

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

JOHN DOE,
c/o Center for Justice & Accountability,
One Hallidie Plaza, Suite 750,
San Francisco, CA 94102

Plaintiff,

v.

SYRIAN ARAB REPUBLIC,
c/o Foreign Minister Faisal al-Mekad
Ministry of Foreign Affairs and Expatriates
Kafr Sousa, Damascus, Syria

Defendant.

Civil No. _____

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

COMPLAINT

Plaintiff John Doe alleges as follows:

INTRODUCTION

1. Plaintiff John Doe, a United States national, was tortured by Syrian intelligence officials at the Air Force Intelligence Directorate's central branch at the Mezzeh Military Airport in Damascus, Syria. He now sues to recover for the injuries he suffered as a result.

2. In 2011, inspired by the "Arab Spring" then spreading across the Middle East, mass civilian protests erupted in Syria calling for democratic reforms, economic opportunities, and an end to corruption. In response, the government of the Syrian Arab Republic ("Syria"), led by President Bashar al-Assad, developed a nationwide strategy to suppress protesters and perceived opponents to his authoritarian rule. Integral to the

regime's repressive strategy was the widespread and systematic detention, interrogation, and torture of Syrian civilians.

3. Under the direction of the Central Crisis Management Cell ("CCMC"), an inter-agency national security body formed in response to the protests, which reported directly to President al-Assad, the Syrian regime relied on its expansive intelligence apparatus to implement the repression. The heads of Syria's four main intelligence agencies—the Air Force Intelligence Directorate, the Military Intelligence Directorate, the General Intelligence Directorate, and the Political Security Administration (collectively referred to as the "*mukhabarat*")—were integrated into the CCMC high command and directed to use their respective networks to surveil, arrest, abduct, interrogate, and detain protestors and political opponents.

4. Starting in March 2011, the four intelligence agencies, which each operated its own sprawling nationwide network of detention centers, began detaining and torturing thousands of Syrians as part of the regime's coordinated response to protests. Government directives were disseminated through parallel, and sometimes overlapping, chains of command, which included the agencies in the CCMC as well as the National Security Bureau, the long-standing national coordinating body for the *mukhabarat*.

5. As part of the al-Assad regime's repressive campaign, Plaintiff, a U.S.-born American citizen who moved to Syria with his family as a child, was detained and tortured at the Air Force Intelligence Directorate's central branch at the Mezzeh Military Airport in January 2012. During his detention, Syrian officials inflicted severe physical and mental pain and suffering on Plaintiff in order to intimidate him, coerce him into providing information about his friends and contacts and interactions with the U.S. government, force

him to falsely confess to crimes, and punish him for perceived anti-regime activities. Plaintiff was brutally and systematically beaten, whipped, and threatened with electrocution. He was held in inhumane detention conditions and forced to witness other detainees being tortured, including one of his relatives. Plaintiff feared for his life and wished for his own death to escape the misery of his detention.

6. Plaintiff brings this action under the Foreign Sovereign Immunities Act, 28 U.S.C. §§ 1602 et seq., seeking compensatory and punitive damages for harms arising from the Syrian Arab Republic's acts of torture.

JURISDICTION AND VENUE

7. This Court has subject-matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1330 and 1605A, which provide for jurisdiction over civil actions seeking money damages against state sponsors of terrorism for personal injury of a United States citizen caused by acts of torture carried out by the state's officials, employees, or agents while acting within the scope of their office, employment, or agency.

8. This Court has personal jurisdiction over Defendant the Syrian Arab Republic under 28 U.S.C. § 1330(b) because the Court has subject-matter jurisdiction over this action under 28 U.S.C. § 1330(a) and this Complaint will be served under 28 U.S.C. § 1608.

9. Venue is proper in this judicial district under 28 U.S.C. § 1391(f)(4).

THE PARTIES

10. Plaintiff John Doe is a United States citizen born in Ohio who currently resides in the United States. Plaintiff also holds Syrian citizenship.

11. Defendant Syria has been designated by the United States as a state sponsor of terrorism since December 29, 1979, the longest such designation of any state. *See* Revision of Foreign Policy Controls on Exports to Syria, Iraq, Libya, and the People's Democratic Republic of Yemen, 45 Fed. Reg. 33,955, 33,956 (May 21, 1980) (codified at 15 C.F.R. pt. 385); U.S. Dep't of State, *State Sponsors of Terrorism*, <https://www.state.gov/j/ct/list/c14151.htm> (last visited Dec. 29, 2021); *see also* 15 C.F.R. § 742.9(a)(2) (2013) ("The Secretary of State has designated Syria as a country whose government has repeatedly provided support for acts of international terrorism.").

12. Since 2011, the United States has subjected Syria and its leadership to sanctions because of the regime's "repression of the people of Syria, manifested most recently by the use of violence and torture against, and arbitrary arrests and detentions of, peaceful protestors." Blocking Property of Certain Persons with Respect to Human Rights Abuses in Syria, Exec. Order No. 13572, 76 Fed. Reg. 24,787 (May 3, 2011); *see also* Blocking Property of the Government of Syria and Prohibiting Certain Transactions with Respect to Syria, Exec. Order No. 13582, 76 Fed. Reg. 52,209 (Aug. 22, 2011) (imposing sanctions for "the Government of Syria's continuing escalation of violence against the people of Syria").

STATEMENT OF FACTS

I. The Regime's Arrest, Detention and Torture of Actual and Perceived Opponents

13. After the CCMC was established in March 2011, the Syrian regime orchestrated a campaign of arbitrary detention, torture, and ill-treatment, including sexual violence, involuntary or enforced disappearances, and summary executions, to crack down on actual and perceived opposition. As the violence in Syria intensified, erupting into an armed conflict in February 2012, the scale of the detention and its attendant human-rights abuses continued to escalate.

14. A decade later, the toll on Syrian civilians has been widely documented by the Independent International Commission of Inquiry on the Syrian Arab Republic (the "IICI on Syria"), which was established in August 2011 by the United Nations Human Rights Council to investigate all alleged violations of international human rights law since March 2011 in Syria, as well as by Syrian and international human rights organizations.

15. Since 2011, detainees in Syrian intelligence facilities have been routinely held incommunicado, without any official means of communicating with their families. Human Rights Watch has characterized these detentions as equivalent to enforced disappearances. While conditions differ across detention centers, most detainees are held in overcrowded and unsanitary cells, where malnutrition, infections, and diseases are rampant.

16. The IICI on Syria has concluded that Syrian intelligence officials routinely torture detainees. Former detainees and defectors from the intelligence agencies have detailed the specific forms of torture widely used across the intelligence agencies, including administering electric shocks, burning body parts, pulling out nails and teeth, conducting

mock executions, folding detainees into car tires (*dulab*), crucifying or suspending individuals from one or two limbs for prolonged periods (*shabeh*), beating detainees with various tools such as sticks or cables, raping detainees, and engaging in other forms of sexual and gender-based violence, including genital mutilation.

17. Prisoners are often killed in detention while being tortured. According to the IICI on Syria, “[c]onservative estimates” are that “tens of thousands of individuals have died while in custody of government agencies since 2011.” Office of the U.N. High Comm’r for Human Rights, *Report of the Independent International Commission of Inquiry on the Syrian Arab Republic*, ¶ 23, U.N. Doc. A/HRC/46/55 (Mar. 11, 2021). In its press release announcing sanctions on Syrian prisons and security officials, the U.S. Department of the Treasury stated: “The Assad regime has waged a ruthless war against the Syrian people, imprisoning hundreds of thousands of Syrians calling for reform and change, of whom at least 14,000 have been tortured to death. More than 130,000 people reportedly remain missing or arbitrarily detained to this day” Press Release, U.S. Dep’t of Treasury, *Treasury Sanctions Syrian Regime Prisons, Officials, and Syrian Armed Group* (July 28, 2021), <https://home.treasury.gov/news/press-releases/jy0292>.

18. Accounts from former detainees and intelligence agency defectors detailing the Syrian regime’s brutality are corroborated by photographic proof. In January 2014, reports emerged that a forensic photographer for the Syrian Military Police, codenamed “Caesar,” used flash drives to smuggle out photographs that he and his colleagues took from May 2011 to August 2012, when he defected. The more than 50,000 photos, which represent only those that Caesar had access to and are a subset of all deaths in detention over that period, depict the bodies of at least 6,786 individuals who died in regime detention

centers and military hospitals. In the photos, many of the bodies were accompanied by a marker identifying a detainee number, death or medical-examination number, and the intelligence branch where the victim was detained.

19. According to the IICI on Syria, high-ranking officers in the relevant chains of command were often involved in systematically torturing and abusing detainees. For instance, the heads of directorate had to authorize their security branches to arrest, detain, or release detainees. Likewise, all deaths of detainees were reported up the chain of command.

II. The Air Force Intelligence Directorate

20. As one of the four intelligence agencies tasked with the surveillance, arrest, detention, and torture of the regime's actual and perceived political opponents, the Air Force Intelligence Directorate has been integral to the government's repressive policies. Under Executive Order No. 13582, the Air Force Intelligence Directorate is subject to U.S. Department of Treasury sanctions for its "complicity . . . in the human rights abuses and repression of the Syrian people." Press Release, U.S. Dep't of Treasury, *Administration Takes Additional Steps to Hold the Government of Syria Accountable for Violent Repression Against the Syrian People* (May 18, 2011), <https://www.treasury.gov/press-center/press-releases/pages/tg1181.aspx>.

21. As the general commander of the Syrian Armed Forces, President al-Assad is the *de jure* commander of the Air Force Intelligence Directorate. The Air Force Intelligence Directorate reportedly enjoys a privileged relationship with President al-Assad: his father, Hafez al-Assad, was the head of the Syrian Air Force before taking power in a military coup.

22. Major General Jamil Hassan served as head of the Air Force Intelligence Directorate from 2009 until July 2019. As head of the Directorate, Major General Jamil Hassan was part of the CCMC, which helped devise the regime’s violent crackdown on actual and perceived anti-regime opponents. General Hassan is subject to U.S. and E.U. sanctions for his role in the “violent repression of the civilian population in Syria.” In 2018, German and French authorities issued warrants to arrest General Hassan for his role in the torture and deaths of Air Force Intelligence Directorate detainees.

23. Major General Fu’ad Tawil served as deputy head of the Air Force Intelligence Directorate from approximately 2011 to 2016. General Tawil is subject to E.U. sanctions for his role in the “intimidation and torture of protesters.”

The Air Force Intelligence Directorate Central Branch at the Mezzeh Military Airport

24. The Air Force Intelligence Directorate maintains detention facilities at its central branch in Damascus located at the Mezzeh Military Airport (“AFID central branch in Mezzeh”). This same complex also houses the presidential plane, a further indication of the closeness between the Air Force Intelligence Directorate and the highest levels of President al-Assad’s government.

25. Detainees are transferred to the AFID central branch in Mezzeh from across Syria, including from the Directorate’s regional branches and from facilities operated by the other intelligence agencies.

26. The AFID central branch in Mezzeh was reported by the IICI on Syria to have one of the highest mortality rates across all Syrian detention centers. An analysis of the Caesar photos by Human Rights Watch identified 352 unique corpses—the third highest documented total of any facility across all intelligence branches—marked with the

identifier for the Air Force Intelligence Directorate detention facilities in Damascus, which are predominantly concentrated at the AFID central branch in Mezzeh.

27. The AFID central branch in Mezzeh has been singled out by U.S. officials as a location “where torture has taken place and where it continues to take place.” According to the IICI on Syria, “[s]urvivors of this branch recounted daily torture sessions. Detainees were brought back to their cells by the guards with open wounds, swollen limbs, haemorrhaging and left without medical care. When they died, the bodies would be removed from the overcrowded cells by prison staff within a few hours.” Office of the U.N. High Comm’r for Human Rights, *Out of Sight, Out of Mind: Deaths in Detention in the Syrian Arab Republic*, ¶ 53, U.N. Doc. A/HRC/31/CRP.1 (Feb. 3, 2016).

28. At all relevant times, Brigadier General Abdulsalam Fajer Mahmoud served as the head of the AFID central branch in Mezzeh. He is subject to sanctions by the E.U. and the U.K. for the “torture of opponents in custody.”

III. Plaintiff’s Detention and Torture at the Air Force Intelligence Directorate’s Central Branch at the Mezzeh Military Airport

Plaintiff’s Background

29. Plaintiff is a U.S.-born American citizen who moved to Syria with his family as a child. In the summer of 2011, Plaintiff fled the escalating repression in Syria and returned to the United States, where he continued his collegiate studies.

30. In early January 2012, Plaintiff returned with a relative to Syria to visit his family, landing at the Damascus International Airport.

31. Upon arriving, Plaintiff presented his U.S. passport and Syrian national identification card at customs and immigration. He was immediately detained and transferred by bus to the Criminal Security Branch in the Baramkhah neighborhood of

Damascus. He was taken to the basement of the branch building, which housed a detention center, and was held in a cell with approximately ten other detainees, one of whom was a 13-year-old boy who told Plaintiff that he had been held and tortured in an Air Force Intelligence Directorate branch for more than 80 days.

32. That evening, Plaintiff was transferred to a branch of the Political Security Administration in the al-Fahamah neighborhood of Damascus. There, he was lined up against a wall and threatened with a beating. He heard other detainees being beaten and slapped. He was interrogated twice a day for multiple days, including by the branch's Information Security unit, which forced Plaintiff to provide them with login credentials to his social media accounts and electronic devices, including the computer and cell phone he had in his possession upon his arrival in Syria. After being detained and interrogated for about a week, Plaintiff was blindfolded and forced to sign a false "confession," which he was informed documented his purported anti-regime activities. After Plaintiff signed that "confession," a Political Security Administration official told him that he would be transferred to the Air Force Intelligence Directorate.

*Plaintiff's Detention and Torture in the Air Force Intelligence Directorate
Central Branch at the Mezzeh Military Airport*

33. On January 10, 2012, four Political Security Administration Officials transferred Plaintiff to the AFID central branch at the Mezzeh Military Airport. As the vehicle entered the military complex, the officials instructed Plaintiff to put on a blindfold. Plaintiff could hear the Political Security Administration officials conversing with Air Force Intelligence Directorate officials at the checkpoints. Between the checkpoints, the

Political Security Administration officials disparaged the Directorate, describing it as “the branch that destroyed the country.”

34. Plaintiff was transferred to Air Force Intelligence Directorate officials, who took him to a detention facility within the Mezzeh Military Airport complex. There, two of the Directorate officials began to slap, beat, kick, and strangle Plaintiff in order to intimidate and punish him, calling him a “Zionist traitor.” Officials then took Plaintiff underground to the detention cells, where he was ordered to strip naked and searched.

35. Plaintiff was placed into an eight-foot-by-three-foot cell with two other detainees, who told him he was the first detainee in 55 days not to be whipped and beaten with pipes and sticks as part of his “welcoming party” to the branch. Plaintiff learned that the two other detainees were Syrian army officers from Dara’a whom the Air Force Intelligence Directorate had detained for losing ammunition to opposition forces. During his time in their cell, Plaintiff observed that these two detainees were given preferential treatment by the guards.

36. A few days after he arrived, Plaintiff was moved to another cell on the same floor, also measuring eight feet by three feet, which held five other detainees. These detainees told Plaintiff that they had been transferred to the AFID central branch in Mezzeh after being detained at other Air Force Intelligence Directorate branches, including the branch in Hama. Many had been held for months at the AFID central branch in Mezzeh. Because the cell was too small for the detainees to lie down flat at the same time, they were forced to sleep on their sides, pushed up one against the other.

37. The floor of the detention facility where Plaintiff was held had approximately 22 cells, most of which were eight feet by three feet. A small opening at the

top of the cells, which was even with the ground level outside, allowed detainees to differentiate day from night. The cells were unheated, and the detainees had no blankets, despite the frigid winter temperatures. Ticks, lice, and other insects were everywhere, including in the detainees' clothes. Plaintiff could not wear his insect-infested sweater, because the bites were too painful on his skin. Plaintiff and other detainees developed skin rashes that they rubbed raw until their skin bled.

38. Twice a day, guards made detainees strip to their underwear and took them, cell by cell, to the toilet situated on the same floor as the cells. Detainees were each given only a short moment to use the toilet and were frequently beaten if they took longer than 30 seconds. Detainees were not allowed to shower, causing an overwhelming stench to pervade the cells.

39. Many detainees appeared malnourished and unhealthy. One detainee was so hungry that he ate the peel of an orange for sustenance. Detainees banged on their cell doors for long periods, clamoring for needed medicine. Plaintiff never saw or heard guards respond to the detainees' requests or provide any medical care or supplies.

40. Officials interrogated the detainees in one of three interrogation rooms on the floor where Plaintiff was held. Interrogations were typically coupled with torture, which was primarily carried out at one of the designated torture spots in the hallway outside the interrogation rooms and across from the cells. The interrogation and torture sessions often took place at night.

41. Interrogators tortured Plaintiff by intentionally inflicting severe physical and mental pain and suffering on him to force him to confess to supposed anti-regime activities. Interrogators regularly whipped Plaintiff with a hose and beat him with a PVC

pipe on his palms and the soles of his feet until he could no longer stand. They punched him in the face hundreds of times and pummeled his body with kicks. They stripped him naked, threatened him with electrocution, and told him that he would be hung by his handcuffed wrists in positions that cause extreme pain. Interrogators also subjected him to relentless threats, false accusations, and psychological abuse when trying to intimidate him and to extract information about his friends and contacts, his supposed role in anti-regime activities, and his communications with foreign governments, including U.S. officials. Interrogators beat Plaintiff even more severely when he refused to “confess.” Plaintiff suffered intense mental anguish at the threat that his torture would resume or worsen and that he would be executed.

42. On one occasion, Plaintiff was interrogated alongside his cousin, who had been transferred to the AFID central branch in Mezzeh for the interrogation. Believing that Plaintiff was outside of Syria and thus beyond the reach of the regime, Plaintiff’s cousin had given Plaintiff’s name to the authorities as someone involved in protest activities. Plaintiff’s cousin appeared to have been severely beaten before he was transferred for the joint interrogation: among other things, his wrists had open wounds. When both Plaintiff and his cousin denied that they had engaged in anti-regime activities, the interrogator had a guard hang Plaintiff’s cousin by his wrists—which were bound and already brutalized—outside the interrogation room. The interrogator forced Plaintiff to listen to his cousin’s screams and threatened that he too would be hung by his wrists for the entire night and electrocuted unless he confessed. After he was tortured alongside Plaintiff, Plaintiff’s cousin was taken away and has not been seen since.

43. Plaintiff was taken out of his cell daily, both to use the toilet and to be interrogated. During those moments, Plaintiff could see detainees hanging by their wrists in the hallway at designated torture spots. Alongside them in the hallway were kneeling detainees, with mesh bags over their heads, awaiting their turn to be strung up by their bound hands and beaten.

44. Because Plaintiff's cell was close to the interrogation rooms and the designated torture spots in the hallway, Plaintiff was forced to listen to the torture and screaming of other detainees, which took place nightly. On the third night of his detention, for example, Plaintiff could hear the guards torturing a detainee accused of coordinating anti-regime protests by repeatedly electrocuting him. Plaintiff heard the interrogator call for a ladder, and order the guard to tie the detainee's hands with plastic handcuffs and hang him by his wrists from the ceiling of the detention center. The detainee screamed in pain as his body dangled off the ground until it came crashing down to the floor in front of Plaintiff's cell door. The detainee pleaded with the interrogator to end his misery and kill him. Instead, the interrogator ordered the detainee to be hung once more, stuffed his mouth with salt before covering it with cloth, and called for the guards to bring him a pot of boiling water. Plaintiff could hear the detainee's cries as the interrogator poured the scalding water over him.

45. Plaintiff could also hear the screams of nearby detainees through the small opening at the top of his cell. One night, Plaintiff heard the voice of a boy who was being interrogated. From what Plaintiff could discern, the boy had been stripped, and guards were pouring freezing water over him. When the boy pleaded with the guards to stop, they began to whip him as he called out for his mother.

46. Officials at the AFID central branch in Mezzeh systematically tortured detainees throughout Plaintiff's detention. All the detainees held with Plaintiff were male, though one of the interrogators told him that Yaman al-Qadri, an 18-year-old female medical student who was arrested by regime forces in November 2011 for peacefully demonstrating at her university in Damascus, had been held at the branch before he arrived. Interrogators sought out information from detainees about suspected anti-regime activities. They would torture detainees until the detainees "confessed" to whatever crimes the interrogator suggested they had committed, including fantastical claims that individuals had killed hundreds of regime soldiers. The torture would often continue even after a detainee agreed to the forced confession. Once the questioning and torture of one detainee temporarily ceased, it would begin anew for the next detainee.

47. For Plaintiff, the mental pain and suffering of seeing and hearing the torture of other detainees, including his cousin, was horrific and long-lasting. On many nights, Plaintiff wished for his own death so that he would no longer have to endure the misery of his detention.

Plaintiff's Release and Return to the United States

48. After Plaintiff was detained at the Damascus International Airport, his family in Syria sought out information on his whereabouts. Plaintiff's family eventually learned through their contacts that he was being held by the Air Force Intelligence Directorate. Fearing for Plaintiff's health and safety, given the intelligence service's brutal reputation, Plaintiff's family tried to arrange for bribes to be paid through an intermediary to Major General Jamil Hassan, who then headed the Directorate, to secure his release. Those initial attempts failed, and Plaintiff's family was informed that General Hassan had

stated that Plaintiff “will die in that prison” and that Plaintiff was among the type of people “whose life we need to wipe out.” The family’s intermediary tried again, and the bribes were eventually accepted.

49. Plaintiff’s family also tried to secure the release of Plaintiff’s cousin, who had been jointly interrogated with Plaintiff, but were told that this would cross a “red line” and that the cousin’s release was “impossible.”

50. Following the payment, a member of Plaintiff’s family met with General Hassan at the AFID central branch in Mezzeh. After the meeting, General Hassan sent Plaintiff’s family member to meet Brigadier General Abdulsalam Fajer Mahmoud, the head of the AFID central branch in Mezzeh. Plaintiff’s family member had to assure both Air Force Intelligence Directorate officials that Plaintiff would not take part in anti-regime activities. Later that day, General Mahmoud ordered Plaintiff’s release.

51. On January 25, 2012, Air Force Intelligence Directorate guards brought Plaintiff to shower, gave him clean clothes, and let him shave. The guards escorted him up from the detention centers to the nearby office of General Fajer Mahmoud, who warned him against engaging in any further anti-regime activities before releasing him into the custody of the waiting family member.

52. Plaintiff was treated by doctors over the course of the next four weeks. He was malnourished and was diagnosed with hepatitis. In February 2012, once he had regained enough strength to travel, Plaintiff fled across the border into Jordan and eventually returned to the United States.

53. After Plaintiff left Syria, an official from the Political Security Branch contacted him through Plaintiff’s Skype account, threatening him and demanding that he

return to Syria. The official used Plaintiff's own login credentials, which Plaintiff had disclosed to interrogators under duress, to access the account and message him on the platform. Around the same time, Plaintiff's friends and family informed him that someone posing as Plaintiff was attempting to contact them through Plaintiff's messaging and social media accounts.

54. At no point during his arrest or detention was Plaintiff ever formally charged with a crime or allowed to communicate with others outside the AFID central branch in Mezzeh, including his friends, family, and legal representatives. Nor was he permitted to consult with U.S. consular officials from the U.S. Embassy in Damascus, which remained open until at least February 2012. As far as Plaintiff knows, neither his arrest nor his detention, let alone his torture, has ever been formally acknowledged by Syrian government officials.

PLAINTIFF'S CLAIM FOR RELIEF

Personal Injuries Caused by Torture Under the Foreign Sovereign Immunities Act, 28 U.S.C. § 1605A(c)

55. Plaintiff re-alleges and incorporates by reference the foregoing allegations as if fully set forth herein.

56. Plaintiff has a private right of action under 28 U.S.C. § 1605A(c) against Syria for his torture.

57. At all relevant times, Syria has been designated by the United States as a state sponsor of terrorism. *See* 28 U.S.C. § 1605A(a)(2)(A)(i)(I).

58. Plaintiff was a U.S. citizen when he was detained and tortured at the AFID central branch in Mezzeh. *See id.* § 1605A(a)(2)(A)(ii)(I).

59. Plaintiff has afforded the Syrian Arab Republic a reasonable opportunity to arbitrate the claims in this action. Plaintiff has made an offer to arbitrate in accordance with accepted international rules of arbitration contemporaneous with this Complaint and will serve the offer to arbitrate with this Complaint. *See id.* § 1605A(a)(2)(A)(iii)(I). Plaintiff's offer to arbitrate is attached as Exhibit A.

60. The allegations in ¶¶ 33-47 amount to “an act of torture . . . by an official, employee, or agent of [Syria] while acting within the scope of his or her office, employment, or agency.” *Id.* § 1605A(a)(1); *see also id.* § 1605A(h)(7) (referencing the definition of “torture” in Section 3 of the Torture Victim Protection Act (codified at 28 U.S.C. § 1350 (note))). Syria is “vicariously liable for the acts of its officials, employees, or agents.” *Id.* § 1605A(c).

61. Syria, acting through and in concert with its agents in the Air Force Intelligence Directorate, intentionally inflicted severe mental and physical pain and suffering on Plaintiff during his detention at the AFID central branch in Mezzeh in order to obtain a false confession, punish him for his perceived anti-regime activities, and intimidate him, including through frequent beatings, threats of electrocution, appalling detention conditions, and the torture of his fellow detainees.

62. Syria, acting through and in concert with its agents in the Air Force Intelligence Directorate, caused Plaintiff to suffer extreme mental and physical pain, which he continued to experience following his release from detention.

63. Plaintiff's injuries did not arise from and were not inherent in, or incidental to, lawful sanctions.

64. At all relevant times, the Air Force Intelligence Directorate officials and agents acted within the scope of their office, employment, or agency, and at the behest and under the operational control of Syria. These officials and agents acted in accordance with a Syrian government plan or policy to detain, interrogate, and torture actual and perceived opponents of the al-Assad regime.

Theories of Recovery Under § 1605A

Assault and Battery

65. The Syrian Arab Republic, acting through and in concert with its officials, employees and agents in the Air Force Intelligence Directorate, physically assaulted Plaintiff and took actions intended to make him believe he would be physically harmed. Directorate officials subjected Plaintiff to inhumane detention conditions, brutally beat and whipped him, and threatened him with electrocution.

66. Air Force Intelligence Directorate officials caused Plaintiff to suffer extreme mental and physical anguish and pain, and to fear for his life.

67. Syria is liable to Plaintiff for the full amount of his damages. The amount of these compensatory damages shall be determined at trial.

Intentional Infliction of Emotional Distress

68. Syria, acting through and in concert with its officials, employees, and agents in the Air Force Intelligence Directorate, engaged in extreme and outrageous conduct by detaining and torturing Plaintiff for his perceived anti-regime activities.

69. Air Force Intelligence Directorate officials, employees, and agents, acting within the scope of their office, employment, or agency, caused Plaintiff to suffer extreme mental and physical anguish and pain, and to fear for his life.

70. Syria is liable to Plaintiff for the full amount of his damages. The amount of these compensatory damages shall be determined at trial.

False Imprisonment

71. Syria, acting through and in concert with its officials, employees, and agents in the Air Force Intelligence Directorate, unlawfully detained Plaintiff at the AFID central branch in Mezzeh.

72. Plaintiff was aware of his detention and suffered and continues to suffer physical, emotional, and psychological harm.

73. Syria is liable to Plaintiff for the full amount of his damages. The amount of these compensatory damages shall be determined at trial.

Punitive Damages

74. Syria's conduct was criminal in nature, deliberate, willful, wanton, malicious, and in violation of fundamental norms of U.S. and customary international law protecting human rights.

75. Under 28 U.S.C. § 1605A(c), an award of punitive damages should be imposed against Syria in an amount to be determined at trial.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff pleads for judgment against the Syrian Arab Republic and the following relief:

- (a) compensatory damages according to proof;
- (b) punitive and exemplary damages according to proof;
- (c) reasonable attorneys' fees, costs, and expenses according to proof; and
- (d) such other and further relief as the court may deem just and proper.

Dated: January 6, 2022

/s/ David Y. Livshiz

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Exhibit A

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

JOHN DOE,
c/o Center for Justice & Accountability,
One Hallidie Plaza, Suite 750,
San Francisco, CA 94102

Plaintiff,

v.

SYRIAN ARAB REPUBLIC,
c/o Foreign Minister Faisal al-Mekad
Ministry of Foreign Affairs and Expatriates
Kafar Soussa, Damascus, Syria

Defendant.

Civil No. _____

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

OFFER TO ARBITRATE

Pursuant to 28 U.S.C. § 1605A(a)(2)(iii), Plaintiff offers to submit the claims in this action to arbitration in accordance with accepted international rules of arbitration. Defendant, the Syrian Arab Republic, may accept this Offer to Arbitrate within sixty days of receipt of this offer by:

1. notifying the undersigned counsel, in writing, of Defendant's acceptance; or
2. filing a written acceptance with the Clerk of this Court.

Defendant's failure to comply with the acceptance procedures set forth above shall constitute a rejection by the Syrian Arab Republic of a reasonable opportunity to arbitrate these claims.

Dated: January 6, 2021

Respectfully Submitted,

/s/ David Y. Livshiz

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