold. In the cell, it
20 would be two meters by two meters. We were 26 people in the
21 cell, in the same cell. I was there and just, like, I was
22 the only one who was under 18 in the cell. The other
23 centers, like the new prison, there's two floors in the new
24 prison. It's like the cell there, it's smaller than the old
25 prison, and it was, like, one meter and a half, with two

1 meters, and there were 17 people in the cell.

2 Q. All right. You reference both an old prison at
3 Mezzeh and then also a new prison at Mezzeh. Between the
4 two, where did you spend most of your time?

5 A. I was, like, two times between, like, the old
6 prison and the new prison, and on the floor of the new
7 prison. But most of the time I spend it in the new prison.

8 Q. Okay. Focusing on the new prison, were you able
9 to lie down in your cell in the new prison?

10 A. Not at all.

11 Q. Why not?

12 A. Because there's not any space to lie down or we
13 can sit. It's just, like, stuck on one body, just like I
14 don't have -- I have just the place to stand up and sit down
15 in the same place in the same quarter.

16 Q. And approximately, again, how many detainees were
17 in the cell with you?

18 A. Between 16, 17. Most of the time this was the
19 number.

20 Q. And could you use the restrooms when you were in
21 the cell?

22 A. Two times a day because we don't have any restroom
23 in the cell.

24 Q. And did you have any -- what type of clothing did
25 you have in this cell?

1 **A.** Just our underwear.

2 **Q.** Can you describe the temperatures in the cell
3 during the winter?

4 **A.** During the winter it's so cold. I remember once
5 it was like in the beginning of the year, of 2013. It was
6 snowing and it was super cold. I remember that my body was
7 getting blue and I was crying because I am cold. I remember
8 it was my first time I cry because of the cold.

9 **Q.** Were there insects in the cell?

10 **A.** No, because you can't tell because it's crowded
11 with people, unfortunately.

12 **Q.** Did you write any messages on the walls of your
13 cell?

14 **A.** Yes. I wrote a sentence, Don't be sad at my face.
15 I wrote in English.

16 **Q.** Why did you write that at the time?

17 **A.** Because I was searching for hope in the darkness,
18 trying to -- maybe one day I will go back, and the regime
19 will be not here and to be free, and I will see my name and
20 I wrote it, then the end of war.

21 **Q.** And during your detention at Mezzeh, were you
22 interrogated?

23 **A.** Yes.

24 **Q.** What types of questions did they ask you during
25 the interrogation?

1 **A.** In the beginning the officer, which was at -- who
2 is responsible for my investigation, he asked me in a funny
3 way that -- the situation was funny, it's not the funny way.
4 The situation was silly. I'm sorry for this word. But he
5 asked me at the beginning, What did you do? I said, I
6 didn't do anything, just protesting and just filming
7 protesting in the streets.

8 He started to tell me, What weapon you have. And
9 this is like, Oh, I don't care about the protest, the
10 demonstrations in the street, the filming. I don't care
11 about it. I just want to know what weapon you have. And I
12 started to say, I don't have any weapon. I didn't have any
13 weapon with me. And he just like -- he asked the guard to
14 take off my blindfold and he asked to look at my eyes. And
15 he told me to choose. And there was -- there were a lot of
16 material of torture things, and there was blood everywhere
17 on the wall and on the ground. He asked me to choose one of
18 them to get tortured with or I speak or I tell what he
19 wants.

20 **Q.** And what happened next?

21 **A.** He asked me -- he continued to ask me what weapon
22 I have and I started to, like, small gun like I had a small
23 gun. Don't torture me. He said, No, you can't go to a war
24 with a small gun. It's more than that. I said, It's a hand
25 weapon. He said, No. Just more, an automatic hand weapon.

1 He told me, Do you really believe that you would go to a war
2 with a handgun?

3 I said, I don't know what I had. He told me that,
4 No, you know that you had a Kalashnikov with you. I said,
5 Okay. If you want, yes, I have it.

6 After that, he asked me how many bullets were on
7 the gun. I said just, I don't know. Like, in the gun you
8 can put just one. I said, One? He said, No. I said, Two?
9 He said, No. I said, like, How much? So he told me, Four.
10 I said, Yes, that's it, four.

11 Q. Just to be clear, did you actually have a
12 Kalashnikov during the protest?

13 A. Not at all. I don't even touch it in my life.

14 Q. Were you physically abused during your
15 interrogations?

16 A. I'm sorry. What "abused" mean?

17 Q. Were you ever hit during your interrogations?

18 A. With this officer during this time, no. But there
19 were prisoners beside me and, like, they are getting hit
20 they are getting tortured they are screaming. It was
21 like -- it was horrible.

22 Q. Were you interrogated other times during your time
23 at Mezzeh?

24 A. Yes, during three months.

25 Q. And during those three months in the

1 interrogations, were you abused? Were you hurt?

2 **A.** Yes, several times. The second time there was
3 another investigator with me. And he directly get me from
4 the cell and put me in the snow and there was a yard in the
5 prison, in the underground prion. And he put me in the snow
6 and just, like, put the snow on me, on my body. I was
7 naked, just with my underwear. And I was sick at that time.
8 He started to hit me on my leg and on my body with a plastic
9 tube, a green one, because the green tube is like very
10 famous and is used to torture people.

11 **Q.** And approximately how many times did he hit you on
12 that occasion with this green plastic tube?

13 **A.** He hitted me several times, but each time it was
14 around 30, 35 times. And during that, like, approximately
15 it's like several times, it was around a hundred times,
16 because I couldn't count until the end because I was not in
17 my -- I didn't wake up from a hit on my head.

18 **Q.** Were you electrocuted during your time at Mezzeh?

19 **A.** Yes, the last time of my investigation during
20 these three months.

21 **Q.** Can you describe what happened?

22 **A.** Yeah. Actually, the last time after three
23 investigation with me, there was total -- several things.
24 The last time he asked me that if I killed anyone or, no.
25 He asked me that I killed someone I have to tell that I

1 killed someone or I have -- and I have raped girls and I
2 kidnapped girls during from a neighborhood, which is, like,
3 close to my city.

4 I said in that moment, after three months from the
5 investigation of torture, I will not tell you that I killed
6 someone because I didn't kill someone. You told me that you
7 want me to be an honest man. I told you, Yes. Okay. But I
8 will not tell you even that I hurt anyone. I kidnapped
9 anyone. I killed anyone. He started -- he put the
10 electricity cable -- he put it in the wall, as a means of
11 electricity, and he started to put it on my body.

12 After that I told him if you want to kill me now,
13 I will not tell you that I kidnapped or I raped or I killed
14 someone. After that he left me and he took me back to the
15 cell.

16 **Q.** During your over two years at Mezzeh, were you
17 able to see other detainees being tortured?

18 **A.** Yes.

19 **Q.** Can you describe some of the types of torture that
20 you witnessed?

21 **A.** The 3rd of March, 2014, I was taken out of the
22 cell to be in a sokhra situation. Sokhra is, like, the
23 youngest prisoners in this prison, they took them -- the
24 guards, the Air Force intelligence, they took the prisoners
25 out of their cells to serve the prison, to clean the

1 corridors, to clean upstairs and to organize the food, to
2 give them to -- to give the food to the prisoners.

3 And I thought, during this time -- I thought
4 several times that most of the time, like, every day,
5 around -- every day, there was so many prisoners getting
6 tortured, even women. I didn't see the women, I just hear
7 them. They are behind the door.

8 Q. Do you know any torture method referred to as
9 shabeh?

10 A. Yes.

11 Q. What is it?

12 A. It is to put clubs in the hand from -- in the
13 hand, two clubs, and to put the club with the hands of the
14 prisoners on a window, for example, and to be, like, not
15 touching the ground. To be -- like, there's a space between
16 the legs and the ground, around 20 or 40-something meters,
17 or something like that, for hours.

18 Q. And did you see the torture method of shabeh
19 frequently against detainees at Mezzeh?

20 A. Yes.

21 Q. Was it common for detainees to be tortured in the
22 hallway where others could see them, if passing by?

23 A. Yes.

24 Q. In addition to seeing other detainees being
25 tortured, could you hear the sounds of torture around you in

1 detention?

2 **A.** Yes. Yes.

3 **Q.** And can you describe how it made you feel to hear
4 and to see the torture of the other detainees so frequently
5 around you at Mezzeh?

6 **A.** Actually, the voice is, like -- for us, the
7 prisoners, when we were there in our cells, it was like the
8 most important thing during our detention because, like, we
9 don't see anything. We don't know anything about what is
10 happening outside of the cell. We just hear what -- we hear
11 the screams. We hear the sound of the hits on the bodies;
12 that makes us feel that, okay, we will be the next and we
13 would be killed or we would be hurting so much. We don't
14 know what is going on. We don't know what will happen to
15 us. But maybe when we get tortured, it's more easier than
16 waiting and what will happen with us after we will go out to
17 the investigation or we will go out of the cell, because it
18 was, like, horrible situation for us just to hear and we
19 don't know what is happening.

20 **Q.** When did you eventually leave Mezzeh?

21 **A.** The 18th of November, 2014.

22 **Q.** And where were you transferred next?

23 **A.** I was transferred to the military court and after
24 that to Saydnaya prison.

25 **Q.** And how long were you held in Saydnaya prison?

1 **A.** From the 18th of November, 2014 until the 3rd of
2 April, 2015.

3 **Q.** And did you witness detainees die in Saydnaya?

4 **A.** Every single day.

5 **Q.** When did you leave Saydnaya?

6 **A.** The 3rd of April 2016.

7 **Q.** And where were you transferred to next?

8 **A.** I was transferred to Al-Balooni prison in Homs.

9 **Q.** And when you were transferred to the Al-Balooni
10 prison in Homs, was that -- in the Al-Balooni prison, were
11 you finally able to contact your family?

12 **A.** Yes. At the Al-Balooni prison, I could send a
13 written letter, with my hand, to somebody out of the prison,
14 and then to my family. Like, there was -- we are, like, as
15 prisoners, we could visiting our families in Al-Balooni
16 prison.

17 **Q.** Was this the first time that you had been able to
18 have any contact with your family in the almost three years
19 since you were first detained as a 17-year-old in October of
20 2012?

21 **A.** Yes, it was the first time.

22 **Q.** Where were you transferred to after Al-Balooni
23 prison?

24 **A.** In civilian prison in Damascus.

25 **Q.** And how long were you held there?

1 **A.** For three years and a half, until I get out.

2 **Q.** When were you ultimately released from detention
3 in Syria?

4 **A.** The 3rd of November, 2019.

5 **Q.** So the 3rd of November, 2019. So, now you would
6 have been detained for more than seven years, following your
7 arrest as a 17-year-old in 2012. Correct?

8 **A.** Exactly.

9 **Q.** What impact did the seven years of detention have
10 on your family?

11 **A.** Actually, they thought I was dead. They didn't
12 tell me that, but once I had the phone of my father and saw
13 a picture that my brother in Europe, here, he was
14 protesting. And he had a big paper that it said on it that
15 my blood is your silence, which would say that I was killed
16 or I was dead on that time. And I understood that the
17 situation which was, like, a whole situation for them.

18 **Q.** Did you remain in Syria after you were released?

19 **A.** When I was released from prison, I stayed around
20 one month in Syria, then I escaped to Lebanon, and then to
21 France. Until now I didn't see Syria, no.

22 **Q.** And what do you do now for a living?

23 **A.** Now I am a filmmaker. I am working with
24 television and working on films as a director and as
25 director of photography and as assistant director also.

1 **Q.** And have you done any work around your time in
2 Syria?

3 **A.** Syria, yes, I did a short movie, which I am
4 finishing now. It's about the prisoners in Syria and the
5 story of the prisoners.

6 **Q.** Sorry. My apologies. Has your work been shown in
7 any international venues?

8 **A.** Not yet. It will be out soon.

9 **Q.** Why did you volunteer to testify in this case?

10 **A.** From the beginning of my detention, on the first
11 time, you know, the first second I was arrested, I looked
12 around me and I said -- I felt that I will go out one day,
13 and I will try to have any information. I will try to
14 collect any information. Because I know that justice will
15 take their place, will take its place. And I hope that
16 justice will be done for all the detainees which were,
17 like ...

18 **Q.** Thank you, Mahmoud, Mr. Hamoud.

19 **THE COURT:** Thank you for taking the time to speak
20 with us today. I know it's late your time. I appreciate
21 you staying late. And I appreciate all the time that I know
22 you've spent with the lawyers. And your testimony is
23 incredibly helpful, and will make its way into my opinion.
24 So thank you very much.

25 **THE WITNESS:** Thank you, Your Honor, so much.

1 **MR. McLAUGHLIN:** Mr. Hamoud, you can exit the Zoom
2 link. Thank you.

3 **THE WITNESS:** Okay. Thank you so much.

4 **THE COURT:** Thank you.

5 **MR. McLAUGHLIN:** Your Honor, our next witness is
6 also in Paris. We may need a few moments for them to shift.

7 **THE COURT:** That's fine. Okay.

8 (Brief pause.)

9 **MS. MONTIEL:** Your Honor, while the witness is
10 trying to join, I just wanted to give you a couple of cites,
11 if helpful, for the proposition that AFI is the Syrian state
12 for FSIA purposes.

13 **THE COURT:** Perfect. Yes. Thank you.

14 **MS. MONTIEL:** It appears throughout our record but
15 I just wanted to give you a few.

16 So in one of our expert reports that we submitted,
17 they are not testifying today, but that's the Jaber Baker
18 and Ugur Üngör report, which was No. 37 on our Motion for
19 Default Judgment; that's Paragraph 25 and Paragraphs 37
20 through 43. And that also reflects that Jamil Hassan was,
21 at the time of Mr. Mzaik's detention, the head of AFI.

22 **THE COURT:** Perfect. Thank you.

23 **MS. MONTIEL:** Then in the Exhibit 4, that you
24 admitted today, which is United Nations Commission of
25 Inquiry Report called *Web of Agony*. Paragraph 22 describes

1 AFI in depth and specifies that its responsibility was
2 responsible for intelligence gathering, the security of the
3 president [at the time] and the presidential palace", as
4 well as "directing military and security operations".

5 **THE COURT:** Thank you.

6 **MS. MONTIEL:** So those together, because of the
7 role of intelligence, it is considered to be state for FSIA
8 purposes.

9 **THE COURT:** Okay. That's very helpful. Thank
10 you.

11 I'm going to ask you-all to submit proposed
12 findings of fact and conclusions of law. I don't need you
13 to rewrite everything. I don't need beautiful new language.
14 You can repackage it and add anything from today you want me
15 to highlight.

16 How long would you like for that?

17 **MS. MONTIEL:** In speaking with the court reporter,
18 I know this will be a complicated transcript.

19 **THE COURT:** I think she is going to need some
20 time.

21 **MS. MONTIEL:** We could do 60 days, if you think 45
22 days from --

23 **THE COURT:** Why don't we do 45 days from the date
24 of receiving the transcript. Just let me know when you get
25 the transcript and send in a proposed schedule order that

1 that's when you will get it to me.

2 What I will do is, probably tomorrow, I will enter
3 an order in the case with an opinion to come for my record
4 keeping purposes. So don't freak out if you don't get an
5 order. I will write an opinion, it will just come later.

6 **THE DEPUTY CLERK:** The witness has arrived,
7 Your Honor.

8 **MR. McLAUGHLIN:** I believe the witness is in the
9 waiting room now.

10 **THE DEPUTY CLERK:** Mr. Darwish, good afternoon
11 this is the courtroom deputy. Are you able to hear me, sir?

12 **THE WITNESS:** Good afternoon.

13 **THE DEPUTY CLERK:** Great.

14 (Witness sworn.)

15 **EXAMINATION OF MAZEN DARWISH**

16 **BY MR. McLAUGHLIN:**

17 **Q.** Good evening, Mr. Darwish. Thank you for being
18 with us. Could you state your name for the record, please?

19 **A.** My name is Mazen Darwish.

20 **Q.** And how old are you, Mr. Darwish?

21 **A.** I'm 51 year older.

22 **Q.** Where were you born?

23 **A.** I born in Damascus, Syria.

24 **Q.** Did you complete your studies in Syria?

25 **A.** Yes.

1 Q. And what type of studies were those?

2 A. I have a degree in international law from Faculty
3 of Law in Damascus.

4 Q. And where do you currently live?

5 A. Now I am living in Paris, France.

6 Q. And what do you currently do for a living?

7 A. I am the director of Syrian Center and Freedom of
8 Expression.

9 Q. Is this organization also known as SCM?

10 A. Yes. Exactly.

11 Q. And what type of organization is SCM?

12 A. This is non-profit, civil society organization.

13 Q. And have you received any awards for human rights
14 work?

15 A. Yes. I received more than 14.

16 Q. Could you tell us a few of them, please?

17 A. By example, I received the Time Magazine, 100 Most
18 Influence award. Also award for freedoms, this is -- I
19 joined the award with the consulate, German consulate,
20 Angela Merkel. The UNESCO/Guillermo award and the Dignity
21 Award.

22 Q. And how did you first get involved in human rights
23 work in Syria?

24 A. In September of 2000, I re-established with a
25 group of lawyers and colleagues, the first non-profit

1 organization about the human rights in Syria. Then in 2004
2 I established the SCM. And because there was not this kind
3 of organization in Syria, I assisted with the organization
4 in France, but working from Syria until 2016.

5 Q. So at the beginning of 2011, did you still live in
6 Syria?

7 A. Yes.

8 Q. And around that time in 2011, with the start of
9 the Arab spring, can you describe the atmosphere in Syria at
10 the time?

11 A. Yeah. In that period, especially the youth, we
12 have a lot of hope to make more reform in Syria to reach a
13 democratic state of law. There was a lot of energy between
14 the youth, especially, and we start advocate for deeper
15 change in Syria, law reform, more democracy, more stability
16 and start -- and protest in peaceful way; had a lot of
17 democratic demand in general.

18 Q. And were you ever beaten by state security forces
19 during these protests?

20 A. Yeah. Several times. First time in 16 March
21 2011, with a bunch of friend and colleague, we protest next
22 of the Ministry of Interior Affair, asking to release the
23 prisoners and the police and security service beating us on
24 the street and took us to the security branch.

25 Q. Were you ultimately arrested following that

1 protest?

2 **A.** For one day, yes. But also in 2021 March, because
3 I give civilian testimony in news, TV, like, BBC or
4 al-Arabiya, or others. I was arrested again and branched
5 215 for three days.

6 **Q.** Do you recall where you were on February 16th,
7 2012?

8 **A.** I was in my office in Damascus and city center.

9 **Q.** And what happened that day?

10 **A.** In the noon period, I was with my colleague in the
11 office. And there is a bunch of security service attack the
12 office, knock the door in a hard way, opened the door. They
13 came inside, a lot of soldiers and security service, and in
14 the end arrested all of us.

15 **Q.** And where were you taken?

16 **A.** I was taken, with another colleague, we were
17 almost 15 person, to the Air Force investigation branch,
18 which was located in the Mezzeh Military Airport.

19 **Q.** You said you were taken with some of your SCM
20 colleagues, around 15 of you. Were any of them your family
21 members?

22 **A.** Yes, my wife was also arrested.

23 **Q.** Can you describe what happened at Mezzeh?

24 **A.** When we arrived, they separate us men from woman
25 and took all of our things. Then they search us, make us

1 totally naked and search everything. Then they put us
2 in -- the men in separate cell and women in other cell.

3 Q. During your time at Mezzeh, were you interrogated?

4 A. Yes, several times. Yeah.

5 Q. Who were you interrogated by?

6 A. First time there is a captain, his name I don't
7 remember. And there's many soldier investigator and there
8 is also a general whose name is Mahmoud.

9 Q. And what types of questions were you asked during
10 the interrogations?

11 A. They asked me about my work, also about the
12 violation in Syria. They asked me about who support SCM, my
13 relation with LCC, Local Coalition Committee.

14 Q. During the interrogations, were you threatened?

15 A. Yes, they started the first interrogation, the
16 captain asked me -- because I'm a lawyer so he asked me --
17 by example, if we bring your wife here and rape her, does
18 she deserve the money for marriage, if you want to divorce
19 her?

20 Q. Do you remember over what period of time your
21 interrogated? How many days you were interrogated?

22 A. More than 60, maybe 64, in Mezzeh Air Force
23 branch.

24 Q. And over those 64 days, when you were being
25 interrogated in Mezzeh, were you physically abused during

1 the interrogations?

2 **A.** Yes. Yeah, several times or so. In several ways,
3 yeah.

4 **Q.** Can you describe some of these abuses, please?

5 **A.** By example, they keep me naked, all the night
6 standing, without any kind of sleep, outside. It's
7 February. Very cold. And there's even snows. I was beaten
8 with cable, also plastic stick, wood stick. They also hang
9 me from my hand in the ceiling, beating me in my legs,
10 everywhere.

11 **Q.** And you described a few different methods of
12 torture, including being beaten with a plastic stick.
13 Approximately how many times would you be beaten with the
14 plastic stick?

15 **A.** Several time. Many time. Many more than seven
16 time. Many more.

17 **Q.** Where on your body were you beaten with the
18 plastic stick?

19 **A.** Especially in my foot and legs, but also on my
20 back and hands, but the majority the foot and legs.

21 **Q.** You described being hung up by your wrists. Can
22 you describe for the Court what happened then?

23 **A.** Sorry. I can't hear you well.

24 **Q.** My apologies. You described being hung by your
25 wrists. Could you describe that method of torture.

1 **A.** Yeah. In Syria they named it shabeh. They hang
2 the person from his hand in the ceiling or there's a iron
3 wood and windows, by example, by the hands, and keep a few
4 centimeters between him and the ground. Sometimes the hands
5 from front and sometimes from the back which is more worse
6 and bring more pain and suffering.

7 **Q.** And were you placed in shabeh more than once?

8 **A.** Yes. Yeah. But just my hand from front, not from
9 the back.

10 **Q.** In between your interrogations, were you brought
11 back to a cell or were you held somewhere else?

12 **A.** No. After the first day, they put me in the
13 corridor, I think because there was a huge number of
14 prisoners and they don't have private or separate cell. So
15 they put me in the corridor. They put my hand in the back
16 in the handcuff, and put blind eyes and even put the blanket
17 over me, over all of me.

18 **Q.** So you described having your hands behind you in
19 handcuffs; is that correct?

20 **A.** Yes.

21 **Q.** And your eyes had something over them being
22 blindfolded; is that correct?

23 **A.** Yes, yeah.

24 **Q.** And they placed the blanket over you. Why do you
25 think they did that?

1 **A.** I think to not allow anyone to see me or recognize
2 me.

3 **Q.** And how were you treated by the guards as you were
4 in the corridor?

5 **A.** Very bad way. Always when they came in the
6 corridor, they slipped me, say very bad word, kick me in the
7 legs. They put me close to the sewerage, also a really
8 dirty place and the smell and the dirty water coming around
9 me. I allowed to go to toilet two times in the day. And
10 they bring very small piece for lunch or breakfast it's
11 almost keep the people alive.

12 **Q.** During your time at Mezzeh, did you see other
13 detainees being tortured?

14 **A.** Yes. When they took me out to this very small
15 yard for torture, I be able to hear many other prisoners
16 tortured. And when I was hanging from my hands, shabeh
17 also, I can also see through the -- my eyes -- some people.
18 But always, even when I am in the corridor, I can be able to
19 hear and feel with other people tortured.

20 **Q.** And was that torture that you could hear every
21 day?

22 **A.** Yes, every day. Yeah.

23 **Q.** Could you describe for the Court what it was like
24 to hear the sounds of torture around you every day?

25 **A.** It's some -- it's a kind of torture, method of

1 torture, and always feel fear when they will start beating
2 me or maybe I am the next or even hear some question asked
3 the prisoners and beating them for no reason even or force
4 them to say that they carry weapons. And some of people
5 ignore and say, No. After a method of torture or beaten
6 they said, Okay. Whatever you want. I agree. It's not
7 easy to hear these voices, yeah.

8 **Q.** Can you describe the conditions of the cells
9 around you?

10 **A.** It's very bad condition. Because they arrested a
11 huge number a lot of people, so they start with many person.
12 For example, individual cell it's two meter by one meter.
13 And usually they put one person in, but they start with 5
14 and 6 person in this place. The common cell, usually it's
15 for 5 or 10 person and they start to put 40 person in this
16 cell. So there is no way all sleep together.

17 The condition is very bad. There's no clean air,
18 and there is no, any kind of -- they don't give showers, for
19 example. So day after day we become very dirty. There is a
20 lot of skin illness and many small bugs on the body and the
21 hair. It's very bad condition, yeah.

22 **Q.** And from what you could observe what impact did
23 those impact have on the detainees?

24 **A.** Sorry. I can't hear you well. Can you repeat
25 again?

1 **Q.** Yes. My apologies.

2 From what you could see, what impact did the
3 conditions, the bad conditions in the cells, have on the
4 detainees?

5 **A.** Yeah, um, many people die from this bad condition.
6 With torture there is no any medical help or support. The
7 food is bad but also the quantity is really small. Many
8 people have illness and some of them even die in this
9 condition.

10 **Q.** While you were held at Mezzeh, did you engage in a
11 hunger strike?

12 **A.** Yes, indeed. Yeah.

13 **Q.** What happened?

14 **A.** First of all, they are very nervous. Try to force
15 me to eat or to stop the hunger. Then they leave me. After
16 a few days, also, one of the officer came and speak to me
17 and told me, Look, you are very stupid. Nobody will hear or
18 know if you do hunger strike or not. There is no press or
19 anyone will know. So this is bad advice, to stop your
20 hunger strike. Yeah.

21 We can have a shower with hot water; can allow the
22 doctor to see you or if you want anything, gloves or
23 something like this, we can offer it to you. But you can
24 keep your hunger strike until you die and no one will be
25 worried.

1 **Q.** You said you were detained for 64 days at Mezzeh.
2 During that time were you ever allowed to see a lawyer?

3 **A.** No. No, I can't see lawyer or contact my family.
4 Even my wife or other colleague, I can't contact them. Only
5 one time when I am in the corridor, I recognized that they
6 took them to investigation yard, but there is no kind of
7 communication with the outside.

8 **Q.** Where were you transferred to after Mezzeh?

9 **A.** After Mezzeh, they transfer me with other
10 residents, in the night, to place I know later that it's the
11 Fourth Division. And it's not far; I think only 15 minute
12 by bus from Mezzeh airport.

13 **Q.** And were there any Air Force personnel at the
14 Fourth Division?

15 **A.** Yeah. I think because, again, they arrested a
16 huge number of people. So they start to use another
17 facility from another unit. So this Fourth Division unit,
18 it's controlled from Air Force security service, but they
19 use it for the prisoners, who want to punish them or they
20 finish the investigation and they don't know where they will
21 send them.

22 **Q.** And were you tortured when you were at the Fourth
23 Division?

24 **A.** Yes. Every day there is two time torture for all
25 prisoners in the cell. There is no investigation. There is

1 no question. And they don't know who we are and why we are
2 here. But every day the guard go downstairs to the cell and
3 start beating us, using also electric stick and, you know,
4 all kind of this torture method.

5 Q. And approximately how long were you held at the
6 Fourth Division?

7 A. Six months, I think.

8 Q. Where were you transferred to after that?

9 A. After that I was transferred to the headquarter of
10 the Air Force security service and at the -- [indiscernible]
11 -- square Damascus.

12 Q. Were you tortured at that facility?

13 A. Yes.

14 Q. And how long were you held there?

15 A. I think almost two months there.

16 Q. And were you transferred anywhere after that?

17 A. After that, they send me back to the Mezzeh
18 airport to take my things. Then directly they send us to
19 Al-Qaboun military prison.

20 Q. And when were you ultimately released from
21 detention in Syria?

22 A. 10 August 2015.

23 Q. So would this be almost three years or more than
24 three years after you were first arrested on February 16th,
25 2012?

1 **A.** Yes, indeed. Yes.

2 **Q.** And at the time of your release, can you describe
3 the physical impact on your body of the detention and
4 torture over three years?

5 **A.** Specially, my -- even transfer from the Air Force
6 to the Adra prison, I was lose more than 60 kilogram from my
7 weight, and I still have many physical scars on my body. I
8 lose five of my nails from my foot.

9 Then when I released, after almost two months, I
10 escape out of Syria. Yeah, I have many problem sleeping.
11 And talking to person that period even I can't look directly
12 to any person in his eye, keep my head to the ground. I
13 have a problem sleeping. Any noise -- don't feel
14 comfortable even to meet people to see people to speak to
15 them.

16 **Q.** And just to clarify, you said that you lost five
17 of your nails on your foot; is that correct?

18 **A.** Yes. Yeah.

19 **Q.** And was that through torture?

20 **A.** Yes, this is through torture in 2015 in the state
21 security investigation branch.

22 **Q.** And can you describe the impact of your three
23 years of detention on your family?

24 **MR. McLAUGHLIN:** It seems like it cut out.

25 I think they were using the conference room

1 camera. We can put a laptop in front of him. I probably
2 have 10 more minutes, 10 to 15 minutes.

3 **THE COURT:** Okay.

4 (Brief pause.)

5 **MR. McLAUGHLIN:** It sounds like they are having
6 problems using the existing link. Would it be possible to
7 create an additional link?

8 **MS. MONTIEL:** Can they leave and come back?

9 **THE DEPUTY CLERK:** I haven't shut it down. If
10 creating a link is helpful, I can do that.

11 **THE COURT:** If we have 10 minutes, we can do audio
12 for the last 10 minutes that would be okay.

13 (Pause in proceedings continued.)

14 **BY MR. McLAUGHLIN:**

15 **Q.** Mazen, can you hear me?

16 **A.** Yes, I can.

17 **Q.** Mazen, I have just a few more questions to ask
18 you. So if we can pick up -- I'm sorry. I know it's
19 awkward, but if we can pick up where we left off.

20 **A.** Yes. Please, go ahead.

21 **Q.** Okay. After your release from detention, did you
22 eventually leave Syria?

23 **A.** Yes, after almost two months.

24 **Q.** And where did you go?

25 **A.** I go to Lebanon by route a few days, then I go to

1 Berlin, Germany.

2 Q. When you arrived in Berlin, did you seek any
3 medical help?

4 A. Yeah. I go to a special center for victim of
5 torture.

6 Q. And you indicated that you currently reside in
7 France; is that correct?

8 A. Yeah. I spent two years in Berlin, Germany. Then
9 I come to France, yeah.

10 Q. When you arrived in France, did you continue your
11 human rights work?

12 A. Yes, I continued my work with several cases with
13 many victim through our program.

14 Q. And is this work through the organization SCM that
15 we mentioned earlier?

16 A. Yes, indeed.

17 Q. Did SCM help to facilitate submission of sworn
18 written declarations as evidence in this case?

19 A. Yes.

20 Q. And as the head of SCM, why was it important for
21 your organization to help support this case?

22 A. It's very important for us, as victim, as Syrian
23 civilian, and also as an organization. This is the same
24 branch and same skill set service were there so we know what
25 happened in that places. This is something we was there.

1 This is not something we heard from other. I was there. My
2 wife was there. My colleague was there. So we knew, we
3 witnessed what happened.

4 For us and for the other, it's very important for
5 us to serve and keep the narrative. We want our voices to
6 be listened. We want to tell the people what happened in
7 Syria, and we want also to send a message for victim that we
8 will keep fighting for their dignity for justice and
9 accountability we want to be sure this will not happen
10 again.

11 **Q.** And as a survivor of torture yourself, what do you
12 believe is needed to support Syrian torture victims and
13 their families?

14 **A.** I believe first thing is recognition. It is very
15 important to have recognition that this happened, this is
16 true. And we -- I believe that also many of us need
17 medical, physical, psychology support, also. And we need to
18 look at we are released from the prison but the prison will
19 never release from inside you. So we want also to keep
20 looking for future to be sure that this will not happen to
21 our children. This has happened with us mainly. This will
22 not happen with our children. Recognition, medical and
23 psychological support, justice and accountability. To see
24 those people in the prison held accountable. This is very
25 important I think.

1 **Q.** Thank you, Mazen. I have no more questions for
2 you. I can hand you the phone, if it's not too awkward.

3 **THE COURT:** Sir, this is the judge. I just wanted
4 to thank you for taking the time to work with the attorneys.
5 I'm sure you spent a number of hours with them preparing for
6 your testimony and for testifying here today. It's
7 incredibly helpful for me in determining or deciding the
8 outcome of this case. I know it can't be easy for you. I'm
9 quite cognizant it's very late your time, so I am very
10 appreciative. Thank you.

11 **THE WITNESS:** Thank you, Your Honor.

12 **MR. McLAUGHLIN:** Thank you.

13 Thank you, Mazen. Bye.

14 **THE COURT:** Alright. One more thing from me
15 before I let you all go. A couple more things from me.
16 First of all, I didn't see a proposed damages amount or
17 calculation amount. Did you guys want to address that at
18 some point or ...

19 **MS. MONTIEL:** Yes. We are happy to do so in the
20 proposed findings, if the Court is amenable to that.
21 Otherwise, we can give one now. We prefer, if you are
22 willing, to do it in the proposed findings.

23 **THE COURT:** Fine with me.

24 Sir, thank you again for taking the time to bring
25 this lawsuit. I promise I will give it very careful

1 attention. Before we leave, was there anything else you
2 would like to say?

3 **THE WITNESS:** No, thank you, Your Honor.

4 **THE COURT:** Wish your wife and children well when
5 you get back to see them again.

6 Finally, for the attorneys, Mr. Livshiz -- have I
7 finally said that right?

8 **MR. LIVSHIZ:** Yes, Your Honor.

9 **THE COURT:** Can you please convey to your
10 evaluation committee that I asked you to tell them that your
11 associates did a tremendous job today. The briefing has
12 been phenomenal. I can only guess how much time it took to
13 put together 31 declarations and expert reports. It's all
14 been very well briefed. Everything has been pretty much
15 perfect, so far as I can tell. They did a terrific job
16 today with examinations. I am confident that it took a
17 considerable amount of time to get the witnesses comfortable
18 with them to tell them everything. I know it doesn't happen
19 all at once, it takes many, many meetings and hours to get
20 all of that together. So I am very appreciate of that. The
21 work is definitely shown through.

22 I think that it. I just wanted for you to convey
23 to them they did a tremendously good job.

24 **MR. LIVSHIZ:** Thank you, Your Honor. I will do
25 so.

1 **THE COURT:** Thank you. Anything else?

2 **MS. MONTIEL:** No, Your Honor.

3 **THE COURT:** If anything comes up, feel free to
4 reach out to my chambers. I will have an order out
5 tomorrow, with an opinion to come. And then just let me
6 know once you get the transcript.

7 Madam Court Reporter, there is no hurry on that.
8 You will have 45 days from then.

9 **THE COURT:** Sir, have a good trip back to Ohio.

10 **THE WITNESS:** Thank you, Your Honor.

11 (Proceedings concluded a 5:05 p.m.)

12

13

14

15

16

17

18

19

20

21

22

23

24

25

C E R T I F I C A T E

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I, **Lorraine T. Herman, Official Court Reporter,**
certify that the foregoing is a true and correct transcript
of the record of proceedings in the above-entitled matter.

Please Note: This hearing occurred hybridly by
Zoom and is therefore subject to the technological
limitations of court reporting remotely.

November 20, 2025
DATE

/s/ Lorraine T. Herman
REPORTED BY