

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

OBADA MZAIK,

Plaintiff,

v.

SYRIAN ARAB REPUBLIC,

Defendant.

Civil Action No. 22-00042 (ACR)

PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW

This is a civil action against the Syrian Arab Republic (“Syria”) under the terrorism exception to the Foreign Sovereign Immunities Act, 28 U.S.C. § 1605A (“FSIA”) brought by Plaintiff Obada Mzaik (“Mzaik” or “Plaintiff”), an American citizen who was detained and tortured by Syrian officials in 2012 when he was a 21-year-old student.

On August 7, 2025, the Court held an evidentiary hearing to determine whether to enter default judgment. The hearing included live testimony from Plaintiff and four other witnesses. The Court admitted six exhibits into evidence and took judicial notice of certain facts. After the hearing, the Court GRANTED Plaintiff’s Motion for Default Judgment and stated that an opinion would follow. Min. Order, Aug. 8, 2025. For the reasons set forth below, the Court concludes that Syria, through its systematic use of state intelligence agencies, including the Syrian Air Force Intelligence (“AFI”), is civilly liable for Plaintiff’s injuries under the FSIA.

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I. PROCEDURAL BACKGROUND

A. Overview of the Action

Plaintiff brings this civil action under 28 U.S.C. § 1605A seeking to hold Syria civilly liable for the torture he experienced at the hands of AFI officials under the regime of former president Bashar al-Assad (hereinafter the “Assad Regime” or “Regime”). Plaintiff filed his Complaint on January 7, 2022. Dkt. 3. Plaintiff served Syria via diplomatic means under 28 U.S.C. § 1608(a)(4) on February 8, 2023. Dkt. 30. The Court entered default against Syria on May 11, 2023. Dkt. 33. Plaintiff then moved for default judgment on December 20, 2024. Dkt. 56.

Prior to the Court’s August 7, 2025 evidentiary hearing, Plaintiff filed a motion to pre-admit certain exhibits as evidence, which set out the applicable evidentiary standard and requested that the Court take judicial notice of certain facts. Dkt. 68. At the evidentiary hearing, the Court then admitted various evidence and took judicial notice of the facts that (i) Syria is a foreign state for FSIA purposes; (ii) Syria was a state sponsor of terrorism at the time of Plaintiff’s detention; and (iii) the former AFI head, Major General Jamil Hassan, is subject to U.S. sanctions. *See* Min. Order, Aug. 8, 2025; Tr. 7:23–9:10. On August 8, 2025, the Court granted Plaintiff’s motion for default judgment. Min. Order, Aug. 8, 2025. The Court directed Plaintiff to submit Proposed Findings of Fact and Conclusions of Law. Min Order, Aug. 7, 2025; Tr. 142:11–15.

B. Evidence Submitted

The August 7, 2025 evidentiary hearing featured: (i) live testimony from Plaintiff; (ii) remote testimony from Dr. Pau Pérez-Sales, an expert witness with more than thirty years of experience treating, writing, and conducting research on torture, including psychological torture, who conducted a psychopathological assessment of Plaintiff; and (iii) remote testimony from three

fact witnesses (Yaman Al-Qadri, Mahmoud Hamoud, and Mazen Darwish) on their arrests and torture by the Assad Regime.

With his Motion for Default Judgment, Plaintiff also submitted witness statements from 31 fact witnesses, as well as four expert reports. Twenty-nine of the fact witnesses were former detainees at AFI Mezzeh, and the other two were former Syrian government employees who AFI officials ordered to bury bodies in mass graves between 2011 and 2019. Dkt. 56-3–4, 56-8–36. The experts were: (i) Jaber Baker and Uğur Ümit Üngör, co-authors of *Syrian Gulag: Inside Assad's Prison System*, who provided a report on the Syrian detention system and its state-sanctioned use of torture; (ii) Bernard Duhaime, former Chair of the United Nations (“U.N.”) Working Group on Enforced or Involuntary Disappearances, who provided a report on the documentation and consequences of enforced disappearances in Syria; (iii) Dr. Claudio Grossman, former Chair of the U.N. Committee Against Torture, who provided a report on whether Plaintiff’s treatment constituted torture under the U.N. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the nature of the reparations due to Plaintiff under international law; and (iv) Joumana Seif, a Syrian legal advocate and expert on gender-based violence, who provided a report on the gendered experiences of detainees and their families in Syria. *See* Dkt. 56-37–41.

Finally, at the evidentiary hearing, the Court admitted into evidence four U.N. reports, one U.S. Department of State report, and two U.S. Treasury Department press releases pursuant to the public records exception under Fed. R. Evid. 803(8). Tr. 5:8–7:7. The Court also admitted a copy of Plaintiff’s passport at the time of Plaintiff’s detention under either 22 U.S.C. § 2705 or the public records exception under Fed. R. Evid. 803(8). Tr. 7:8–12.

II. LEGAL STANDARD

To prevail on a motion for default judgment, evidence must be “satisfactory to the court.” 28 U.S.C. § 1608(e). The FSIA “leaves it to the court to determine precisely how much and what kinds of evidence the plaintiff must provide.” *Swinney v. Islamic Republic of Iran*, No. 1:20-cv-2316, 2025 WL 1547694, at *12 (D.D.C. May 30, 2025) (quoting *Han Kim v. Democratic People’s Republic of Korea*, 774 F.3d 1044, 1047 (D.C. Cir. 2014)).

In considering the admissibility of evidence, “[t]he district court [] has an unusual degree of discretion over evidentiary rulings in a FSIA case against a defaulting state sponsor of terrorism.” *Owens v. Republic of Sudan*, 864 F.3d 751, 785 (D.C. Cir. 2017), *vacated & remanded on other grounds sub nom.*, *Opati v. Republic of Sudan*, 590 U.S. 418 (2020). Courts “should liberally construe the Federal Rules of Evidence to ensure that state sponsors of terrorism cannot effectively immunize themselves by killing their victims, intimidating witnesses, and refusing to appear in court.” *Swinney*, 2025 WL 1547694, at *12 (cleaned up). Indeed, both “the quantum and quality of evidence that might satisfy a court can be less than that normally required.” *Id.*

Furthermore, “[u]ncontroverted factual allegations that are supported by admissible evidence are taken as true,” *Thuneibat v. Syrian Arab Republic*, 167 F. Supp. 3d 22, 33 (D.D.C. 2016), and “reliance upon secondary materials and the opinions of experts is often critical in order to establish the factual basis of a claim under the FSIA terrorism exception,” *Owens*, 864 F.3d at 787; *see also Roth v. Islamic Republic of Iran*, 651 F. Supp. 3d 65, 73 (D.D.C. 2023) (“In FSIA cases, expert testimony is often sufficient.”). This is because “firsthand evidence and eyewitness testimony is difficult or impossible to obtain from an absent and likely hostile sovereign.” *Owens*, 864 F. 3d at 785.

To that end, courts may “look to numerous evidentiary sources” in the form of testimony, documentation, and affidavits. *Rimkus v. Islamic Republic of Iran*, 750 F. Supp. 2d 163, 171 (D.D.C. 2010). In FSIA cases, courts may rely solely on written evidence, including sworn affidavits of fact or expert witnesses, “because the FSIA does not actually demand a hearing or live testimony; it demands [only] evidence.” *Hammons v. Islamic Republic of Iran*, No. 1:19-cv-02518, 2023 WL 5933340, at *7 (D.D.C. July 24, 2023), *report and recommendation adopted*, No. 1:19-cv-02518, 2023 WL 6211248 (D.D.C. Sept. 25, 2023) (cleaned up). Therefore, the Court may properly rely on declarations and reports of fact and expert witnesses who do not testify at an evidentiary hearing, without separately admitting such declarations and reports into evidence. *See, e.g., Est. of Hirshfeld v. Islamic Republic of Iran*, 330 F. Supp. 3d 107, 119 n.3 (D.D.C. 2018) (making findings of fact and law based on five witness declarations “submitted prior to the trial” in addition to live testimony); *Flanagan v. Islamic Republic of Iran*, 87 F. Supp. 3d 93, 97 nn.4–8 (D.D.C. 2015) (relying on reports from four non-testifying experts in addition to live testimony from one expert taken at the hearing).

III. FINDINGS OF FACT

Based on the record of testimonial and documentary evidence presented by Plaintiff, the Court makes the following findings of fact.

A. The Assad Regime & Repression in Response to the Arab Spring

From 1971 through December 2024, Syria functioned as a single-party dictatorship under the rule of the Assad family and its Arab Socialist Ba’ath Party. Baker and Üngör Rep. ¶ 21, Dkt. 56-37. Hafez al-Assad ruled Syria from 1971 to 2000. Baker and Üngör Rep. ¶ 21. His son, Bashar al-Assad, succeeded him and ruled for over two decades until the fall of the Assad Regime on December 8, 2024. Baker and Üngör Rep. ¶¶ 21, 32; U.N. Int’l, Impartial and Indep.

Mechanism, *The Syrian Government Detention System as a Tool of Violent Repression* (Dec. 6, 2024) (“IIIM Rep.”) ¶ 237, Dkt. 68-8.

The Assad Regime had long used torture to suppress dissent and retain power. *See* IIIM Rep. ¶¶ 2–4. In March 2011, popular protests against the Assad Regime swept across Syria, inspired by the “Arab Spring” movement. Baker and Üngör Rep. ¶ 23; IIIM Rep. ¶¶ 5–6. In response, the Syrian government executed a vast, centrally-coordinated campaign of brutal and arbitrary arrests, detentions, and executions against perceived opponents to the Regime’s authoritarian rule. Baker and Üngör Rep. ¶¶ 24–25; IIIM Rep. ¶¶ 7–10, 28; U.S. Dep’t of State, *Syria 2012 Human Rights Report (2012)* (“State Dep’t Rep.”) 1, 4, Dkt. 68-2; U.N. Indep. Int’l Comm’n of Inquiry on the Syrian Arab Republic, *“Web of Agony”: Arbitrary Detention, Torture, and Ill-Treatment by former Government forces in the Syrian Arab Republic*, U.N. Doc. A/HRC/58/CRP.3 (Jan. 27, 2025) (“2025 COI Rep.”) ¶ 2, Dkt. 68-5; U.N. Indep. Int’l Comm’n of Inquiry on the Syrian Arab Republic, *Report of the Commission of Inquiry on the Syrian Arab Republic*, U.N. Doc. A/HRC/46/55 (Mar. 11, 2021) (“2021 COI Rep.”) ¶ 2, Dkt. 68-6; U.N. Indep. Int’l Comm’n of Inquiry on the Syrian Arab Republic, *Out of Sight, Out of Mind: Deaths in Detention in the Syrian Arab Republic*, U.N. Doc. A/HRC/31/CRP.1 (Feb. 3, 2016) (“2016 COI Rep.”) ¶¶ 17–18, Dkt. 68-7; U.S. Treasury Dep’t Press Release: *Administration Takes Additional Steps to Hold the Government of Syria Accountable for Violent Repression Against the Syrian People* (May 18, 2011) (“2011 Press Release”), Dkt. 68-3.

The campaign deployed all branches of the security apparatus in mass arrests, often through violent raids at protests, checkpoints, school campuses, and homes. *See* IIIM Rep. ¶¶ 34, 235–93; 2025 COI Rep. ¶ 10; *see also* Testimony of Yaman Al-Qadri, Tr. 91:24–92:13; 93:1–17. The Regime orchestrated these arrests to instill fear, extract information, and send a message of total

impunity for the Assad Regime’s brutal actions. *See* IIM Rep. ¶ 294; 2025 COI Rep. ¶ 467; 2021 COI Rep. ¶ 87. To that end, court proceedings were perfunctory or absent; coerced confessions were systematically used as the basis for prosecution, and judicial actors ignored or actively covered up torture. *See, e.g.*, 2021 COI Rep. ¶ 16; IIM Rep. ¶¶ 177–91.

In this period, the Assad Regime arrested and detained hundreds of thousands of civilians for perceived opposition, with an estimated 90,000–100,000 individuals held at any given time. *See* IIM Rep. ¶ 17; 2025 COI Rep. ¶ 53; Baker and Üngör Rep. ¶ 27. Estimates of the total number of individuals arrested by the Assad Regime since 2011 reach 1.2 million. *See* IIM Rep. ¶ 17; 2025 COI Rep. ¶ 53; U.S. Treasury Dep’t Press Release: Treasury Sanctions Syrian Regime Prisons, Officials, and Syrian Armed Group (July 28, 2021) (“2021 Press Release”), Dkt. 68-4, p. 2. In the final years of the Assad Regime, an estimated 135,000 individuals (including at least 3,700 children and 8,500 women) remained detained or forcibly disappeared. IIM Rep. ¶ 17.

Although thousands of detainees were released after the fall of the Assad Regime on December 8, 2024, the physical, psychological, and social harms suffered by Plaintiff and other detainees, their families, and Syrian society as a whole continue. To this day, even with the opening up of the Regime’s detention centers, tens of thousands of people remain missing, most presumed dead. *See* 2025 COI Rep. ¶ 312 (reporting over 100,000 people missing, a significant portion of whom were last known to be in the Regime’s custody).

B. Syrian Intelligence Agencies

The Assad Regime utilized Syria’s four intelligence agencies—AFI, Military Intelligence, General Intelligence, and the Political Security Administration (collectively known as the “Mukhabarat”)—to implement its campaign against perceived Regime opponents. Baker and Üngör Rep. ¶ 25; *see also* 2011 Press Release, p. 4 (designating AFI as complicit in human rights

abuses of the Syrian people); 2021 Press Release, p. 2 (announcing sanctions designations for eight Syrian prisons run by the Assad Regime’s intelligence apparatus). The intelligence agencies arrested protesters and other perceived opponents on a massive scale and detained, interrogated, tortured, and murdered civilians in their respective detention centers. Baker and Üngör Rep. ¶¶ 34–35, 47; IIM Rep. ¶¶ 255–261, 300–03, 317–20.¹

AFI was known to be the intelligence agency most loyal to the Assad Regime. Baker and Üngör Rep. ¶ 37. It operated six branches in Damascus, Syria’s capital, including the AFI Mezzeh complex, where Plaintiff was held. *Id.* at ¶¶ 40–41. At the time of Plaintiff’s detention, AFI was headed by Major General Jamil al-Hassan, who is personally subject to U.S. sanctions and has been criminally indicted for war crimes committed against U.S. citizens and other detainees held at AFI Mezzeh. U.S. Dep’t of Treasury, *Specially Designated Nationals and Blocked Persons List – Jamil Hassan*, Off. Foreign Assets Control, <https://perma.cc/4B8K-N92H> (last visited Feb. 17, 2026); Indictment, *United States v. Hassan & Mahmoud*, No. 1:24-cr-00533 (N.D. Ill. Nov. 18, 2024). As the Assad Regime’s repressive campaign intensified, AFI Mezzeh gained notoriety as a key detention center for political prisoners and for the brutality of AFI agents. Baker and Üngör Rep. ¶ 48; *see also* 2016 COI Rep. ¶ 53.

C. The Assad Regime’s Use of Syrian Intelligence Agencies Against Perceived Opponents

The abuses suffered by Plaintiff during his detention formed part of a broader pattern of widespread torture, arbitrary detention, brutality, and repression perpetrated by the Assad Regime’s security forces, including AFI officials. This section makes findings on the system of torture employed by the Assad Regime within AFI Mezzeh, before turning to Plaintiff’s experience.

¹ *See also, e.g.*, Al-Fakir Decl. ¶¶ 2, 8, Dkt. 56-9 (arrested and tortured for involvement in protests); Al-Abdullah Decl. ¶ 2, Dkt. 56-11 (arrested for planned coordination and documentation of protests); Halema Decl. ¶¶ 2–3, Dkt. 56-12 (arrested for involvement in protest); Ahsoon Decl. ¶¶ 2–3, Dkt. 56-15 (same).

i. Physical and Psychological Abuse

AFI officials engaged in widespread and systematic use of physical and psychological brutality at AFI Mezzeh. Officials routinely subjected new detainees to a “welcome party,” typically consisting of severe beatings, threats, and various forms of humiliation. *See* Nassar Decl. ¶¶ 9–10, Dkt. 56-17; Sawan Decl. ¶¶ 7–8, Dkt. 56-18; Al-Barjas Decl. ¶ 4, Dkt. 56-23; SJAC.W006 Decl. ¶¶ 7–8, Dkt. 56-33; *see also* IIM Rep. ¶ 14, ¶¶ 106–07 (noting pattern of “welcome parties” in security branch detention facilities); 2025 COI Rep. ¶ 139 (same). AFI agents routinely beat detainees in sensitive areas—including the soles of their feet (a practice known as *falanga* or *falaqa*), genitals, and face—using objects such as sticks, hoses, electric cables, whips, and iron rods. IIM Rep. ¶¶ 104–42 (detailing physical and mental abuse by the Assad Regime); State Dep’t Rep. at 6–8 (same); 2025 COI Rep. ¶ 137 (noting the Assad Regime’s use of beatings by various objects).² For example, Mr. Hamoud testified that, several times, guards put him out in the snow in his underwear and “hit me on my leg and on my body with a plastic tube, a green one.” Testimony of Mahmoud Hamoud, Tr. 133:25–134:17. Similarly, Mr. Darwish described being

² *See also* Al-Fakir Decl. ¶ 10, Dkt. 56-9 (sticks); Sawan Decl. ¶ 12, Dkt. 56-18 (same); Al-Najjar Decl. ¶ 15, Dkt. 56-10 (same); SJAC.W009 Decl. ¶ 38, Dkt. 56-36 (same); Hussein Decl. ¶ 15, Dkt. 56-29 (silicone stick and plumbing parts); Quraitem Decl. ¶ 15, Dkt. 56-19 (hoses, pipes); Al-Abdullah Decl. ¶¶ 10–11, Dkt. 56-11 (electric baton, plastic pipes, cables); Halema Decl. ¶¶ 8, 12, 19, Dkt. 56-12 (sticks, hoses, electric cables, whips, pipes); Hamada Decl. ¶¶ 7, 16, Dkt. 56-13 (hoses, electric cables); Ahsoon Decl. ¶ 11, Dkt. 56-15 (pipes); SCM.011 Decl. ¶¶ 58–59, Dkt. 56-16 (sticks, hoses, whips, pipes, electric cables); Al-Barjas Decl. ¶ 4, Dkt. 56-23 (hoses); Fares Decl. ¶ 7, Dkt. 56-24 (sticks, pipes); Awad Decl. ¶ 22, Dkt. 56-26 (heated metal rod); Muhiddin Decl. ¶ 16, Dkt. 56-27 (whips); SJAC.W002 Decl. ¶¶ 5, 13, Dkt. 56-30 (pipes); SJAC.W005 Decl. ¶ 18, Dkt. 56-32 (cables); Al-Kas Decl. ¶ 7, Dkt. 56-21 (cables, pipes); SJAC.W004 Decl. ¶¶ 10, 14, Dkt. 56-31 (sticks, cables, whips). For descriptions of *falanga*, *see* Ahsoon Decl. ¶¶ 11 (plastic pipes); Sawan Decl. ¶ 14 (sticks, cables, and hoses); Quraitem Decl. ¶ 15 (hose and plastic pipe); SCM.020 Decl. ¶ 7, Dkt. 56-25 (sticks and plastic pipe); SJAC.W005 Decl. ¶ 13 (stick); Al-Saadi Decl. ¶ 16, Dkt. 56-14 (beaten on feet then ordered to stand and jog in place while interrogators poured water on feet). For beating on genitals, *see* SCM.023 Decl. ¶ 9, Dkt. 56-28 (electric shock to genitals); bin Abdullah Decl. ¶ 14, Dkt. 56-34 (same); SJAC.W009 Decl. ¶ 40 (beaten on genitals). For beating on face, *see* Ahsoon Decl. ¶ 11 (plastic pipes to face); Muhiddin Decl. ¶ 16 (torture marks on face); SJAC.W004 Decl. ¶ 13 (observed another detainee being kicked in face until death, causing “fractures in skull and jaw and a mangled face”); SJAC.W006 Decl. ¶ 12 (kicked in face with heel of shoe).

beaten with a plastic stick “many time[s],” “[e]specially [o]n my foot and legs, but also on my back and hands[.]” Testimony of Mazen Darwish, Tr. 148:4–20.

Detainees at AFI Mezzeh were subjected to, and often witnessed, the practice of *shabeh*—being suspended by their wrists from a wall or ceiling in excruciating positions, often for hours at a time. *See* Testimony of Mazen Darwish, Tr. 148:24–149:9; Testimony of Mahmoud Hamoud, Tr. 136:8–20; Baker and Üngör Rep. ¶¶ 56–57; IIIM Rep. at 41 (detailing the use of *shabeh* by the Assad Regime generally); State Dep’t Rep. at 6 (same); 2025 COI Rep. ¶¶ 149–152 (same).³ Additional forms of torture included electric shocks, burning of the body with cigarettes, extraction of teeth and nails, dousing with boiling or freezing water (frequently following beatings or electrocution), being forced to stand up for hours or days, and prolonged exposure to extreme heat or cold. Baker and Üngör Rep. ¶¶ 52–61; 2025 COI Rep. ¶¶ 143–148.⁴ Mr. Hamoud testified, for example, that during one interrogation an officer “put the electricity cable . . . in the wall, as a

³ *See also* Halema Decl. ¶ 14 (hung by hands for 9 hours, and being beaten every guard who passed by); Al-Najjar Decl. ¶ 26 (suspended and forced to stand for hours in snow, causing long term loss of sensation in hands); Al-Abdullah Decl. ¶ 8 (suspended with friend outdoors overnight); Ahsoon Decl. ¶¶ 5, 25 (two days watching other detainees be severely beaten and suspended); Sawan Decl. ¶ 14 (suspension by chains on numerous occasions during an 80 day period); Al-Kas Decl. ¶ 7, Dkt. 56-21 (suspension for three days while being beaten); Fares Decl. ¶ 19 (suspension during 10–14 hour interrogations while beaten and shocked); SCM.023 Decl. ¶ 9 (suspended, beaten, and shocked over a week, ending in lost consciousness); SJAC.W004 Decl. ¶ 10 (suspension in various positions, including with hands tied behind back); SJAC.W009 Decl. ¶ 21 (suspended half a meter above ground and then forced to swing while being beaten).

⁴ *See also* Al-Abdullah Decl. ¶¶ 3, 10, 20 (forced to stand for a week); Halema Decl. ¶ 6 (shocked with electric batons and beaten with electrical wires, hoses, and plastic pipes); SCM.011 Decl. ¶¶ 18, 57, Dkt. 56-16 (water poured on detainee and electrically shocked, beaten in tire, suspended and humiliated); Al-Kas Decl. ¶¶ 3, 7–8 (beaten with iron rods and electrocuted); Maatouq Decl. ¶¶ 11, 34, Dkt. 56-22 (teeth pulled with plumbing pliers and head struck with baton); Al-Barjas Decl. ¶ 10 (stood on head, electrocuted, and whipped); Fares Decl. ¶ 19 (electrocuted and beaten on body and feet while suspended, using sticks, whips, and plastic pipes); SCM.020 Decl. ¶ 14 (electrocuted by wires attached to hands and feet and suspended); SCM.023 Decl. ¶¶ 9, 12, 30 (electrocuted in genitals, suspended, burned with cigarettes and electricity, beaten, beard plucked, nails extracted); Hussein Decl. ¶ 8 (burned and beaten); SJAC.W002 Decl. ¶¶ 12–13 (electrocuted on fingers and toes causing bleeding in eyes and temporary blindness); bin Abdullah Decl. ¶ 14 (electrocuted on genitals and salt poured in mouth when screamed); Sawan Decl. ¶¶ 8, 20–21 (burned by cigarette, teeth extracted with pliers, forced to stand and suspended outdoors until lost consciousness; doused with hot water); Al-Najjar Decl. ¶¶ 20, 26 (forced to stand naked outdoors in frigid conditions and suspended); Al-Fakir Decl. ¶ 13 (boiling water poured onto flayed foot); Nassar Decl. ¶ 21, Dkt. 56-17 (beaten and forced to stand); SJAC.W004 Decl. ¶ 11 (left in freezing cold for 36 hours and semi-conscious as result); bin Abdullah Decl. ¶ 63 (drenched in freezing water, which resulted in death for some cellmates).

means of electricity, and he started to put it on my body.” Testimony of Mahmoud Hamoud, Tr. 134:18–135:11.

Even children were subjected to extreme physical and psychological abuse. Plaintiff described “listen[ing] to one boy who was, like, asking, ‘please [uncle]’ And then he was getting hit with pipe on his body . . . he was screaming and asking for his momma.” Testimony of Obada Mzaik, Tr. 33:7–13.⁵

Rape and other forms of gender-based violence were rampant at AFI Mezzeh. Detainees reported suffering and observing several forms of sexual violence during their detention, including anal rape, rape with objects, and the rape of children. IIM Rep. ¶¶ 115–18, 124–127; *see also* State Dep’t Rep. at 6–7 (noting the Regime forces’ use of rape and forcing prisoners to witness rape); 2025 COI Rep. ¶¶ 177–178 (noting the same at AFI Mezzeh).⁶ In one instance, guards raped a former detainee’s mother, sister, and sister-in-law in front of him and then raped him in front of his family. Al-Kas Decl. ¶ 33.

Guards also regularly beat, mutilated, and electrocuted detainees’ genitals.⁷ Ms. Al-Qadri described how, during an interrogation, the guard:

[G]ot up from his desk and picked a taser and started asking me questions. As he was tasing me, if he didn’t like the answers. . . . And he used the taser on my arms, on my thighs. Throughout this time I was pleading for my life. I was begging for mercy. . . . He used it on the upper side of my breasts as well. And then he threatened . . . with using it between my legs.

⁵ *See also* Al-Kas Decl. ¶¶ 17, 29–30 (molestation and torture of children); SJAC.W004 Decl. ¶ 14 (detention of 15-year-olds who were tortured and raped with an iron rod until they bled); SJAC.W006 Decl. ¶ 27 (torture of 14-year-old); *see also* IIM Rep. ¶¶ 107, 114, 117–18, 122, 133–34 (noting the torture of children, generally).

⁶ *See also* SCM.011 Decl. ¶ 73 (multiple instances of women being raped by guards); Sawan Decl. ¶ 26 (rape of girl in dormitory yard); SJAC.W004 Decl. ¶ 14 (two boys raped with iron rod until they bled); Al-Kas Decl. ¶ 17 (soldier regularly molested young men); Zahlout Decl. ¶ 7, Dkt. 56-8 (soldier used a knife to rip off all a woman’s clothes); Seif Rep. ¶¶ 75, 87, 93–98, Dkt. 56-41.

⁷ *See also* SCM.011 Decl. ¶¶ 61, 63 (electrocuted on penis until penis bled and strapped onto a metal chair with fire underneath such that his buttocks were severely burned); Sawan Decl. ¶ 15 (left with severe genital swelling from torture and beatings); Quraitem Decl. ¶ 8 (hit on “sensitive areas”); SCM.023 Decl. ¶¶ 9, 15 (guards crushed his testicles and electrocuted genitals); bin Abdullah Decl. ¶ 14 (officers electrocuted his genitals); SJAC.W009 Decl. ¶ 40 (hit on genitals); Bulldozer Driver Decl. ¶ 45, Dkt. 56-3 (electrocuted on testicles).

Testimony of Yaman Al-Qadri, Tr. 100:3–13.

Guards also subjected detainees to unnecessarily invasive cavity searches, forced nudity, and threats of sexual assault. *See* Testimony of Obada Mzaik, Tr. 31:1–3; IIIM Rep. ¶¶ 115, 124; 2025 COI Rep. ¶¶ 217, 233, 263; Pérez-Sales Rep. ¶ 2.3.1, Dkt. 56-40; Seif Rep. ¶¶ 78–79, 87–88; Grossman Rep. ¶¶ 37–38.⁸ During an interrogation, a guard threatened Ms. Al-Qadri, “[y]ou don’t like this? You don’t like what you are hearing? Do you want me to take you down to my guards to rape you?” Testimony of Yaman Al-Qadri, Tr. 100:19–101:4.

AFI agents frequently threatened detainees’ families with extreme harm. Baker and Üngör Rep. ¶ 64.⁹ For example, Mr. Darwish testified that during one interrogation, a guard threatened to “bring [Mr. Darwish’s] wife here and rape her.” Testimony of Mazen Darwish, Tr. 147:14–19. As Dr. Pérez-Sales explained, “threats, especially threats to relatives, are very effective, because they produce insurmountable anguish. . . . Imagining what can happen produces more fear than actually when the pain begins.” Testimony of Dr. Pau Pérez-Sales, Tr. 67:16–23.

⁸ *See also* SCM.011 Decl. ¶ 57 (threatened girl with rape); Al-Kas Decl. ¶¶ 5, 16 (threatened women with marriage jihad (jihad al-nikah) and tore their clothes), ¶ 31 (heard woman being ordered to take her clothes off before torture); Muhiddin Decl. ¶¶ 9, 22 (subjected to sexual harassment through gestures by guards); SJAC.W004 Decl. ¶ 30 (threatened with rape and sexual assault); Halema Decl. ¶ 7 (forced to undress and cavity searched); Hamada Decl. ¶ 7 (cavity searched); Awad Decl. ¶ 6 (“Brigadier General Ahmad Alia was the branch head He personally conducted body searches of detained women and girls in a humiliating, degrading, and indecent manner.”); SCM.020 ¶¶ 6, 20 (strip searched and hijab was thrown in the toilet); SJAC.W006 ¶ 7, 11, 14, 31 (witnessed a naked woman being tortured by suspension from hair); Fares Decl. ¶ 6 (forced to strip naked and had photos taken, then noted that “[t]hroughout my detention at the [AFI] Branch, I remained stripped of all clothing except my underwear”); SCM.023 Decl. ¶ 20 (suspended naked); SJAC.W005 Decl. ¶ 4 (“intimately searched”); Al-Najjar Decl. ¶ 9 (strip searched and beaten); Al-Abdullah Decl. ¶ 5 (stripped and personal effects confiscated); Sawan Decl. ¶ 10 (strip searched and verbally abused); Quraitem Decl. ¶ 13 (forced to remove all clothing, including underwear); Buqai Decl. ¶ 6, Dkt. 56-20 (strip searched); bin Ibrahim Decl. ¶ 11, Dkt 56-35 (searched while naked); SJAC.W009 Decl. ¶ 10 (stripped and beaten with feet and rifles).

⁹ *See also* Duhaime Rep. ¶ 30, n.57, Dkt. 56-38 (noting pattern of detentions as a result of “confessions” obtained through torture of friends, family, and acquaintances); 2025 COI Rep. ¶¶ 233–37 (describing use of insults to family members as a tactic of intimidation or coercion); Maatouq Decl. ¶¶ 35, 37 (threat to cut off wife’s tongue); Awad Decl. ¶ 5 (threat to kill her family); SCM.023 Decl. ¶ 23 (threat of sexual violence against family); SJAC.W004 Decl. ¶ 15 (father imprisoned simply because of sons’ confessions); SJAC.W005 Decl. ¶¶ 9–10, 12 (threatened with harm to mother and sister); bin Ibrahim Decl. ¶ 27 (threatened wife); Grossman Rep. ¶¶ 34, 36 (threats to family can constitute torture); IIIM Rep. ¶ 131 (insults to make husband think his wife was raped).

Mock executions, death threats, and the sounds of torture similarly instilled a constant fear of imminent violence in detainees. Baker and Üngör Rep. ¶ 63; 2025 COI Rep. ¶ 219.¹⁰ According to the U.N., “on a daily basis, detainees were exposed to the cries and screams and sight of other detainees being tortured, which comprised mental harm in itself, and also constituted a threat of what detainees could face themselves at any moment.” IIM Rep. ¶ 120; *see also* 2025 COI Rep. ¶ 218; Pérez-Sales Rep. ¶¶ 28–34; Baker and Üngör Rep. ¶¶ 64–65.¹¹ Ms. Al-Qadri confirmed this, stating, “[t]he worst—for me, the most disturbing and upsetting sound was not the interrogators particularly cursing or screaming . . . it was mainly the screams of the detainee pleading for mercy.” Testimony of Yaman Al-Qadri, Tr. 107:1–5. Mr. Darwish similarly recounted, “[w]hen they took me out to this very small yard for torture, I [was] able to hear many other prisoners tortured . . . [I]t’s a kind of torture, method of torture, and [I] always fe[lt] fear

¹⁰ *See also* Sawan Decl. ¶ 23 (placed in coffin and told going to die); SCM.011 ¶ 45 (threatened to throw detainee from plane); Gravedigger Decl. ¶ 21, Dkt. 56-4 (believed Regime would kill him).

¹¹ *See also* Halema Decl. ¶¶ 4, 6, 13 (suffered collective beatings and witnessed “a room full of detainees . . . [s]ome were suspended by their hands . . . [o]thers suspended by their feet, and one person appeared to be dead, lying on the ground with his face covered in blood”); Hamada Decl. ¶¶ 12–13, 16 (witnessed detainees return from interrogation with bruises, bleeding, and unable to walk); Ahsoon Decl. ¶¶ 9, 25 (overheard screams and watched guard blind detainee); SCM.011 Decl. ¶ 74 (overheard guards beat and humiliate wife in front of husband while husband screamed); Nassar Decl. ¶ 17 (heard sounds of beating and screaming); Quraitem Decl. ¶¶ 10, 18 (same); Sawan Decl. ¶¶ 15, 26, 30 (*inter alia* forced to witness rape of woman); Buqai Decl. ¶¶ 8, 11 (treated gaping wound of fellow detainee); Al-Kas Decl. ¶¶ 16–17, 31–33 (witnessed and heard sexual assault of young men, as well as women being tortured with a tire while guards shouted at them and tore their clothes); Maatouq Decl. ¶ 16 (witnessed detainees bleeding and the death of two others); Al-Barjas Decl. ¶¶ 9, 13 (heard screams and witnessed guards torture man whenever he had epileptic seizures); Fares Decl. ¶ 21 (witnessed repeated denial of medical aid to elderly detainees suffering from diabetes, hypertension and other conditions); Awad Decl. ¶¶ 7, 14, 22, 29–30 (heard screams “around the clock” and described husband tortured in front of his wife); Muhiddin Decl. ¶¶ 14–17 (forced to watch torture to elicit confession, and listened to torture 24 hours a day); SCM.023 Decl. ¶¶ 10, 23, 25, 30 (shown corpses and “heard the sounds of women and children being tortured”); Hussein Decl. ¶¶ 19–21 (watched guards “violently beat everyone in the dormitory” and suspend a 14-year-old child in the dormitory door); SJAC.W002 Decl. ¶¶ 8, 18 (“haunted” by the “unbearable” memory of teen boy’s torture); ¶¶ 21–22; SJAC.W004 Decl. ¶ 12 (heard fellow detainees’ “groans and pleas”); SJAC.W006 Decl. ¶¶ 8–9, 14, 18, 27 (saw fellow detainees, including 50-year-old woman and child, suspended, heard their screaming); bin Abdullah Decl. ¶¶ 25–26, 64 (heard sounds of torture and witnessed fellow detainee receive a “kick to his chest that caused his immediate death”); bin Ibrahim Decl. ¶¶ 22–23 (sounds of torture used as psychological torture); SJAC.W009 Decl. ¶¶ 20, 34, 49 (forced to watch another detainee be burned with a hot knife and guards forced detainees to torture each other); Zahlout Decl. ¶ 9 (constant sounds of torture constituted “severe psychological torture”).

[for] when they will start beating me or maybe I am the next[.]” Testimony of Mazen Darwish, Tr. 150:12–151:7.

The detention conditions at AFI Mezzeh were abysmal. *See* State Dep’t Rep. at 8–10 (detailing conditions in Syrian detention centers generally); IIIM Rep. ¶¶ 61–93 (same); 2025 COI Rep. ¶ 198; 2016 COI Rep. ¶ 26. Cells were overcrowded,¹² unhygienic,¹³ infested with lice, cockroaches, and scabies,¹⁴ and had extreme temperatures.¹⁵ *See* 2025 COI Rep. ¶¶ 202, 207–210 (noting overcrowding at AFI Mezzeh and unsanitary conditions in Syrian prisons generally). Describing his cell at AFI Mezzeh, Mr. Darwish testified, “[t]he condition is very bad. There’s no clean air, and . . . they don’t give showers There is a lot of skin illness and many small bugs on the body and the hair.” Testimony of Mazen Darwish, Tr. 151:17–22.¹⁶ Guards deliberately

¹² *See* Zahlout Decl. ¶ 8 (multiple detainees in 2m x 2m cell); Al-Fakir Decl. ¶ 3 (1m x 1.5m cell held 12 detainees); Al-Najjar Decl. ¶¶ 11, 13, 23–24 (cells were so small detainees had to alternate shifts between sitting and standing); Al-Abdullah Decl. ¶¶ 6, 16, 22 (cell was so small that they had to sleep in shifts because there was not enough room to lie down); Halema Decl. ¶¶ 10, 18–19 (10m x 3m cell contained 125 detainees); Hamada Decl. ¶¶ 8, 11 (40 square meters with 120 detainees); Al-Saadi Decl. ¶¶ 10, 24–27 (100–140 detainees in a 60m–70m hall); Ahsoon Decl. ¶ 22 (approximately 70 detainees in an approximately 5m x 6m cell); SCM.011 Decl. ¶¶ 50, 71 (22 detainees in a 3m x 3m cell; 23 detainees in a 2m x 1m cell where only one third could lay down to sleep at a time); Nassar Decl. ¶¶ 13, 16, 18–19 (multiple overcrowded cells each measuring at or less than 8m x 4m); Sawan Decl. ¶¶ 12, 17 (never fewer than 80 detainees in a 12m x 5m cell; 40 detainees in a 3m x 2m cell); Quraitem Decl. ¶¶ 12–13 (20 detainees in a 4m x 6m cell); Al-Kas Decl. ¶ 5 (8 detainees in a 1m x 1.5m cell, unable to sit or sleep); Maatouq Decl. ¶¶ 9–10 (placed in 1.65m x 2.5m x 3m cell); Al-Barjas Decl. ¶ 4 (17 detainees in a 5m x 5m cell); Fares Decl. ¶ 8 (25–30 detainees in a 4m x 3m cell); SCM.020 Decl. ¶ 20 (four detainees in a 2m x 1m cell); Awad Decl. ¶¶ 19–20 (small cell with 20 women, elderly people, and children who were forced to alternate sleeping on side and standing); Muhiddin Decl. ¶ 27 (12–35 detainees in a 3m x 2m cell); SCM.023 Decl. ¶ 7 (14 detainees in a 1m x 2m cell); Hussein Decl. ¶¶ 12–13, 17 (25 detainees in a 3m x 4m cell; 13 detainees in a 2m x 1.5m cell); SJAC.W002 Decl. ¶ 6 (~80 detainees in a 3m x 3m cell); SJAC.W004 Decl. ¶ 9 (70–90 detainees in a 6m x 6m cell); bin Abdullah Decl. ¶¶ 4, 21, 39 (6–13 detainees in 2m x 1.5m cells; 100 detainees in a 4m x 5m cell); SJAC.W009 Decl. ¶ 24 (250m long cell so overcrowded that “standing there was very difficult”).

¹³ *See* Al-Fakir Decl. ¶ 6 (“extreme filth” leading to diarrhea and scabies); Muhiddin Decl. ¶ 19 (walls and floor awash with feces); SJAC.W006 Decl. ¶ 24 (cell was full of decaying corpses and worms); SJAC.W009 Decl. ¶ 30 (corridors were filled with 2 cm of urine).

¹⁴ *See* Al-Fakir Decl. ¶ 6 (scabies); Al-Abdullah Decl. ¶ 29 (scabies and lice); Al-Kas Decl. ¶ 39 (same); SCM.020 Decl. ¶ 22 (cockroaches); SJAC.W002 Decl. ¶ 16 (scabies and lice); SJAC.W009 Decl. ¶ 45 (rats, cockroaches, and bedbugs); Ahsoon Decl. ¶ 17 (scabies); Fares Decl. ¶ 21 (same).

¹⁵ *See also* SCM.023 Decl. ¶ 20 (“scorching hot in summer and bitterly cold in winter”); bin Abdullah Decl. ¶ 63 (cold and wet blankets resulted in sickness and death); SJAC.W009 Decl. ¶ 30 (sleep on cold marble).

¹⁶ *See also* Al-Abdullah Decl. ¶ 14 (allowed to shower only once in approximately a year with no soap); Ahsoon Decl. ¶ 17 (no showering allowed); Fares Decl. ¶ 21 (permitted one two minute shower); Hussein Decl. ¶ 21 (only allowed to shower once during detention); SJAC.W002 Decl. ¶ 19 (cellmate’s oozing infection emanated odors that made the cell smell of a dying animal).

withheld food and water, and when provided, the food was often contaminated—sometimes urinated on by guards or infested with insects. *See id.* at 152:6–7; Baker and Üngör Rep. ¶ 71; Grossman Rep. ¶ 41.¹⁷ Food deprivation resulted in the “deterioration of detainees’ general health condition and reduc[ed] their ability to recover from injuries.” 2016 COI Rep. ¶ 27.

Despite rampant injuries, illnesses like diarrhea and scabies, and other medical needs, guards rarely provided medical care. Testimony of Mazen Darwish, Tr. 152:5–9, Baker and Üngör Rep. ¶ 52 n.28 (after torture, “[d]etainees were brought back to their cells by the guards with open wounds, swollen limbs, hemorrhaging and left without medical care”). Indeed, “[t]he risks posed to the health and lives of the detainees by the nature of the environment in which they were held were compounded by often non-existent or inadequate medical assistance offered, making otherwise treatable conditions fatal.” 2016 COI Rep. ¶ 29; IIIM Rep. ¶ 75 (explaining that poor hygiene and rotten food led to diarrhea, which caused many deaths when left untreated).¹⁸

¹⁷ *See also* Al-Najjar Decl. ¶¶ 14, 25 (only source of drinking water was in lavatory and “always felt hungry”); Al-Abdullah Decl. ¶¶ 25, 30 (only two loaves of bread per person a day); Halema Decl. ¶ 20 (food portions suitable for four people split between 15 people); SCM.011 Decl. ¶¶ 35, 53 (rampant malnutrition); Sawan Decl. ¶ 31 (food was “poor in quality and quantity”); Al-Kas Decl. ¶ 17 (“severe hunger”); Maatouq Decl. ¶ 21 (“insufficient” food and drinking water only available in bathrooms); Al-Barjas Decl. ¶ 7 (limited portions); Fares Decl. ¶¶ 11, 26 (“[M]y body was extremely emaciated.”); Awad Decl. ¶ 15 (food was “very poor and dirty”); Muhiddin Decl. ¶ 23 (food was full of bugs); SCM.023 Decl. ¶¶ 16, 22 (one liter of water shared among 14 detainees; at one point he was so dehydrated he tried to suck water from his wounds); SJAC.W006 Decl. ¶¶ 19, 28, 32 (deprived of food for many days at a time and detainees became “skeletons”); bin Abdullah Decl. ¶ 5 (“severe thirst”); Bulldozer Driver Decl. ¶ 37 (the bodies he buried were emaciated); IIIM Rep. ¶ 72 (detainees forced to drink water from shared toilet faucet or sink using their hands or one small, dirty cup); SJAC.W004 Decl. ¶ 19 (guards would urinate on cell floor and make detainees eat bread soaked with their urine); Awad Decl. ¶ 27 (health deteriorated due to malnutrition and food infested with cockroaches).

¹⁸ *See also* SJAC.W009 Decl., ¶¶ 30, 46 (contracted scabies); Al-Fakir Decl. ¶ 13 (widespread torture in detention hospital led to death of at least one detainee); Al-Abdullah Decl. ¶¶ 25, 29 (“no treatment or medication for the sick”); Al-Saadi Decl. ¶¶ 22–23 (beaten in the hospital); Ahsoon Decl. ¶ 17 (prohibited from showering leading to contraction of scabies; receiving no medical care); SCM.011 Decl. ¶ 78 (the hospital was a “human slaughterhouse rather than a hospital” as “most detainees were tortured and killed there”); Al-Kas Decl. ¶¶ 41–48 (tortured while hospitalized and saw a doctor murder a sick detainee); Maatouq Decl. ¶¶ 26–38 (beaten in the hospital and almost had leg amputated); Al-Barjas Decl. ¶ 14 (medical care denied to a man who broke his hand); Fares Decl. ¶ 21 (diabetics denied insulin); Awad Decl. ¶ 27 (dead person in her hospital room); Muhiddin Decl. ¶ 21 (no medical care except cetamol pills); SJAC.W002 Decl. ¶¶ 9, 17 (denied insulin at first, and then given one dose with a dirty needle); bin Abdullah Decl. ¶¶ 61–63 (deaths due to untreated infection); Sawan Decl. ¶ 33 (no medical care); Buqai Decl. ¶ 11 (provision of inadequate medical supplies for detainee to use on fellow detainee).

ii. *Intent of the Abuse*

Guards employed this physical and psychological brutality, including both interrogations and the pattern of inhumane conditions, to obtain information and confessions about alleged anti-Assad Regime conduct or associations. The brutality was “intentional, systematic, and intended to punish, intimidate, coerce, and discriminate.” IIM Rep. ¶ 61; Baker and Üngör Rep. ¶¶ 47–48 (describing Plaintiff’s experience as “characteristic of the Assad regime’s repressive strategy”); Seif Rep. ¶ 75 (humiliation, fear, and shame were weaponized intentionally); 2025 COI Rep. ¶¶ 221–237 (describing the purposes and methods used).¹⁹ For example, Ms. Al-Qadri testified that AFI agents interrogated her about her political activities and connections at her school campus. Testimony of Yaman Al-Qadri, Tr. 108:23–112:16. Similarly, Mr. Hamoud testified that AFI interrogators asked him about his involvement in protests and his possession of weapons, ultimately falsely accusing him of bringing a machine gun to a protest. Testimony of Mahmoud Hamoud, Tr. 131:21–133:13.

iii. *Impact of the Abuse*

Many detainees experienced long-term physical trauma, including persistent disabilities (such as herniated disks, severe burns, and permanent vision loss) and chronic health conditions that impaired independent living for years post-release. *See, e.g.*, Seif Rep. ¶¶ 111–112; Baker and Üngör Rep. ¶¶ 73, 75; 2021 COI Rep. ¶¶ 78–82 (describing long-term impacts of detention on survivors).²⁰

¹⁹ *See also* Al-Abdullah Decl. ¶¶ 8, 12 (*shabeh* for denying charges); Quraitem Decl. ¶¶ 14–17 (interrogated about participation in demonstrations); Al-Barjas Decl. ¶¶ 10, 12 (tortured due to video of participation in demonstration and forced to sign charges); Ahsoon Decl. ¶¶ 10–11 (questioning about demonstrations); Fares Decl. ¶¶ 13, 20 (accusation of being Israeli agent); SCM.011 ¶¶ 61, 65–66 (shock torture to genitals and fingernails removed to force confession); SCM.023 ¶ 15 (various torture methods for identification); SJAC.W005 Decl. ¶ 7 (200 slaps and kicks for names); SJAC.W006 Decl. ¶ 21 (extensive questioning).

²⁰ *See also* Al-Najjar Decl. ¶ 19 (“diseases and ailments” from detention, including herniated disk and nerve pain, “still accompany me to this day”); SCM.011 Decl. ¶ 63 (burn sites from torture still hurt, bleed, and peel); Sawan Decl.

The psychological torture inflicted on detainees by the Assad Regime also resulted in severe and lasting mental health consequences, including nightmares, flashbacks, insomnia, depression, and PTSD that frequently hinder former detainees' ability to work, care for their families, and engage in society. *See* Testimony of Yaman Al-Qadri, Tr. 121:13–122:8; Testimony of Dr. Pau Pérez-Sales, Tr. 63:24–64:20; Pérez-Sales Rep. ¶¶ 16, 23–24, 27, 34, 41, 43; Seif Rep. ¶¶ 118–122; Baker and Üngör Rep. ¶ 75; Al-Najjar Decl. ¶ 26; SJAC.W009 Decl. ¶ 50.

The detention, disappearance, and torture of individuals in Syria also inflicted devastating, ongoing harm on detainees' families. *See* Testimony of Yaman Al-Qadri, Tr. 112:17–113:15, 120:2–20; Testimony of Mahmoud Hamoud, Tr. 139:9–17. Relatives suffered deep psychological trauma due to the loss, uncertainty, and fear surrounding the fate of their loved ones. *See* Seif Rep. ¶ 38; Baker and Üngör Rep. ¶ 77, Duhaime Rep. ¶¶ 34–42. Families were often subjected to harassment, threats, extortion, and even violence by Assad Regime forces. Seif Rep. ¶¶ 30–32, 43, 49; Duhaime Rep. ¶¶ 26–27, 29.²¹ Indeed, “[t]he Syrian Government’s intentional withholding of information regarding the true fates of thousands of detainees who have disappeared into the Government detention system continues to inflict severe suffering on their family members every day.” IIM Rep., ¶ 16. These emotional and financial harms persist for years beyond detention. For example, Plaintiff’s sister continues to have panic attacks as a result of Plaintiff’s detention, and Plaintiff continues to feel guilty because he could not get his cousin released from detention. Testimony of Obada Mzaik, Tr. 45:5–23.

¶¶ 37, 40–41 (nerve damage, removal of teeth, and ongoing nightmares following detention); Quraitem Decl. ¶ 7 (remaining cartilage damage to knee); Maatouq Decl. ¶ 41 (bedridden and unable to care for self for two years after release); SJAC.W002 Decl. ¶ 12 (temporary blindness and ongoing vision problems from torture by electric shocks).
²¹ *See also* Maatouq Decl. ¶¶ 35–37 (threat to arrest son and wife and to cut off wife’s tongue); Awad Decl. ¶ 5 (threat to kill family); SCM.023 Decl. ¶ 23 (thinly veiled threat to rape wife); SJAC.W005 Decl. ¶¶ 9–12 (threat to arrest family); bin Ibrahim Decl. ¶ 27 (same).

The systematic and widespread use of detention, torture, and enforced disappearance by the Assad Regime has devastated Syrian society. *See* Baker and Üngör Rep. ¶ 72. These abuses resulted in collective trauma, driving activists and former detainees into exile or silencing those who remained out of fear for themselves and their families. *See id.* ¶¶ 75, 77–78. Ms. Al-Qadri, for example, testified that she would have stayed in Syria after her release, but “my parents would not have allowed [this] and I didn’t want them to live through this anymore.” Testimony of Yaman Al-Qadri, Tr. 121:3–8. The massive scale of the Assad Regime’s brutal abuses terrorized the general population, undermined social cohesion, and fueled economic and sectarian instability. Baker and Üngör Rep. ¶ 28.

D. Plaintiff’s Detention and Torture at AFI Mezzeh

Plaintiff is one of the Assad Regime’s many victims. Plaintiff was born in Columbus, Ohio in 1990. Testimony of Obada Mzaik, Tr. 18:4–10; *see also* Dkt. 68, Ex. 8 (Passport of Obada Mzaik). In 1994, when Plaintiff was four years old, he and his family moved to Syria after his father finished his PhD in electrical engineering at Ohio State University. Testimony of Obada Mzaik, Tr. 18:11–14, 48:2–10. Plaintiff grew up and attended school in Syria. *Id.* at 48:23–24, 49:10–50:6.

First Detention:²²

In 2011, when the Arab Spring began, Plaintiff was a student at Yarmouk Private University in Damascus studying for a civil engineering degree. *Id.* at 18:15–17; 48:25–49:7. In June 2011, Plaintiff and a friend went to the Damascus University library to conduct research. While there, Plaintiff saw a group of students engaging in peaceful protests against the Assad

²² The following section provides a short background regarding Plaintiff’s first detention at the hands of the Assad Regime to (i) demonstrate the systemic nature of the Assad Regime’s abuses, and (ii) provide additional context regarding both Plaintiff’s return to Syria and the pronounced psychological impacts of his second detention in 2012. However, Plaintiff’s 2011 kidnapping and detention is not the basis for the present judgment.

government. *Id.* at 18:21–19:8. Shortly thereafter, Plaintiff saw other students who he believed to be members of the National Union of Syrian Students (a Regime-affiliated student union group of Regime-loyalists) approach the protesters. *Id.* at 19:9–19. The student union members began attacking the protesters, hitting and beating them and causing them to flee. *Id.* at 19:13–15. Plaintiff saw a student protester call out for help and felt compelled to intervene, in part because he had seen another man being severely beaten by Syrian security forces a few weeks prior but had been unable to help. *Id.* at 19:22–20:22. However, when Plaintiff tried to help the student, Syrian security forces captured Plaintiff, leading to his first detention at the hands of the Assad Regime. *Id.* at 20:22–25.

After his capture, Syrian security forces transferred Plaintiff to a Military Intelligence facility known as Branch 215. *Id.* at 20:24–21:1; IIM Rep. ¶ 356. Plaintiff was held at Branch 215 for 35 days, during which he was subjected to a series of physical and mental abuses, including physical beatings, such as slaps and hits, all over his face and body. Testimony of Obada Mzaik, Tr. 20:4–14. Plaintiff was blindfolded and handcuffed in a cramped 200-square-foot cell with as many as 60 other detainees, leaving no room to lie down. While there, Plaintiff repeatedly witnessed other detainees being beaten and, in one instance, electrocuted. *Id.* at 21:21–22:7.

Ultimately, Plaintiff was released and fled Syria for Michigan. *Id.* at 22:14–18. While in Michigan, Plaintiff became active in a group called Freedom Messages for Syria, which served as a platform for members of the Syrian diaspora to encourage peaceful resistance to the Assad Regime. *Id.* at 22:21–23:8.

Second Detention:

After four months in the United States, Plaintiff decided to return to Syria to reunite with his family and finish his university degree, as he was only one semester away from graduation. *Id.*

at 23:11–15. Plaintiff was 21 years old at the time. *Id.* at 23:24–25. After repeatedly confirming that he was no longer on any wanted lists, Plaintiff flew back to Syria, arriving on the evening of January 3, 2012. *Id.* at 23:19–24:7; *see also* Dkt. 68, Ex. 8 (Passport of Obada Mzaik).

Upon his arrival at Damascus International Airport, Plaintiff presented his passport and Syrian ID to a border officer who immediately pulled him aside. Testimony of Obada Mzaik, Tr. 24:11–17. Officers then searched Plaintiff’s belongings, including his laptop, and found a small picture saying “Freedom for Obada Mzaik” which was created after Plaintiff’s first detention. *Id.* at 24:16–23. After discovering the photo, officers told Plaintiff “Oh, you need freedom?” and began slapping and hitting him on his face and body. *Id.* at 24:19–23. Plaintiff was detained at the airport overnight and then transferred to the Criminal Security Branch in Baramkeh in the morning of January 4, 2012. *Id.* at 24:25–25:11.

Plaintiff was kept at the Criminal Security Branch for roughly one day, during which time he was interrogated by officials and otherwise held in a group cell with around ten other detainees, including children. *Id.* at 25:12–22. That evening, Plaintiff was transferred to the Political Security Branch. *Id.* at 25:12–22. Upon arrival at the Political Security Branch, Plaintiff and other detainees were kept handcuffed and blindfolded and then were lined up in a corridor with their faces against the wall and threatened with beatings if they moved at all. *Id.* at 26:6–11.

After waiting in the corridor, Plaintiff was taken to Adnan Hariri, the head of interrogation at the Political Security Branch. *Id.* at 26:12–13. For the next six days, Plaintiff was held at the Political Security Branch, interrogated daily for hours at a time, and forced to turn over the passwords to his computer, phone, and social media and communication accounts. *Id.* at 25:24–26:3, 27:4–9. During interrogations, Adnan Hariri questioned Plaintiff about his involvement in Freedom Messages, which “shocked” Plaintiff because even Plaintiff’s close family did not know

about his involvement. *Id.* at 26:15–19. When not in interrogations, Plaintiff was held in complete darkness in a “filthy” and “isolated” room roughly one meter by two and a half meters. *Id.* at 27:13–22. Plaintiff felt that he “couldn’t resist” the isolation, darkness, and other conditions and described “always hitting the door . . . asking . . . to get [] out.” *Id.* at 27:18–22. The detention conditions and isolation led Plaintiff to begin refusing food in the hopes it would lead to his release. *Id.* at 27:19–22.

Eventually, Plaintiff was moved to a larger room with other detainees where he witnessed the abuse of other captives, including an elderly man kept only in his underwear, despite the freezing January weather, who was repeatedly beaten with leather lashes on his back. *Id.* at 28:2–5. On the sixth day of his detention at the Political Security Branch, Plaintiff was forced to sign a series of “confessions” without being able to see what he was signing and then was told that he was being transferred to the custody of the AFI. *Id.* at 28:8–15.

On January 10, 2012, Plaintiff was transferred to AFI Mezzeh where he remained until his release fifteen days later, on January 25, 2012. *Id.* at 28:16–18, 29:15–17, 43:14–18. At no point during his detention was Plaintiff charged with a crime, nor was he ever allowed to speak to a lawyer or a member of the U.S. Embassy. *Id.* at 43:2–9.

i. Physical Brutality at AFI Mezzeh

Officers subjected Plaintiff to a “welcome party” upon his arrival at AFI Mezzeh, beating, threatening, and humiliating him. *See id.* at 30:7–31:14. AFI agents handcuffed and blindfolded Plaintiff and then brought him to a small room. There an AFI agent choked Plaintiff so hard that the agent lifted Plaintiff’s feet from the ground and “raise[d his] full body to the wall.” *Id.* at 30:7–22. Plaintiff “thought he was going to be killed.” *Id.* at 30:22. However, before the AFI agent could kill Plaintiff, the Political Security Branch officer told the AFI agent that “[y]ou cannot kill

him until you sign the paper, the transfer paper. Then you can do whatever you want,” causing the AFI agent to stop choking Plaintiff. *Id.* at 30:18–21.

AFI agents then handcuffed Plaintiff again and dragged him to a detention center underground. They hit and kicked Plaintiff the entire way until they reached a room downstairs where agents stripped Plaintiff naked and searched him again while striking him “with a pipe, in [his] hands, legs, everywhere.” *Id.* at 30:23–31:5. After strip-searching and beating Plaintiff, AFI agents brought Plaintiff to a cell with two men dressed in military clothing. They pushed Plaintiff inside the cell and told the men that the agents got them “a []new boy to play with.” *Id.* at 31:10–14. Hearing this, Plaintiff feared that he would be raped. *Id.* at 31:15–17. He was later transferred to another group cell in AFI Mezzeh. *Id.* at 33:24–25.

Throughout his time in detention at AFI Mezzeh, AFI agents repeatedly slapped, beat, kicked, and punched Plaintiff in the face and body. *Id.* at 34:11–14, 35:20–36:1. Plaintiff suffered beatings every time he went to the bathroom or on his way to interrogations. *Id.* at 37:21–22. On one occasion, on his way to the bathroom, a guard singled out Plaintiff, taunting him that his “‘welcome party’ was not enough” and that he “wanted [Plaintiff to] get [] more hits.” *Id.* at 37:16–20. When Plaintiff returned from the bathroom, the guard then subjected Plaintiff to *falanga*, forcing Plaintiff to lie with his feet in the air while the guard beat his feet with a green PVC pipe until they were red and swollen and Plaintiff could no longer feel them. *Id.* at 37:16–38:11. After the attack, Plaintiff “couldn’t stand up afterwards for a few days.” *Id.* at 38:8–9.

AFI agents also repeatedly subjected Plaintiff to stress positions, coupled with beatings and sleep deprivation. They forced Plaintiff to kneel on the floor for an entire night with his hands bound behind his back and head facing the floor while listening to the sounds of other detainees, including his cousin, being tortured through *shabeh*. *Id.* at 35:10–36:11. Whenever Plaintiff raised

his gaze from the floor, which he did several times to try to see his cousin, guards beat him. *Id.* at 35:20–36:1. On another occasion, guards again forced Plaintiff to kneel in the corridor handcuffed with his hands behind his back, blindfolded, with his head facing the floor for hours while he was surrounded by other bound detainees waiting to be tortured. *Id.* at 37:5–13.

ii. Psychological Brutality at AFI Mezzeh

AFI agents also exposed Plaintiff to a “torturing environment of extreme gravity,”²³ that caused him “unsurmountable fear, pain, [and] humiliation.” Testimony of Dr. Pau Pérez-Sales, Tr. 71:6–19; *see also* Testimony of Obada Mzaik, Tr. 46:1–10 (describing the long-lasting psychological impacts of his detention).

“Every day and every night” of Plaintiff’s detention at AFI Mezzeh, he was forced to listen to AFI agents “punish and torture” other detainees. Testimony of Obada Mzaik, Tr. 32:2–7. Plaintiff was forced to listen to a detainee screaming as he was repeatedly beaten, subjected to *shabeh*, and doused with water, until he fell to the ground. Plaintiff explained that he could not:

[S]ee which, like, element they are using to hit [the other detainee] in the back. But [he could] listen and hear how his body react[ed] . . . can listen to his voices, how it changed from one hit to another hit . . . [until] suddenly [he] listened to his body, like, went down and . . . no more screaming from him.

Id. at 32:10–33:4.

In another instance, Plaintiff heard a child being hit with pipes, lashed, and covered with water in the freezing cold. *Id.* at 33:7–15. Plaintiff could not escape the child’s screams and cries for his mother, nor the child’s pleas for the officer, who he called *Ammu* (uncle), to stop the abuse. *Id.* at 33:7–15. Plaintiff also described being forced to watch the torture of other detainees,

²³ As Dr. Pérez-Sales explained, “[t]he concept of torture environment is trying to see all of the combination of elements, all of the accumulative elements that create an environment that produce severe suffering, enough to be considered torture.” Testimony of Dr. Pau Pérez-Sales, Tr. 65:5–8. In essence, recognizing a “torture environment” involves analyzing “all the conditions that the person is enduring, and to see all of them together, the way they combine[], the way they participate one as to the other as a global . . . torture method.” *Id.* at 65:9–12.

including detainees being beaten, subjected to *shabeh*, and forced to sit blindfolded in stress positions. *See id.* at 35:6–36:6. This torturing environment prevented Plaintiff from sleeping, leaving him “whisper[ing], clos[ing his] eyes, [and] pray[ing ...] just to make [him] not focus on what [wa]s going on outside.” *Id.* at 33:18–23.

As noted above, Plaintiff was forced to witness the torture of his cousin who was disappeared by the Regime and presumably killed in detention. *Id.* at 34:17–36:11, 45:12–15. The last time Plaintiff saw his cousin alive, the two were held in a “trap” constructed by AFI agents in an attempt to get them to implicate one another in purported crimes against the Regime. *Id.* at 34:17–25. As part of the “trap,” AFI agents subjected Plaintiff’s cousin to *shabeh* in front of Plaintiff, while Plaintiff spent the entire night kneeling in a stress position on the floor and listening to the sound of his cousin and other detainees being tortured. *Id.* at 34:17–36:11. Being forced to remain in a stress position “produce[s] a huge emotional and cognitive exhaustion” and can “break the will of a person and [] destroy a personality,” and watching a family member being tortured can lead to feeling “ashamed” or “guilty” for surviving when others did not. Testimony of Dr. Pau Pérez-Sales, Tr. 72:8–18; 74:17–24. Such “psychological traps [thus] can have a profound impact on the capacity of resilience of a person.” *Id.* at 74:13–14.

AFI agents also subjected Plaintiff to psychological abuse through threats of further assault and humiliation. Plaintiff was repeatedly threatened with beatings, death, *shabeh*, electrocution, and sexual assault, creating a constant fear that he could be killed at any point. Testimony of Obada Mzaik, Tr. 31:10–21, 34:23–25, 37:23–38:2, 44:10–13; *see also* Testimony of Dr. Pau Pérez-Sales, Tr. 67:14–68:23 (explaining that the threats in Plaintiff’s case were particularly “severe” because he “witnessed people [who] were tortured and even his cousin, who was disappeared . . . produc[ing] a loss of control and [] emphasiz[ing] the pain the person is suffering”).

Plaintiff was also stripped naked upon arrival and forced to strip to his underwear every time he went to the bathroom, causing Plaintiff to experience feelings of “humiliation” and “a special vulnerability.” Testimony of Dr. Pau Pérez-Sales, Tr. 73:23–74:9. This mandatory stripping was particularly brutal given the freezing temperatures in January. Testimony of Obada Mzaik, Tr. 31:1–3; 41:5–10; *see also* Testimony of Dr. Pau Pérez-Sales, Tr. 73:23–74:14 (explaining that being repeatedly forced to strip naked creates a feeling that “nothing is forbidden; that there is no respect for [one’s] body; [that they] are an object; anything can happen to [them], [and] is something that destroys a person”).

iii. Detention Conditions at AFI Mezzeh

Plaintiff was detained in unheated, overcrowded cells roughly “one and a half meter by two and a half meter[s],” too small for the detainees to lie down flat at the same time and forcing them to sleep on their sides, “everyone facing each other.” Testimony of Obada Mzaik, Tr. 39:19–20, 40:20–25. The cells were freezing cold in the winter, and detainees did not have blankets to cover themselves. *Id.* at 39:23–25. The cells were infested with lice and other insects, such that Plaintiff “tried sometimes to calm that down a little to take off [his] sweatshirt and remove all of the eggs and that kind of insects in [his] legs. At the same time, [he] fel[t] super cold [and had to] put it back on [his] body. This cycle never ended. It happened every day.” *Id.* at 39:25–40, 40:11–15. The infestation was so bad that Plaintiff was left constantly itching and covered in bites, requiring treatment upon his release. *Id.* at 40:6–10, 43:19–44:2.

The cells also constantly smelled, partly due to the one-gallon container of urine that remained in the cell for detainees who could not wait for one of their three daily bathroom trips. *Id.* at 41:16–19. The bathrooms were likewise “filthy,” with detainees given only thirty seconds

to use the bathroom—not enough time to wash their hands—and not permitted to shower. *Id.* at 41:1–15.

Plaintiff was also deprived of adequate food and water and was frequently left to share a small morsel of food or water with several detainees. *Id.* at 42:13–19. For example, Plaintiff was given “one plate” or “one piece of bread” that detainees “need[ed] to share between” everyone in the cell, regardless of how many people were there. *Id.* The lack of adequate nutrition left Plaintiff “super thin” and “starving” upon his release. *Id.* at 42:23–43:1, 43:19–25. Plaintiff likewise had “no medical care” and described how other detainees were beaten and punished when they asked for medical treatment. *Id.* at 41:20–42:2. Plaintiff ultimately contracted hepatitis in detention and had to be treated for that and other detention-related ailments upon his release. *Id.* at 42:21–43:2.

iv. Psychological Impacts of Detention

Plaintiff has suffered “permanent” psychological trauma due to his detention. Testimony of Dr. Pau Pérez-Sales, Tr. 75:11–12. Plaintiff described himself as “a different person” after his detention and recounted how, even more than ten years later, recalling the details of his detention causes him immense pain, leaving him “crying all of the time.” Testimony of Obada Mzaik, Tr. 45:24–46:10. Prior to his detention, Plaintiff was a top student and only a semester short of graduating with his degree in civil engineering. *Id.* at 23:13–15, 49:3–7. However, after his release from detention, Plaintiff returned to school but found that he could “couldn’t study as before.” *Id.* at 46:11–13.

To this day, Plaintiff still feels afraid in airports—where he was arrested by the Assad Regime before his second detention—even within the United States. *Id.* at 46:14–19. Plaintiff continues to suffer from survivor’s guilt in connection with his cousin’s disappearance and presumed death in detention. *Id.* at 45:16–23. Plaintiff’s family also suffered and continues to

suffer because of the time Plaintiff spent in detention; his mother experienced severe stress and had to rely on medication, and his sister still suffers panic attacks. *Id.* at 45:5–11.

Dr. Pau Pérez-Sales, who interviewed and clinically assessed Plaintiff, detailed the profound impacts of detention on Plaintiff’s psychological wellbeing, including signs of continued PTSD, depression, and anxiety even a decade after his release. Dr. Pérez-Sales found that the detention conditions that Plaintiff suffered were designed to “break the will of a person and to destroy a personality.” Testimony of Dr. Pau Pérez-Sales, Tr. 72:16–18. Dr. Pérez-Sales explained that, for Plaintiff, the experience manifested in “avoidance symptoms” like self-isolation or attempts to avoid talking or thinking about his detention, as well as “anxiety symptoms” when pressed to talk about what happened to him. *Id.* at 75:3–10, 78:5–13. Plaintiff’s detention also caused “permanent damages,” including to his “belief in the goodness of human beings.” *Id.* at 75:11–17.

Dr. Pérez-Sales concluded that, even a decade later, Plaintiff still displays “detectable PTSD symptoms” and during the clinical assessment showed “anguish [] all the time” with “sleep disorders and nightmares from time to time.” *Id.* at 76:12–19. Dr. Pérez-Sales determined that Plaintiff shows signs of a “mild/moderate depressive disorder” “related, basically, to a sense of sadness of inability to enjoy life,” because of the horrors he endured. *Id.* at 76:22–77:10. Dr. Pérez-Sales further concluded that Plaintiff struggles with finding meaning in what happened to him and suffers a constant sense of internalized fear. *Id.* at 77:13–78:4. Plaintiff’s experience in detention caused him to experience “[f]ear for things that would normally not produce [fear] in other persons” because Plaintiff “is always expecting something will happen to him.” *Id.* at 77:24–78:1. Dr. Pérez-Sales also found that Plaintiff continues to experience “damage to the belief in the kindness of human being[s] and the capacity to feel affection, to feel empathy, to trust others.” *Id.*

at 78:1–78:4. While there is no cure for the long-standing psychological harms caused by Plaintiff’s detention at the hands of the Assad Regime, Dr. Pérez-Sales emphasized the importance of justice and reparation as “essential element[s]” on the path toward healing. *Id.* at 78:23–79:4.

IV. CONCLUSIONS OF LAW

The FSIA allows a federal district court to exercise personal and subject-matter jurisdiction over a foreign state that would otherwise be immune from the jurisdiction of U.S. courts. *See* 28 U.S.C. §§ 1602–1611; *see also, e.g., Owens v. Republic of Sudan*, 826 F. Supp. 2d 128, 148 (D.D.C. 2011), *aff’d*, 864 F.3d 751, 785 (D.C. Cir. 2017).

To secure a default judgment under the FSIA, plaintiffs must satisfy three requirements: (i) personal jurisdiction, (ii) subject matter jurisdiction, and (iii) liability. Personal jurisdiction exists under the FSIA if the plaintiff serves the defendant in compliance with 28 U.S.C. § 1608. Subject matter jurisdiction exists if the defendant’s conduct falls within one of the specific statutory exceptions to immunity. *See* 28 U.S.C. §§ 1330(a), 1604. Liability in FSIA actions is generally established via civil tort liability based on “general principles of tort law.” *Colvin v. Syrian Arab Republic*, 363 F. Supp. 3d 141, 155–56 (D.D.C. 2019).

Here, Plaintiff has satisfied all three requirements.

A. The Court Has Personal Jurisdiction and Subject Matter Jurisdiction Under the FSIA

i. Personal Jurisdiction: Service of Process

Under the FSIA, a court may exercise personal jurisdiction over a foreign state if the state is properly served in accordance with 28 U.S.C. § 1608(a). *See* 28 U.S.C. § 1330(b); *Cohen v. Islamic Republic of Iran*, 238 F. Supp. 3d 71, 81 (D.D.C. 2017) (“Personal jurisdiction over foreign states exists as long as the Court can exercise original jurisdiction under 28 U.S.C. § 1330(a) and service of process meets the standards set forth by 28 U.S.C. § 1608.”).

Service in this case was properly effected through diplomatic channels on February 8, 2023 in accordance with § 1608(a)(4). Dkt. 30. Plaintiff used diplomatic service, as none of the first three options under the FSIA were available. Sections 1608(a)(1) and (2) were unavailable because no special agreement for service exists between Plaintiff and Syria, and Syria is not party to any applicable international convention on the service of judicial documents. Plaintiff initially filed an Affidavit Requesting Foreign Mailing under § 1608(a)(3), but despite repeated efforts to find an international courier servicing Syria, Plaintiff was not able to effect service by mail on Syria “within 30 days.” Therefore, § 1608(a)(3) was also unavailable.

Accordingly, personal jurisdiction over Syria is satisfied.

ii. Subject Matter Jurisdiction: “State Sponsor of Terrorism” Exception

Under the FSIA’s terrorism exception, subject matter jurisdiction exists where a) the foreign state lacks immunity and b) this Court meets the statutory requirements to hear their claim. *See* 28 U.S.C. § 1605A(a)(1), (2). Both elements are met in this case.

1. Syria Lacks Immunity

Section 1605A of the FSIA divests Syria of sovereign immunity and creates a private right of action for a plaintiff where (i) the plaintiff seeks money damages; (ii) the defendant is a foreign state; (iii) the claim arises from personal injury or death; (iv) the injury was caused by the defendant; and (v) the cause was an “an act of torture.” 28 U.S.C. § 1605A(a)(1).

Plaintiff seeks monetary damages, thereby satisfying the first element. *See, e.g.*, Dkt. 3 at 20 (seeking compensatory and punitive damages). Syria is a foreign state, meeting the second. The claim also fulfills the third and fourth elements, as it arises from personal injury directly caused by Syria.

The fifth element is also satisfied, since the cause of Plaintiff's injury was an "act of torture." The FSIA adopts the definition of "torture" from the Torture Victim Protection Act of 1991 (TVPA). *See* 28 U.S.C. § 1605A(h)(7). The TVPA defines torture as any act (i) "directed against an individual in the offender's custody or physical control," (ii) that intentionally inflicts "severe pain or suffering" whether physical or mental, (iii) for purposes of obtaining information, intimidation, punishment, or discrimination. 28 U.S.C. § 1350 note § 3(b)(1) (1992). The TVPA definition, in turn, draws on Article 1 of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (the "CAT"). The analysis will typically turn on two factors—the severity requirement and the purpose requirement. *See, e.g., Abedini v. Republic of Iran*, 422 F. Supp. 3d 118, 129 (D.D.C. 2019). Plaintiff has satisfied each prong of the statutory definition.

First, Plaintiff was under the "custody or physical control" of Syrian state agents at all relevant times. *See Kim*, 774 F.3d at 1045. After detaining Plaintiff at Damascus International Airport, state agents funneled Plaintiff through various Syrian security services' branches before transferring him to AFI custody at AFI Mezzeh. He remained in the custody and control of AFI agents until his release from AFI Mezzeh on January 25, 2012. *See* Testimony of Obada Mzaik, Tr. 24:9–43:16; *see also* Baker and Üngör Rep. ¶¶ 25, 37–43; 2025 COI Rep. ¶ 22.

Second, Syria intentionally inflicted severe physical and mental pain and suffering on Plaintiff. While Plaintiff was detained at AFI Mezzeh, AFI agents intentionally carried out sustained and systematic beatings and choked Plaintiff so hard that he feared he would die. *See Massie v. Gov't of the Democratic People's Republic of Korea*, 592 F. Supp. 2d 57, 66–68, 74 (D.D.C. 2008) (finding that "severe beatings" constituted torture); *Surette v. Islamic Republic of Iran*, 231 F. Supp. 2d 260, 264 (D.D.C. 2002) (finding torture where hostages were "physically

beaten”). AFI agents also repeatedly threatened Plaintiff with imminent death and other forms of severe pain. *See Kilburn v. Islamic Republic of Iran*, 699 F. Supp. 2d 136, 152 (D.D.C. 2010) (holding that beatings and mock executions constituted torture); *Sotloff v. Syrian Arab Republic*, 525 F. Supp. 3d 121, 137 (D.D.C. 2021) (holding that infliction of starvation, unsanitary conditions, severe pain, and threats of execution qualified as torture); *Foley v. Syrian Arab Republic*, 249 F. Supp. 3d 186, 203 (D.D.C. 2017) (finding that death threats in an environment rife with torture are “imminent” and cause severe “mental pain and suffering” constituting torture).

AFI agents also deprived Plaintiff of basic human necessities like water, toilets, beds and medical care. *See Daliberti v. Republic of Iraq*, 97 F. Supp. 2d 38, 45 (D.D.C. 2000) (finding that denying prisoners basic necessities was “more than enough to meet the definition of ‘torture’” where it caused the prisoners severe pain and suffering); *Dawes v. Syrian Arab Republic*, No. 1:21-cv-02730, 2023 WL 8529288, at *5 (D.D.C. Dec 8, 2023) (finding that Syria committed torture where plaintiff was locked in a tiny, vermin-infested cell without heat or a toilet, regularly denied medical care, food, water, and the ability to maintain basic hygiene); *Sutherland v. Islamic Republic of Iran*, 151 F. Supp. 2d 27, 45 (D.D.C. 2001) (finding torture where the victim was “deprived of adequate food, light, toilet facilities, and medical care”). AFI agents forced Plaintiff to sit in painful stress positions for hours on end and deprived him of sleep. *Dawes*, 2023 WL 8529288, at *5 (finding torture where plaintiff was forced into incredibly painful positions that rendered plaintiff barely able to breathe, or completely unable to sleep); *Goodwin v. Syrian Arab Republic*, No. 1:23-cv-00267, 2025 WL 1040847, at *8 (D.D.C. Apr. 8, 2025) (finding torture where victim was forced to sit in stress positions for “hours at a time”); *Moradi v. Islamic Republic of Iran*, 77 F. Supp. 3d 57, 68–69 (D.D.C. 2015) (finding torture where defendant “ke[pt] [plaintiff] in excruciatingly painful positions for hours at a time”).

Additionally, AFI agents forced Plaintiff to witness the torture of others—including Plaintiff’s own cousin. Testimony of Obada Mzaik, Tr. 35:8–13; Testimony of Dr. Pau Pérez-Sales, Tr. 67:12–68:23 (discussing threats as psychological torture and noting that “threats, especially threats to relatives, are very effective, because they produce unsurmountable anguish”); *see also Doe v. Qi*, 349 F. Supp. 2d 1258, 1318 (N.D. Cal. 2004) (finding torture where plaintiff was forced to “witness the guards’ severe mistreatment of a close friend”); *Price v. Socialist People’s Libyan Arab Jamarhiriya*, 274 F. Supp. 2d 20, 25 (finding mental torture where victim was “forced to watch on three separate occasions as fellow prisoners were beaten, one of whom was beaten to death”).

AFI agents inflicted severe physical and mental pain and suffering on Plaintiff for purposes of obtaining information, intimidation, and punishment. *See* 28 U.S.C. § 1350 note § 3(b)(1) (1992). They committed the above acts to force Plaintiff to confess to anti-Regime activities, threatening future torture if he refused. *See, e.g.*, Testimony of Obada Mzaik, Tr. 25:15–17, 27:4–9, 28:6–15, 30:7–31:7, 38:25–39:15; Grossman Rep. ¶¶ 44–45; IIIM Rep. ¶¶ 30, 134–42, 329–39 (discussing the Regime’s systematic use of forced confessions). Plaintiff’s experience, consistent with other accounts, reflects the Assad Regime’s systematic torture campaign against detainees to intimidate and punish actual or perceived opponents. *See supra* pp. 17–27.

2. *The Court May Hear Plaintiff’s Claims*

As required by the FSIA, Plaintiff has also established that: (i) the foreign state was designated a state sponsor of terrorism at the time the act occurred, (ii) the claimant or the victim, was, at the time of the act of torture, a national of the United States, (iii) the act occurred in the foreign state against which the claim has been brought, and (iv) the claimant has afforded the foreign state a reasonable opportunity to arbitrate the claim. 28 U.S.C. § 1605A(a)(2)(A)(i)–(iii).

First, Syria is a foreign state that was designated a state sponsor of terrorism at the time of Plaintiff's detention and torture at AFI Mezzeh starting on January 10, 2012 and when Plaintiff filed his claim on January 7, 2022. *See* 28 U.S.C. § 1605A(h)(6); 45 Fed. Reg. 33955 (May 21, 1980). Syria has retained this designation despite the fall of the Assad Regime. Tr. 8:1–2.

Additionally, this matter continues against the Syrian government, even though Bashar Al-Assad is no longer in power. *See Prinz v. Fed. Republic of Germany*, 26 F.3d 1166, 1174 (D.C. Cir. 1994) (considering FSIA claims against Germany arising out of “the predecessor government of the Third Reich”); *Wyatt v. Syrian Arab Republic*, 908 F. Supp. 2d 216, 233 (D.D.C. 2012), *aff'd*, 554 F. App'x 16 (D.C. Cir. 2014) (holding Bashar Al-Assad's government liable for acts of Hafez Al-Assad's government).

Second, at the time of the alleged acts, Plaintiff was a “national of the United States.” Plaintiff is a natural-born U.S. citizen and was a U.S. citizen at the time of his detention. Tr. 16:4–6; Dkt. 68, Ex. 8 (Passport of Obada Mzaik).

Third, Plaintiff's testimony at the evidentiary hearing and the stamp in Plaintiff's passport prove that Plaintiff's torture occurred in Syria, namely in the AFI Mezzeh detention center in Damascus. *See generally* Testimony of Obada Mzaik, Tr. 18:12–55:18; *see also* Dkt. 68, Ex. 8 (Passport of Obada Mzaik).

Finally, Plaintiff afforded Syria a reasonable opportunity to arbitrate the claim. Plaintiff included an Offer to Arbitrate with his summons and complaint. *See* Dkt. 3 (Complaint), Dkt. 4 (Summons). Accordingly, this Court has subject matter jurisdiction over this action.

B. Syria is Liable for Assault, Battery, Intentional Infliction of Emotional Distress, and False Imprisonment

Here, the same facts that underlie Plaintiff's satisfaction of the torture standard for subject matter jurisdiction also establish that Syria is liable for false imprisonment, battery, assault, and intentional infliction of emotional distress ("IIED").

False imprisonment occurs when "one person '(a) acts intending to confine the other . . . within boundaries fixed by the actor, and (b) his act directly or indirectly results in such confinement of the other, and (c) the other is conscious of the confinement or is harmed by it.'" *Stansell v. Republic of Cuba*, 217 F. Supp. 3d 320, 342–43 (D.D.C. 2016) (quoting Restatement (Second) of Torts § 35 (1965)); *see also Saberi v. Islamic Republic of Iran*, 541 F. Supp. 3d 67, 81 (D.D.C. 2021) (finding that Iran committed false imprisonment for detaining a U.S. national in an Iranian prison); *Abedini*, 422 F. Supp. 3d at 133 (D.D.C. 2019) (same). Syrian government agents intended to confine and actually confined Plaintiff from the time of his arrest and detention at Damascus International Airport through his transfer to and detention at AFI Mezzeh. *See supra* pp. 19, 26. Plaintiff was aware of his detention and suffered and continues to suffer physical, emotional, and psychological harm as a result. *See supra* pp. 26–28. Syria is therefore liable for false imprisonment.

Battery is "an act 'intending to cause [and resulting in] a harmful or offensive contact with . . . [another person], or an imminent apprehension of such a contact.'" *Saberi*, 541 F. Supp. 3d at 82 (quoting Restatement (Second) of Torts § 18 (1965)). Acts of torture like those Plaintiff suffered, including slapping, choking, beating, kicking, and whipping, are "undeniably" battery. *Abedini*, 422 F. Supp. 3d at 133; *see also Stansell*, 217 F. Supp. 3d at 342 ("[T]he acts of physical torture . . . were direct, intentional, harmful contacts."); *Sutherland*, 151 F. Supp. 2d at 48 (finding battery when the captor beat the hostage).

Assault “occurs when one person (a) ‘acts intending to cause a harmful or offensive contact with the person of the other . . . or an imminent apprehension of such a contact, and (b) the other is thereby put in such imminent apprehension.’” *Stansell*, 217 F. Supp. 3d at 343 (quoting Restatement (Second) of Torts § 21(1) (1965)). Syrian government agents subjected Plaintiff to a systematic campaign of physical and psychological torture that they intended to cause fear of imminent death or severe harm, and which actually caused him severe physical and mental harm. Threatening torture and death is a quintessential case of assault. *Stansell*, 217 F. Supp. 3d at 343; *Saberi*, 541 F. Supp. 3d at 82. Accordingly, Syria is liable for assault.

IIED is “extreme and outrageous conduct [that] intentionally or recklessly causes severe emotional distress to another.” *Est. of Heiser v. Islamic Republic of Iran*, 659 F. Supp. 2d 20, 26 (D.D.C. 2009) (quoting Restatement (Second) of Torts § 46 (1965)). “Torture by definition, involves ‘extreme and outrageous’ conduct.” *Abedini*, 422 F. Supp. 3d at 133. Syria intentionally engaged in extreme and outrageous conduct by detaining and torturing Plaintiff, causing Plaintiff to suffer extreme mental and physical anguish and pain, and to fear for his life. Likewise, by torturing other detainees in Plaintiff’s presence, Syria intended to and actually did cause Plaintiff extreme mental suffering. Accordingly, Syria is liable for IIED.

Having established personal jurisdiction, subject matter jurisdiction, and liability, Plaintiff is thus entitled to default judgment against Syria. *See* Second Min. Order, Aug. 8, 2025 (granting Plaintiff’s motion for default judgment).

V. DAMAGES

A. Compensatory Damages

i. Pain and Suffering During Plaintiff’s Imprisonment

For pain and suffering in captivity, courts in this District generally award \$10,000 per day in captivity, unless the plaintiff can show extreme circumstances justifying a higher per diem

award. *See, e.g., Goodwin*, 2025 WL 1411302, at *8–9 (\$630,000 for 63 days of captivity); *Dawes*, 2023 WL 8529288, at *10–11 (\$12.76 million for 1,276 days in captivity).

Courts have awarded additional lump sums when the amount under the \$10,000 per day formula would be “inadequate to compensate” the plaintiff. *Wyatt*, 908 F. Supp. 2d at 231–32. For example, in *Wyatt*, the court awarded a lump sum of \$5,000,000 for each victim’s 21 days in detention because \$210,000 would be “inadequate to compensate plaintiffs” for the physical pain and psychological torture they endured after being kidnapped and marched at gunpoint through the Turkish wilderness in freezing conditions, denied adequate shelter, clothing, and food, and subjected to repeated death threats and mock executions. *Id.* Although the plaintiffs in *Wyatt* were not “physically beaten during their captivity,” the court emphasized the “variety of psychological abuse” they endured, including “above all, being forced to endure the uncertainty of knowing whether they would live to see their families again.” *Id.* Likewise, in *Azadeh v. Islamic Republic of Iran*, the court awarded an additional \$2 million because the per diem approach did not adequately compensate the plaintiff for two mock executions that caused her to lose consciousness. No. 1:16-cv-1467, 2018 WL 4232913, at *5–8, 18–19 (D.D.C. Sept. 5, 2018).

Plaintiff was detained at AFI Mezzeh Military Airport for 15 days, from January 10, 2012 until his release on January 25, 2012.

The Court awards Plaintiff \$1,150,000 for in-captivity pain and suffering. This includes \$150,000 under the \$10,000 per diem approach, plus an additional \$1,000,000 lump sum. The lump sum is needed because the per diem amount is “inadequate to compensate” Plaintiff. *Wyatt*, 908 F. Supp. 2d at 231. Like the plaintiffs in *Wyatt*, Plaintiff was subjected to a range of forms of physical pain and psychological torture, including repeated death threats, inhumane detention conditions, deprivation of clothing and food, and the uncertainty of knowing if he would survive

to see his family again. *See supra* pp. 17–28. Moreover, like the mock execution endured by the plaintiff in *Azadeh*, Plaintiff was choked to the point where he believed he was going to die. *See supra* p. 21. Plaintiff also suffered repeated physical beatings in captivity, including *falanga* on the soles of his feet, *see supra* pp. 8, 22, and was kicked repeatedly, whipped, and routinely interrogated, including while being placed in a stress position and forced to witness the torture of his cousin. *See supra* p. 22. The severity of Plaintiff’s torture and detention therefore warrants the award of a lump sum amount on top of the per diem approach for in-captivity pain and suffering, as was awarded in *Wyatt* and *Azadeh*.

ii. Post-Release Pain and Suffering

For post-release damages, courts in this District consider the length and severity of the plaintiff’s detention and torture and the estimated number of years the plaintiff will suffer as a result of the torture. *See, e.g., Doe A-1 v. Democratic People’s Republic of Korea*, No. 1:18-cv-00252, 2021 WL 723257, at *5 (D.D.C. Feb. 24, 2021) (awarding \$10 million for a plaintiff with a 50-year life expectancy and just under a year of imprisonment).

Prior awards are instructive here. For example, in *Goodwin*, the court awarded \$8.5 million for a plaintiff who had been detained for 63 days and was expected to live another 40–44 years after release. *Goodwin*, 2025 WL 1411302, at *9. Similarly, in *Azadeh*, the court awarded \$8.89 million after 114 days of imprisonment for a plaintiff with a 40-year life expectancy. *Azadeh*, 2018 WL 4232913, at *20. For cases with longer terms of imprisonment, the court awarded \$10 million in post-release pain and suffering after 1,602 days in captivity with a 45-year life expectancy, *Hekmati v. Islamic Republic of Iran*, 278 F. Supp. 3d 145, 164 (D.D.C. 2017), and \$9.63 million in post-release pain and suffering after a 1,268-day imprisonment with a life expectancy of 43.2 years, *Abedini*, 422 F. Supp. 3d at 136–37.

Plaintiff was 21 years old when he was arrested and detained. Testimony of Obada Mzaik, Tr. 23:25. According to the Health Statistics tables for 2012, Plaintiff's remaining life expectancy was 56.6 years at the time. See Elizabeth Arias, Melonie Heron & Jiaquan Xu, *United States Life Tables, 2012*, 65 Nat'l Vital Statistics Rep. 8 (2016), <https://perma.cc/6DA2-XHZ6>. Plaintiff was younger than the plaintiffs in *Goodwin*, *Hekmati*, *Azadeh*, and *Abedini* when he was captured and thus had a longer life expectancy. However, he was detained for less time than the plaintiffs in those cases.

As Dr. Pérez-Sales explained, psychological torture like Plaintiff experienced can cause post-traumatic stress disorder and depression. Testimony of Dr. Pau Pérez-Sales, Tr. 63:22–64:11. It also has “non-clinical” impacts, which means that the experience of detention and torture can break “essential elements of the way [a person] survive[s]” and that “it’s impossible to see the world the same way again.” Dr. Pérez-Sales further noted that “the impact of psychological torture remains sometimes for all your life and is something that is very difficult to treat.” *Id.* at 64:12–17.

As detailed above, Plaintiff was subjected to both physical and psychological torture during his detention. See *supra* pp. 17–28. Despite being detained for only 15 days, Plaintiff contracted hepatitis and skin conditions because of the abysmal detention conditions. Testimony of Obada Mzaik, Tr. 43:19–44:2. Following his imprisonment, Plaintiff's ability to study and live life normally without fear was impaired as well. *Id.* at 46:11–19; see *supra*, p. 6. To this day, Plaintiff has a fear of traveling through airports, and specifically going through immigration, Testimony of Obada Mzaik, Tr. 46:16–19, and feels guilt that he was rescued from detention while his cousin was not. Testimony of Obada Mzaik, Tr. 45:18–23; see *Rezaian v. Islamic Republic of Iran*, 422 F. Supp. 3d 164, 173 (D.D.C. 2019) (awarding post-release damages where plaintiff had “severe

anxiety associated with travel”); *Alinejad v. Islamic Republic of Iran*, No. 1:19-cv-03599, 2023 WL 4684929, at *23 (D.D.C. July 6, 2023) (awarding post-release damages because plaintiff’s survivor’s guilt makes her “suffering particularly more acute or agonizing” (internal citation omitted)). By his own description, Plaintiff is a “different person” following his detention. Testimony of Obada Mzaik, Tr. 46:1–3.

Based on his clinical assessment of Plaintiff, Dr. Pérez-Sales confirmed that Plaintiff suffers from complex PTSD and avoidance as a result of the torture to which he was subjected. Testimony of Dr. Pau Pérez-Sales, Tr. 74:17–75:10. Plaintiff also suffers from sleep disorders and nightmares. *Id.* at 76:16–19. In Dr. Pérez-Sales’s professional opinion, Plaintiff requires psychological treatment to rehabilitate from the torture he suffered. Dr. Pérez-Sales also explained that “there are other elements that would be more important than reorientation. One is justice. Justice is an important healing element . . . also reparation. Reparation in the sense of restoring dignity in the sense of the society . . . say[ing] that we acknowledge what happened to you.” *Id.* at 78:19–79:4.

Accordingly, in line with prior awards to plaintiffs in similar circumstances, Plaintiff is awarded \$8.65 million for post-release pain and suffering, in addition to \$1,150,000 for in-captivity pain and suffering. In sum, the Court awards Plaintiff \$9.8 million in compensatory damages.

B. Punitive Damages

“Courts routinely award punitive damages in cases brought under the terrorism exception to the [FSIA],” *Frost v. Islamic Republic of Iran*, 419 F. Supp. 3d 112, 116 (D.D.C. 2020), to “punish outrageous behavior and deter [] outrageous conduct in the future,” *Warmbier v. Democratic People’s Republic of Korea*, 356 F. Supp. 3d 30, 59 (D.D.C. 2018) (internal citation

omitted). In quantifying punitive damages, courts typically consider “(1) the character of the defendants’ act, (2) the nature and extent of harm to the plaintiffs that the defendants caused or intended to cause, (3) the need for deterrence, and (4) the wealth of the defendants.” *Saberi*, 541 F. Supp. 3d at 87 (quoting *Warmbier*, 356 F. Supp. 3d at 59). The Assad Regime’s abusive campaign is precisely the type of “outrageous” conduct that warrants punitive damages. *See supra* pp. 4–28.

Wealth of the Defendant. Prior to the fall of the Assad Regime, this Court found that “Syria is a sovereign that has substantial wealth.” *Colvin*, 363 F. Supp. 3d at 163.

Character of Syria’s Act. Syria intentionally engaged in extreme and outrageous conduct by detaining and torturing Plaintiff. *See, supra*, pp. 17–28. Plaintiff’s torture was the direct result of the Assad Regime’s campaign of arrest, detention, interrogation, torture, and murder to suppress dissent and retain power. *Id.* Conduct of such repressive character justifies punitive damages to condemn the Assad Regime’s practice of “achieving political victory through heinous acts of barbarism” and deter similar future conduct. *Gates v. Syrian Arab Republic*, 580 F. Supp. 2d 53, 74–75 (D.D.C. 2008) *aff’d*, 646 F.3d 1 (D.C. Cir. 2011); *see also Elahi v. Islamic Republic of Iran*, 124 F. Supp. 2d 97, 102, 114 (D.D.C. 2000) (awarding \$300 million in punitive damages because the assassination of a dissident for criticizing Iran’s regime was part of an intentional and malicious strategy to “decapitate the opposition,” “violate[] fundamental precepts of international law,” and thus warranted “substantial punitive damages”).

The Assad Regime’s direct responsibility for this campaign of torture reinforces the need for a significant punitive damages award. In most FSIA terrorism cases, the defendant state is found to have supported, rather than directly committed, torture. The Assad Regime was not merely a financial accomplice; it was the direct perpetrator of the torture and the broader campaign

of violence and repression against Plaintiff and other victims. *Compare Kim v. Democratic People’s Republic of Korea*, 87 F. Supp. 3d 286, 291 (D.D.C. 2015) (awarding \$300 million in punitive damages for North Korea’s abduction, torture, and killing of a missionary), *with Force v. Islamic Republic of Iran*, 617 F. Supp. 3d 20, 41 (D.D.C. 2022) (using a lesser multiplier for punitive damages when a state finances, but does not directly participate in, terrorist activity).

Nature and Extent of Harm that Syria Intended to Cause. Plaintiff will suffer the physical and psychological effects of his detention for the rest of his life. *See supra* pp. 17–28. Dr. Pérez-Sales testified that the conditions of Plaintiff’s detention and torture—which were similar to those suffered by many other victims of the Assad Regime—were designed to “break the will of a person and to destroy a personality.” Testimony of Dr. Pau Pérez-Sales, Tr. 72:17–18. A decade later, Plaintiff still suffers from PTSD, depression, and anxiety, and Dr. Pérez-Sales concluded that Plaintiff’s experiences caused “permanent damage[.]” *Id.* at 75:11–17; *see supra* pp. 26–27. Plaintiff is not alone. Thousands of other detainees now survive with enduring physical and psychological harms, including PTSD, that permeate every area of their lives. *See* IIIM Rep., ¶¶ 220–22, 226.

Plaintiff’s family, and the families of others who were detained and disappeared, are also among the victims of Syria’s campaign of arrest and torture. They experience devastating impacts from the detention, forced disappearance, torture, and killing of their relatives. *See supra* pp. 15–16. This trauma is compounded by the uncertainty of forced disappearances. Even after the fall of the regime, tens of thousands remain unaccounted for, and these harms continue. *See supra* p. 6.

Plaintiff’s detention and torture were part of a larger pattern of violence, the ultimate goal of which was to deter dissent and opposition, both in the individual detainees and in Syrian society

as a whole. *See supra* pp. 6, 17–28. This was devastatingly effective. *See* Testimony of Yaman Al-Qadri, Tr. 121:3–8 (detailing how she was forced to leave Syria due to her and her family’s fear of the Regime). The system of detention, torture, and enforced disappearance was at such an enormous scale that it terrorized and humiliated the entire population. *See supra* p. 17. Speaking out was impossible, and democratic dissent was quashed. *Id.*

Need for Deterrence. Understanding the intentional societal harm caused by the Assad Regime’s practices is essential to assessing the magnitude of the harm and the commensurate need for deterrence. *Seif Rep.* ¶ 29. Harms of such enormity can only be deterred through commensurate punitive damages that are substantial enough to deter similar conduct. *See Gates*, 580 F. Supp. 2d at 75 (awarding \$300 million in punitive damages against Syria in the hope that “substantial awards will deter” similar conduct). “[O]nly a large amount of punitive damages can serve as an effective deterrent.” *Colvin*, 363 F. Supp. 3d at 163, 165 (citation omitted). When crimes are “part of a longstanding pattern and policy,” like the Assad Regime’s campaign of torture, the “need for deterrence [is] clear.” *Abedini*, 422 F. Supp. 3d at 141.

Part of deterring such conduct is bringing global awareness to its severity. Plaintiff brought this suit to help bring attention to the “hundreds of thousands of Syrians being held as detainees.” Testimony of Obada Mzaik, Tr. 46:22–47:02. Plaintiff’s witnesses also agreed to testify in this case to bring awareness of and justice to Syrian detainees. Mr. Darwish testified that “it’s very important for us to serve and keep the narrative. We want our voices to be listened [to]. We want to tell the people what happened in Syria, and we want also to send a message for victim[s] that we will keep fighting for their dignity[,] for justice and accountability[.] We want to be sure this will not happen again.” Testimony of Mazen Darwish, Tr. 158:4–10. Mr. Hamoud testified that from “the first second I was arrested, I looked around me and . . . felt that I . . . will try to collect

any information. Because I know that justice will take . . . its place. And I hope that justice will be done for all the detainees.” *Id.* at 140:10–17. Similarly, Ms. Al-Qadri explained that she agreed to testify in this case because she “wanted to . . . be a voice to students and young activists, who did not have the chance [she] had at the time, to be in safety and in the west.” Testimony of Yaman Al-Qadri, Tr. 115:10–14. Dr. Pérez-Sales confirmed that such justice can be healing for the victims of torture. Testimony of Dr. Pau Pérez-Sales, Tr. 78:16–22.

While the Assad Regime has fallen, human rights abuses continue, and, in the words of Ms. Al-Qadri, this case is “key in order to create that total separation from the past and ensure that what’s going to be built is based on respect for human rights.” Testimony of Yaman Al-Qadri, Tr. 116:18–24. And per Mr. Darwish, “[i]t is very important to have recognition . . . we were released from the prison, but the prison will never release from inside you. So we want also to keep looking for future to be sure that this will not happen to our children . . . Recognition, medical and psychological support, justice and accountability. To see those people in the prison held accountable. This is very important.” Testimony of Mazen Darwish, Tr. 158:14–25; *see also* Testimony of Obada Mzaik, Tr. 47:11–16 (noting the continued importance of this case following the fall of the Assad Regime in establishing a documented record of the Regime’s crimes).

Application to Plaintiff. Courts in this District typically employ one of three methods to award punitive damages in FSIA cases: (i) multiplying the foreign state’s annual expenditures on terrorism by a factor between 3–5; (ii) awarding each plaintiff \$150 million; or (iii) multiplying the compensatory award by a factor of one to five. *See, e.g., Goodwin*, 2025 WL 1411302, at *11; *Stearns v. Islamic Republic of Iran*, No. 1:17-cv-00131, 2025 WL 1233915, at *5 (D.D.C. Apr. 29, 2025).

The first and third approaches are not appropriate in this case. The first approach is generally applied for large-scale terrorist attacks and thus is not applicable here. *See Goodwin*, 2025 WL 1411302, at *12. While the third approach is often used in detention and torture cases in which the plaintiff survived detention, it is “appropriate when the defendants ‘did not directly carry out the attack, but funded [a proxy actor], [and] it is doubtful whether a large amount . . . would have the deterrent effect that it might have had in times past.’” *Stearns*, 2025 WL 1233915, at *5 (citation omitted). Here, the Court does not consider the third approach adequate to deter the systematic use of torture that the Assad Regime committed against its perceived opponents over such a long period. Following the Assad Regime’s downfall, a larger award is more likely to dissuade any similar extreme and outrageous conduct in the future.

Given the severity of Syria’s conduct against Plaintiff and its pattern of similarly outrageous treatment of other detainees for decades, the second method is appropriate in this case because the “need for deterring such conduct is critical.” *Rezaian*, 422 F. Supp. 3d at 184 (internal citations omitted).

Accordingly, the Court awards a lump sum of \$150 million in punitive damages because the egregiousness of the Assad Regime’s conduct warrants a higher sum to bring awareness to the atrocities committed and to deter any similar reprehensible conduct by a foreign state, including the current Syrian regime.

VI. CONCLUSION

For these reasons, Plaintiff’s motion for default judgment is granted and final judgment shall be entered against Syria in the amount of \$159,800,000. A separate order and judgment consistent with these findings shall issue on this date.

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

OBADA MZAIK,

Plaintiff,

v.

SYRIAN ARAB REPUBLIC,

Defendant.

Civil Action No. 22-00042 (ACR)

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

PROPOSED ORDER

Pursuant to Rule 55(b) of the Federal Rules of Civil Procedure and 28 U.S.C. § 1608(e), upon consideration of Plaintiff's Motion for Default Judgment and supporting materials, it is hereby **ORDERED** that:

1. The Motion be **GRANTED**; and
2. Judgment be entered for Plaintiff, Obada Mzaik, against Defendant, Syrian Arab Republic, in the amount of:
 - a) \$1,150,000 in compensatory damages for in-captivity pain and suffering;
 - b) \$8,650,000 in compensatory damages for post-release pain and suffering;and
 - c) \$150,000,000 in punitive damages.

SO ORDERED.

Date: _____

Hon. Ana C. Reyes
United States District Judge