

**TRIAL OF ANWAR RASLAN**

Higher Regional Court – Koblenz, Germany

Trial Monitoring Report 33

Hearing Dates: April 14 & 15, 2021

CAUTION: Some testimony includes descriptions of torture.**Summaries/Highlights:¹****Trial Day 69 – April 14, 2021**

P32, a 28-year-old Syrian woman testified about a meeting she and her family had with Raslan while searching for P32's sisters who were detained in Al-Khatib Branch. P32 also testified about her own detention at the Branch, detailing torture and incidents of sexual violence she endured. She further spoke about another meeting she had with Raslan while she was detained, claiming he refused her request to be transferred out of solitary confinement so that she would not lose her mind.

Trial Day 70 – April 15, 2021

Raslan's defense read out a statement from Raslan, providing his view on the meetings he had with P32. When asked by the Prosecutors, P32 reacted to Raslan's statement by saying she had to defend herself against a criminal's accusations and he was denying everything she told the Court.

The Judges read out a notice to the parties to inform them that previous plaintiff testimonies gave rise to the possibility of charging certain crimes that these plaintiffs were victims of as ordinary crimes under domestic German criminal law. The Judges will further request an expertise on Syrian law relating to the alleged crimes. The Prosecutors read their statement reacting to the defense's request to take additional evidence allegedly debunking Raslan's alleged involvement in activities outside of Branch 251. The Prosecutors said they do not support this request as the proposed witnesses would not be suitable to testify in this regard, nor would their testimonies provide new information. Another witness scheduled for one of the following sessions preferred not to testify in court due to concerns about his family's safety, despite protective measures proposed by the Court. One of the plaintiffs requested to no longer be a plaintiff in the trial.

Day 69 of Trial – April 14, 2021

The hearing began at 9:30 am with ten spectators and six members of the press in the audience. One accredited journalist requested access to the Arabic interpretation. [P30](#) and a court illustrator were among the spectators. The prosecution was represented by Prosecutors Klinge and Polz.

¹ Throughout this report, [information located in brackets are notes from our trial monitor] and "information placed in quotes are statements made by the witness, judges or counsel." Note that this report does not purport to be a transcript of the trial; it is merely an unofficial summary of the proceedings. The names of witnesses have been redacted.

Testimony of P32²

P32 was accompanied by her witness Counsel, Dr. Kroker, and informed about her rights and duties as a witness. P32 said that she was 28 years old, living in Switzerland and was not related to the defendant by blood or marriage.

Judge Kerber's Questioning

Presiding Judge Kerber started her questioning by recalling that P32 was previously interviewed by the German Federal Criminal Police Office (BKA) and asked P32 to describe her arrest in Syria, the events leading to her arrest and how she got in conflict with the Syrian regime. P32 explained that her sister [sister 1] was detained on March 15, 2011. P32 said she wanted to mention this detail before describing her own experience. She continued by explaining that on May 25, 2012, the Al-Houla الحولة massacre was committed in Homs, causing the death of 50 children. P32 further recalled that May 25, 2012, was a Friday and on Sunday, May 27, 2012, a sit-in was organized as condemnation of the massacre. The sit-in coincided with the anniversary of the death of a child named [REDACTED]. P23 and others therefore participated in a sit-in in Al-Talyani الطلياني in Damascus. The protestors held banners and [REDACTED] picture. The slogans on the banners condemned the Al-Houla massacre. P32 was holding a sign saying "The children of Al-Houla are no terrorists" which was discrediting the regime's narrative that the revolution consisted only of terrorists and armed people.

P32 recalled that after only a few minutes, shots were fired. The protestors did not scream, they were simply standing, holding their banners. P32 said they later found out that the regime knew that the sit-in would take place, the shots that were fired were proof of that knowledge. When the first shots were fired, the protestors ran away. P32 said she went to Al-Rawda الروضة, a district close to Al-Talyani. There were only a few people. Two security officers on a motorcycle stopped her and asked what she was doing there. P32 told them that she was at the market (the area was known to be a shopping area). The officers then asked P32 for her ID and when they read her name, they said "Ah! You are [sister 1's] sister" and menacingly added: "you came to us with your own legs." P32 told the Court she was wearing glasses that day. When one of the officers slapped her face, her glasses broke, and her nose started bleeding. P23 further described [using her hands] that there was a street and to her right was a real-estate office. The two security officers forcefully evacuated the real-estate employees, pulled P32 inside and forced her to sit on a chair. P32 said one of the security officers called a van to pick her up, the other one pointed a rifle at her, holding it close to her face. P32 sat on the chair when one of the officers who was standing told her "I swear to god, if it was up to me to decide your faith, I would [he made a noise like pulling a trigger, indicating he would kill her]".

P32 further explained that her mother was at the sit-in as well. However, not to demonstrate but because she was worried about P32. Before P32 was approached by the two security officers, she tried to call her mother but could not reach her. P32 recalled that once the security van came, she saw her mother inside, when she was pulled in as well. Her mother's hands were behind her back and she was looking down. The bus was full of male and female detainees and the seat next to her mother was free. For a short moment, P32 thought her case might be bigger and she did not want the officers to know that this was her mother, so she would not get involved. However, P32 approached her mother, asking if she could sit next to her. They looked at each other and cried. P32 said the van drove for a few minutes to Al-Jisr Al-Abyad الجسر الأبيض. It was known that there was Hafez Makhoul's branch [Division 40]. P32 recalled that when they arrived at the division and got off the van, they had to go upstairs.

² Note from the Trial Monitor: P23 was very emotional during the entire testimony. She also sometimes corrected the interpreter by making him aware that he did not translate the end of her sentence.



There was a member of the security forces standing on every other step. These members of the security forces were young. They were heavily beating the people [detainees] passing by, until the detainees reached a small corridor at the end of the staircase. P32 said after this procedure, all detainees had to face the wall and cover their eyes with their hands, so they could not see what was going on around them.

P32 said this was when the Division's IT officer approached her, holding many papers and documents. He told her all the papers would be for P32, as if he wanted to tell her that she was wanted and now came to the Division by herself. He pulled sheets of paper, reading out one of P32's Facebook posts in which she said that all pro-regime people would be slaves. The IT officer shouted at her "Are we slaves, you bitch?". P32 apologized for using this word in a courtroom, adding that she assumes everyone in the courtroom would know that this was one of the less bad words used at the intelligence branches. P32 went on to explain, that men and women were separated. The girls were taken to a room where they had to stay for 10 hours. P32 described how she asked to use the toilet before her interrogation. She then saw a man who she thought was a policeman and asked him for a phone. She said she was in hysterics because she urgently wanted to talk to her father or sister. When the policeman asked P32 what she would give him in return, she told him she would give him 'whatever he wanted.' He allowed her to make a call and P32 returned to the room from where she came.³

P32 said she was interrogated by the "hacker" [IT-person, see context above]. She entered his office where he was waiting with another person. He then requested access to her Facebook account through her email address and password. The person also told P32 that she tried to bribe a police officer, which would be a serious crime leading to imprisonment. P32 explained to the Court that because she was participating in demonstrations, she had contact with a person living abroad who specialized in IT and knew whenever she wanted to demonstrate. P32 said the procedure was that whenever the intelligence services arrested a person, this person would immediately switch off his/her phone. This was a signal to others [like P32's friend living abroad] to inform them that this person had been arrested so the friends could delete the person's Facebook account. P32 described that she therefore told the IT person at the Branch her email address and the password for her Facebook account. He was unable to access her Facebook account, however, he could still open her regular email account.

P32 recalled that in one of the folders there was an email she had sent to Al-Muhajreen المهاجرين coordination committee. The coordination committee was responsible for organizing demonstrations. P32 wrote to the committee about a person who was an assistant lecturer at the faculty of [REDACTED] at her university. His name was [REDACTED]. P32 attached his photo in the email. In the email, P32 informed the committee that this person participated in demonstrations to turn people over to the security forces. According to P32, she further detailed that this person pretended to be a demonstrator and that there would be many victims because he pretended to be one of the demonstrators. P32 told the committee "if you see this person, then stop the demonstration". P32 told the court that the interrogator considered this email as an incitement against security forces. However, according to P32 everyone knows that since the beginning of the revolution there had been neither weapons nor the Free Syrian Army [FSA] in Damascus until this very day [meaning that the alleged incitement was obviously ineffective and could not have been considered incitement at all]. P32 returned to the other detainees afterwards. P32 told the Court that a lot of things happened during the interrogation, but she could not remember most of them. She explained that interrogations were over at around 12:00AM and all detainees who participated in the sit-in were taken. The nine women were separated from the men (P32 did not remember how many men were there).

³ Note from the Trial Monitor: It did not become clear whether P32 made the call or not.



They were all taken in a van and driven to Al-Khatib. When they arrived, they had to go downstairs. P32 said she does not know how to describe the Branch, however, one could say it was like an animals' barn at most.

Presiding Judge Kerber asked P32 whether she was blindfolded or able to see what happened around her. P32 remembered she was able to see. P32 described the smell of blood, urine, and toilets when she entered the Branch, adding that there was no ventilation. P32 further described how the detainees had to go downstairs and turn right to the place where the Branch's doctor was. There were two female nurses from the Red Crescent as well. They frisked one detainee after the other until it was P32's turn. P32 said all female detainees had to gather at the doctor's office and the female nurses came to take one at a time to frisk them. P32 remembered the frisking felt very humiliating because she had to strip naked, and her sensitive areas were frisked in a way that was close to being a violation [sexual assault]. After being frisked, the detainees had to leave this room and go to the left.

Judge Kerber wanted to know if the doctor or the female nurse did the frisking. P32 said the two nurses searched every detainee. She added that the female detainees were afterwards put in a collective cell. P32 said that they were nine detainees (who just arrived) and a total of seventeen detainees in the female collective cell. P32 said the cell had walls, a floor, blankets, and it was full of insects, particularly lice that were nesting in the blankets. The place was too small, so they split in three groups to allow every group to sleep for seven hours. [Judge Kerber told P32 that she can drink water at any time if needed. P32 thanked Kerber and continued] P32 recalled that there were not only political prisoners in the collective cell, but detainees with all kinds of backgrounds: including girls who were there because of prostitution charges. The atmosphere was not comfortable enough for them to talk to each other, because someone from the regime could have been among them.

P32 told the Court that everything she just described was one thing, but the fact that she was there with her mother was another thing. P32 said she was constantly worried about her mother. P32 told her mother she would confess anything to keep her out of trouble. However, P32's mother told her that staying there and being able to see P32 right in front of her was better than being outside and not knowing anything about P32 [P32 got emotional]. P32 said it was her birthday night when one of the prison guards brought a plate of olives that were picked right off the tree [particularly bitter]. Her fellow detainees sang her Happy Birthday and P32 got very emotional. P32 explained that all detainees in the collective cell who were arrested at the sit-in had been interrogated on the first day after their arrival, except for P32 who had not been interrogated after six days. P32 therefore asked the prison guard when she would be interrogated. He told her that her interrogator was an important person and would come the following day.

P32 was indeed interrogated the following day. Her interrogator was different from the one who interrogated the other detainees. P32 explained that her hands were tied behind her back with a plastic strip. She was not blindfolded (P32 was not entirely sure about this aspect). P32 said she was interrogated by a person who was not Anwar [Raslan]. The person who interrogated her started mentioning Shadi Al-Jalabi شادي الجلابي. P32 told the Court that this would be the reason why she mentioned her sister's arrest as well and went on to explain that her sister was arrested at a demonstration by a person called Shadi. P32 added that the demonstration at which her sister was arrested became very well-known at the beginning of the revolution, so did her sister. There would even exist a video of this demonstration that is still online. One could see Shadi appeared in the video. It was therefore known that this person detained [sister 1]. The Free Syrian Army in Darayya داريا [western Ghouta] declared that they "killed Shadi for [sister 1's] sake". P32 explained that [sister 1] was abroad and P32's family had no contact with the Free Syrian Army at all, but [sister 1's] name became a symbol of the first demonstration. According to P32, her family did not know about these activities by the "group that calls itself Free Syrian Army".

Nonetheless, the security forces decided to detain P32 and accuse her of inciting the killing of their comrade Shadi. P32 said that apparently, Shadi was important to the other security officers and they were looking for a scapegoat, a role that P32 had to fill. P32 further described how the interrogator told her that inciting the killing of his colleague would lead to at least ten years imprisonment, and how he used some very bad terms that would be known to everyone in the courtroom.

Kerber asked if the interrogator threatened P32. P32 affirmed, explaining that there were five sheets of paper she had to sign. She was told that if she does not sign them, she would be tortured, and they would “hunt her down” for Shadi’s death.

Kerber recalled P32 previously telling the police that she was threatened to be tortured in the Basement. P32 confirmed, adding that - as she just said- he threatened her with torture.

Kerber asked P32 whether she was threatened with rape as well. P32 denied, saying “there was only verbal rape.”

Judge Wiedner intervened, asking whether it would be correct that P32 was threatened to be detained for a long time. P32 confirmed, saying this was “100% correct”. She went on to describe how she was taken downstairs to the basement and tortured with *Shabh* [hanging]. Someone had tea or some other hot drink with the person who tortured her and threw it at her. P32 said she still has the scar on her stomach. P32 further explained that while she was hanged from her wrists, she was beaten. She then had to lie on some kind of wooden plank. She was tied to the plank and beaten on her feet. P32 said she remembers previously telling the police that she was tortured with electricity, however, she could not remember it in the very moment in court. P32 added that she also forgot if she was taken upstairs to the interrogator or back to the collective cell once the torture ended. P32 said that when she went back to the collective cell, she showed many signs of beating. She stayed there for six days before the prison guard called for her mother. P32 said it felt strange because she was happy her mother would be released but felt sad at the same time.

Judge Kerber intervened, asking how exactly P32 was hanged: e.g. on a wall, from the ceiling or door. P32 said she had to hang from the ceiling.

Kerber asked how P32 was hanged: e.g. using hooks. P32 did not remember, saying the image was distorted.

Kerber recalled P32 mentioning that she did not remember the electricity situation and asked P32 to describe the situation with the wooden plank. P32 said the plank was curved at one end. Her legs were tied to this high end of the plank.

Kerber asked if it was correct that P32 was beaten in this position. P32 affirmed, explain she was beaten on her feet.

Kerber wanted to know if this instance happened before or after the sexual assault. P32 said it happened before.

Kerber asked if P32 was beaten while she was hanged. P32 affirmed, explaining that she was hit on her stomach and hot liquid was splashed at her.

Kerber wanted to know if P32 “was touched” in this situation. P32 denied, saying there were ‘only’ many insults and humiliation.

Kerber asked whether P32 remembered the prison guard’s name. P32 affirmed.



Kerber wanted to know the name. P32 said the guards did not have real names, but nicknames like Abu Ghadab أبو غضب, Abu Aita أبو عيطة and Abu Shamleh. There were more guards according to P32, but she only remembered those names.

Kerber asked which guards were present when P32 was tortured. P32 said Abu Ghadab was the only one.

Kerber wanted to know if Abu Ghadab was the one who “touched” her during the sexual assault. P32 denied.

Kerber asked who it was. P32 explained that this [sexual assault] happened with another guard, Abu Shamleh. It did not happen while she was tortured.

Kerber wanted to know what happened after P32’s mother was called. P32 said a few minutes after her mother was called, she was called as well and taken out of the collective cell. [P32 used her hands to describe where she had to go] P32 had to leave the collective cell, got to the right and then left to where the solitary cells were. She was taken inside one of the solitary cells. P32 recalled that when the guard took her to the cell, she did not want to be alone [P32 got emotional]. She broke down and did not know what to do, so she asked to go to the toilet. On her way to the toilet, P32 thought the women in the collective cell should know that she had not been released, so they could inform others about her whereabouts if one of them was released. P32 described how she decided to do a little charade on her way to the toilet [P32 again used her hands to describe the spatial situation]. Her idea was the following: On the way from P32’s solitary cell to the toilet, she had to walk by the women’s collective cell. When she was in front of the collective cell, P32 pretended to lose consciousness and fell on the floor. The prison guards started laughing at her and said, “Leave her to stand up alone”, prodding her. P32 then said in a very high voice, “For God’s sake! Don’t put me in the solitary cell”, to let the women in the collective cell know that she was in the solitary cell. P32 told the Court that she executed this idea and then went to the toilet and back to her solitary cell.

P32 requested a break. Presiding Judge Kerber asked if P32 she preferred 15 or 30 minutes. P32 said that she prefers 30 minutes.

[30-minute-break]

Presiding Judge Kerber asked P32 to describe what happened after she was taken back to the solitary cell. P32 explained it was summer – July 2012 – and very hot inside her cell. The time she had to spend alone in the solitary cell was very difficult, if not to say the most difficult time of her life. P32 said she still suffered from the psychological consequences of this detention. P32 went on to explain that one never knew whether it was day or night, and one could not breathe because there was no ventilation. There was a yellow light, P32 assumed it was put there to torture people, as it was never switched off. The size of the solitary cell was 175 x 75cm. The only item inside the cell was a brown blanket full of lice. Detainees were allowed to use the toilet every 12 hours, after they got food. P32 said for dinner they were served olives and “what they [personnel at the Branch] considered to be Halawa” (it was sesame and sugar). Because P32 had difficulties telling what time it was, she used to hide an olive pit to know that one day has passed. P32 further explained the Court that while she was in this solitary cell, she made the most difficult experience in Al-Khatib Branch: A prison guard, Abu Shamleh, opened the small hatch at the cell’s door to watch her. P32 said this is how it started.

He then told her to take off her jacket, asking her “don’t you feel hot?”.⁴ P32 said that she was young, 20 years old, and there was no escape but the corner of her cell. One time, Abu Shamleh told her to show him her breast. Then one time (P32 did not know whether it was day or night) he opened the door and entered the cell. P32 said he opened her zipper [of her jacket], touched her breast, undressed, took his genitals out and put his hand on her mouth. P32 said it happened within a second, she did not know what was going on, and unable to keep him away. [P32 got emotional] Abu Shamleh was in control: one hand on P32’s breast and the other one on her mouth. P32 explained she could not do anything. She bit him and started to scream, so he got scared and went out. P32 concluded that this was what she had to endure.

In addition, one heard people groaning, screaming “please, Sidi [sir]”, and sounds of beating and whipping 24 hours a day. P32 described that during her time in the solitary cell, she had a mental breakdown, searching for ways to end her life. She added that there were lines carved in her cell’s wall [by former detainees] indicating the number of days and the fact that they were actually uncountable. P32 explained that this was also the time when she asked to see the interrogator Anwar Raslan, because she knew his name and face from the meeting they had during her sister’s detention. P32 said she only had one request: to go back to the collective cell, so she would not lose her mind. Because Raslan was the only person she knew [at the Branch], she asked the prison guards to take her to see him. P32 was urging the guards for 3 to 4 days, when a guard opened the door and took her to Anwar [Raslan].

P32 described the Court that she had to go upstairs and entered Raslan’s office. She was blindfolded. P32 added she remembered these moments and would be certain about what happened. According to P32, the blindfold covered 80% of her eyes. However, the people around her were not aware that she was able to see some things. P32 further recalled going upstairs to a small corridor with three or four offices. One was the office of colonel Anwar [Raslan]. “It” [P32 being able to see some things] was good because she now could be sure that she was taken to Anwar [Raslan]. The prison guard got P32 in and she read on the sign “Colonel Anwar Raslan” [she did not explain if the sign was on the door or on the desk]. Raslan addressed her as “عمو” [addressing her like she was his niece], and asked her why she participated in demonstrations rather than focusing on her studies. P32 said Raslan was not harsh and did not insult her. P32 went on to describe that she broke down crying, telling him to transfer her back to the collective cell because she could not stay alone. According to P32, the request to be taken back to the collective cell was like heaven for her at the time, adding that this was all she asked for and she knew he would not have lost anything by granting her request.

[P32 got emotional, and Presiding Judge Kerber announced a 2-minute-break for P32 to drink some water]

Kerber asked P32 if she preferred a longer break. P32 said she was fine to continue.

Kerber recalled P32 mentioning that she was able to see through her blindfold, asking P32 if she was able to see the face of the interrogator. P32 affirmed, saying the interrogator was Anwar [Raslan]. According to P32 she asked him many things...

Defense Counsel Böcker interrupted, recalling that P32 said she saw the face of the interrogator Anwar [Raslan] when being asked whether she saw the face of the interrogator. Böcker added it was unclear to him when exactly P32 saw his face.

⁴ Note from the Trial Monitor: P32 got very emotional at this point. It did not become clear if the guard took off her jacket, made her do it by watching and talking to her, or if she took it off at all.



Kerber rephrased her previous question. P32 said that she did not understand.

Kerber recalled P32 asking the interrogator to be taken back to the collective cell when she saw a name plate with Raslan's name on it. Kerber wanted to know if P32 saw the interrogator's face in the same situation. P32 confirmed, adding this was 100% correct.

Kerber went on to ask P32 who the interrogator was. P32 said it was Anwar Raslan, she begged him to let her go back in the collective cell with the other females. According to P32, Raslan then told her: "Ok, alright *عمو* [see context above]. I told the prison guard to take you to the women's collective cell". P32 said this was when Raslan called a prison guard (P32 forgot his name) told him to take P32 to the collective cell instead of the solitary cell. P32 explained that she saw Raslan raising his eyebrows [usually meaning "no"] as if to give the guard a sign to do something else than what he just said. And indeed, the prison guard took P32 back to the solitary cell. P32 broke down, suffered bleeding in her stomach and her nose bled profusely. P32 said she did not know whether it was an attack of sadness. After all, she had still a soul fighting to get out of this place. P32 therefore "did a trick": she collected the blood coming from her nose and put it on her clothes and the walls until the entire place was covered with her blood. She then called a guard, telling him she did not know what happened when he asked her about all the blood in her cell. P32 explained to the Court that she was too broken at that time, so she could not remember whether this happened immediately after the situation with Raslan. However, P32 said she knew that she stayed in the solitary cell for days after her meeting with Anwar [Raslan]. One morning (P32 remembered she had had dinner and then slept) the guard opened her cell and told her to come with him. P32 went out of her solitary cell to the corridor. There was a collective cell, so P32 assumed she would be taken there, however, the guard opened the door of a second solitary cell. P32 was wondering why they wanted to transfer her to another solitary cell. When the guard opened the cell's door, P32 was surprised to see her mother was not released but was there in the solitary cell. [P32 got emotional] P32 recalled that her mother was sick, tired, her lips were pale, and insects eroded her body.

P32 requested a short break to recover. Presiding Judge Kerber announced a 15-minutes break.

[15-minute-break]

Judge Kerber continued her questioning by asking P32 what happened after she was taken to her mother's cell. P32 said she entered the cell, adding she was not sure why Anwar [Raslan] or other interrogators did this. According to P32, they probably saw she was going to die and decided to transfer her to her mother. However, it would obviously be systematic torture to put P32 in one solitary cell and her mother in another one. P32 described she went inside her mother's cell and they sat together. P32 explained that the cell was actually not big enough for one person, not to say two people. P32 went on to describe that she later learned how her charade of falling on the floor in the hallway let her mother know that P32 was still there and alive. There was a small gap under her mother's cell door through which her mother saw how P32 fell. P32 further said that her mother told her how she always looked out for P32's shoes through the gap under her door, so she saw whenever P32 was going to the toilet. [P32 got emotional]

Days passed by without P32 or her mother being interrogated. They were just eating, going to toilet every 12 hours, and getting weaker as the insects eroded their bodies. The place was so small that P32 had to sleep on her side hugging her mother, otherwise P32 could not sleep. After a while (23 days in Al-Khatib in total) her mother's name was called, and she was released.

P32's name was called thirty minutes after that and a van took her to another branch, the Military Branch 285 in Kafar Souseh كفسوسة. P32 said she had to stay at this Branch and in Al-Khatib for a total of around one and a half months. At the Military Branch, P32 was interrogated once, and her file was referred to the military judiciary, not to the Palace of Justice. P32 was detained for the following reasons: incitement to kill; possession of records and documents; major treason; participation in demonstrations; supporting the Free Syrian Army; and other "non authentic" [made up] charges. P32 was transferred to Adra prison where she was imprisoned for around 1.5 months before she was released on parole on [REDACTED], 2012.

Judge Kerber wanted to know which Branch, 251 or 285, was worse. P32 said Al-Khatib was definitely worse, adding that there would be no comparison.

Kerber asked if P32 was mistreated during the interrogation in Branch 285. P32 denied.

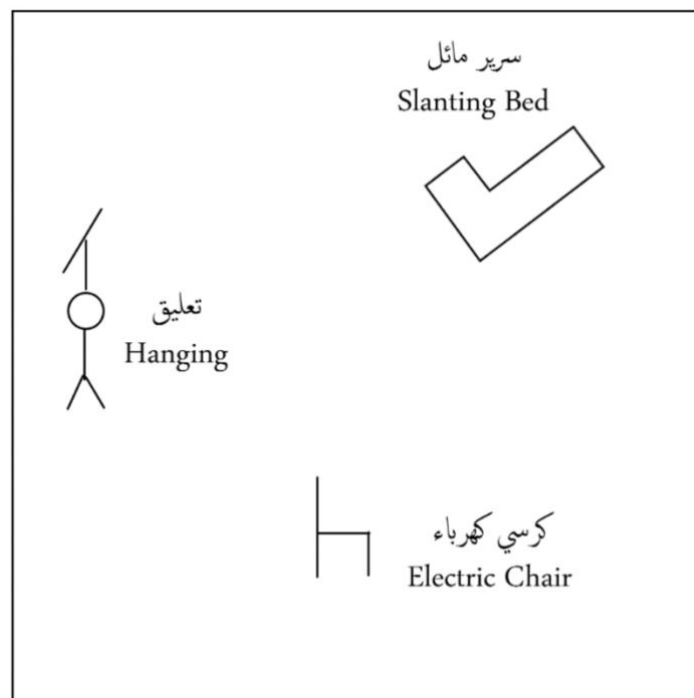
Kerber wanted to know if P32 still suffered from medical consequences of her detention. According to P32 some scars and injuries remained but not long-term. She only had an abdominal scar as previously mentioned, and a slipped disc.

Kerber asked P32 about the cause of the scar. P32 said it was caused by the hot water in the basement [see context re: interrogation in the basement above].

Kerber asked P32 to provide more details about the hot water she mentioned when drawing a sketch during her police questioning. P32 explained that her memory about the torture room was distorted, because she decided to abandon her memories. However, in the police questioning, she tried to remember some things.

Kerber recalled P32 drawing a sketch during her police questioning on [REDACTED] and asked P32 if she remembered. P32 confirmed.

[The following is a recreation of a sketch shown in court, based on what the Trial Monitor was able to see and hear in court.]



Kerber wanted to know who wrote the German words on the sketch. P32 said it was her.



Kerber wanted to know if P32 remembered sitting on an electric chair. P32 explained she would be in a psychological state that is preventing her from remembering everything.

Kerber asked P32 if she preferred to continue in the afternoon. P32 explained that before the trial, she tried to retrieve memories. However, she “decided to stay away from the Middle East” when she started over in Switzerland. P32 added that she consulted a psychosocial specialist to accept what had happened to her and move on. She still clearly remembered some stories like the attempted rape by a prison guard and the bodily harm she suffered. According to P32, these memories haunted her for too long and even affected her relationship with her daughter. Therefore, P32 decided to close this chapter.

Kerber explained she “unfortunately” had more questions regarding the room where P32 was tortured. Kerber added she would refresh P32’s recollection by quoting the transcript of P32’s police questioning. For each quote, P32 should tell the Court if she 1) remembered that this happened to her 2) remembered that she said that in the police questioning. Kerber started quoting from the transcript:

“P32 often saw Abu Ghadab and Abu Shamleh during the torture sessions and when the food was served.” P32 confirmed.

“P32 was tortured with a bed-like object to which she was tied.” P32 said she remembered that, however, would not be sure.

“There were tools to hang people, sometimes from their hands, sometimes from their feet. P32 heard that from other detainees.” P32 said she remembered saying this during the police questioning, adding that she was not familiar with other witnesses’ testimonies.

“P32 drew a sketch. She was asked what happened to her. She replied that Abu Ghadab hit her with his hand”. P32 said she remembered but was not sure.

“P32 sat on the chair”. P32 confirmed.

“P32’s feet were tied, and she was tortured with electricity”. P32 said she remembered saying that, but now forgot what happened.

“Keyword: amperage”. P32 said she did not remember, because she was in a [bad] psychological state. P32 said that she was in a state [during the torture], in which she was feeling pains.

Kerber said that it is alright and asked P32 if she could remember the following: “the amperage was increased whenever P32 did not mention a name. It [amperage] was intense”. P32 said that she remembers saying that in the [police] questioning.

“P32 was laid down on the floor”. P32 said she remembered saying that.

“P32 was beaten on her feet seven or ten times”. P32 said she remembered saying that.

“P32 was not able to stand up”. P32 said that she forgot that.

“P32 was not able to walk on her feet”. P32 said she was not sure [if this happened].

“Abu Ghadab sexually abused P32 and took off her clothes”. P32 said she forgot; maybe it did happen, maybe it did not. She added that she might have imagined it happened because she was terrified.

“He [Abu Ghadab] undressed P32 and touched her breast”. P32 said she remembered saying that. Regarding her breast, she was referring to the incident in the solitary cell.



Kerber asked whether P32 remembered if that [Abu Ghadab/a prison guard touching her breast] happened once or twice. P32 explained she only remembered that she was beaten and touched by someone in the torture room, in addition to the pain she felt. However, she did not know if the touching was intended as sexual abuse.

“P32 was traumatized by the abuse, broke down, and fell unconscious. Abu Ghadab then took her back to the interrogator”. P32 recalled she previously told the Court that she did not know whether she was taken back to the cell or to the interrogator. Regarding the sexual abuse, P32 explained that it affected her psychologically and her marriage for years. But the prison guard was Abu Shamleh [not Abu Ghadab as provided in the transcript].

Kerber wanted to know if P32 remembered being taken back to the interrogator’s office after she lost consciousness. P32 explained she was half conscious; therefore, she could not remember the circumstances of when she woke up.

“P32 sat on the same chair during the interrogation. Because of the beating and the sexual abuse, she was unfocused. P32 did not mention any names [during the interrogation] and was taken back to the women [collective] cell”. P32 said she remembered that this happened.

“P32 had her clothes on”. P32 said she remembered.

Kerber asked P32 whether she preferred to continue for another thirty minutes or have a longer break. P32 said that she preferred to have a break.

[60-minute break]

Judge Wiedner’s Questioning

Judge Wiedner wanted to know if it was correct to say that P32’s sister was politically active. P32 confirmed, adding that her family was known to the security authorities. In the beginning of the revolution – before March 15, 2011, there was no revolution yet – people were following the news of the revolutions starting in Tunisia, Egypt and Libya. At that time, the Syrian people had very little hope to start a revolution – as people know the Syrian regime is a dictatorship and people did not dare to go to the streets – nevertheless, people had hope to [at least] go out to the streets. P32 said she had no idea when on March 15, 2011, all of a sudden a demonstration was secretly organized, and her sister was one of the organizers. P32 described that the demonstration was very small, and her sister went to Al-Hariqa الحريقة in Damascus together with other people. P32’s sister was wrapped in a big Syrian flag, cheering along with others “Long live free Syria” After a few moments, security forces attacked P32’s sister and other protestors.

Wiedner asked P32 if her sister was active on the internet. P32 affirmed, adding that the demonstration she just described was the only demonstration that her sister participated in, and she was detained on this occasion. P32 went on to explain that her other sister [sister 2] was arrested at her workplace as well and detained in Al-Khatib.

Wiedner asked P32 if she was politically active as well. P32 said that in March 2011 she was not active. After the detention of her sisters by the security forces at the beginning of the revolution and until her own detention, P32 did participate in demonstrations to document them.



Wiedner wanted to know if P32 was at the demonstration on March 15 [2011]. P32 denied.

Wiedner asked P32 which of her family members were detained. P32 said herself, her sisters [sister 1] and [sister 2] and her mother were detained.

Wiedner wanted to know if they were all arrested on March 15 [2011]. P32 explained that on March 15, 2011 only her sisters were arrested. However, in total all four of them were detained.

Wiedner asked other family members in addition to P32's sisters were arrested. P32 denied, adding that only her sisters [sister 1] and [sister 2] were arrested.

Wiedner wanted to know what happened to P32's sisters after they were arrested. P32 explained that [sister 2] was released three days after her arrest. [sister 1] was not released. P32 added that her family never knew what would happen to P32's sisters. No one knew what would happen to someone who entered a Syrian prison.

Wiedner asked how P32's family knew that her sister was in Al-Khatib. P32 said that they knew "according to initial information" that such practices were under the responsibility of Al-Khatib. They knew that this was the course of the events, but they were not sure.

Wiedner wanted to know if the family tried to help P32's sister. P32 said the family tried to contact people from the government by all means, to get information about her sister's whereabouts. P32 added that Rama was released after 3 days, so they knew that it [her other sister's place of detention] was Al-Khatib.

Wiedner asked if the family paid money to facilitate the release of P32's sister. P32 denied.

Wiedner wanted to know what happened to P32's sister. P32 said the family was allowed to visit [sister 1] in the office of the interrogator Anwar Raslan.

Wiedner asked P32 about her experience [of this meeting] and asked P32 how the family got permission to visit Al-Khatib Branch. P32 said that she had no idea how they reached that point, but they were eventually able to go to Al-Khatib and meet her sister.

Wiedner wanted to know who went to this meeting. P32 said it was her, her mother, and her father. P32 did not remember whether [sister 1] went as well.

Wiedner asked P32 what she remembered from the visit. P32 said she remembered how they entered the Branch, there were of course many checkpoints on the way. At the entrance, there was a staircase leading to the basement where the cells were. Another staircase led to the offices. P32 said they entered the office of the interrogator Anwar [Raslan] who let a prison guard take [sister 1] to the office as well. She was wearing a Hijab that was full of blood. Her face was blue and full of bruises from the beating. P32's father was anxious and asked Anwar [Raslan] that he be allowed to take [sister 1] home. However, Anwar [Raslan] told them they would keep her a few days in order to "educate her." And indeed, the family was able to see [sister 1], but she had to stay at the Branch when they left. P32 recalled Raslan also told the family that he would keep [sister 1] for a few days and then send her home.

Wiedner wanted to know if P32 knew how her sister got the bruises and injuries. P32 assumed it was due to "the beating that happened downstairs."

Wiedner recalled P32 mentioning during her police questioning that something happened at the meeting and asked P32 if she remembered. P32 said she forgot. She apologized, saying she knew that she said something during the police questioning, however, forgot what she said as her mind was distorted. She only remembered that the family saw [sister 1] and then left.

Wiedner recalled P32 telling the police that it was Anwar Raslan's office, and asked P32 how she knew that. P32 referred to what she already told the Court when talking about her detention: there was a name plate. P32 added the person also introduced himself as Colonel Anwar Raslan.

Wiedner asked if this was at the first meeting after March 15, 2011. P32 said Raslan introduced himself, furthermore, she saw the sign.

Wiedner asked P32 if she was able to recognize Raslan in the courtroom. P32 affirmed.

Wiedner wanted to know whom she identified as Raslan [in the courtroom]. P32 said he was sitting to her right side [defendant's bench].

Wiedner asked if this was the same person whom she saw during her detention. P32 affirmed.

Wiedner asked how Raslan reacted when he was asked to release P32's sister. P32 said he denied the request, saying he would keep her [at the Branch] "to educate her."

Wiedner quoted the transcript of P32's police questioning during which she said "We begged him [Raslan] to release her [P32's sister]. He said 'not now, later.' He did not ask for something". Wiedner asked P32 if she remembered. P32 affirmed, saying she would not contradict what she just said.

Wiedner wanted to know whether P32 knew if her parents paid money in her sister's case. P32 said if Wiedner meant whether they paid money to get her released, then the answer would be no.

Wiedner said he meant whether they paid money to go and see her sister. P32 said they did not have to go [to the Branch], because she was released after 3 days.

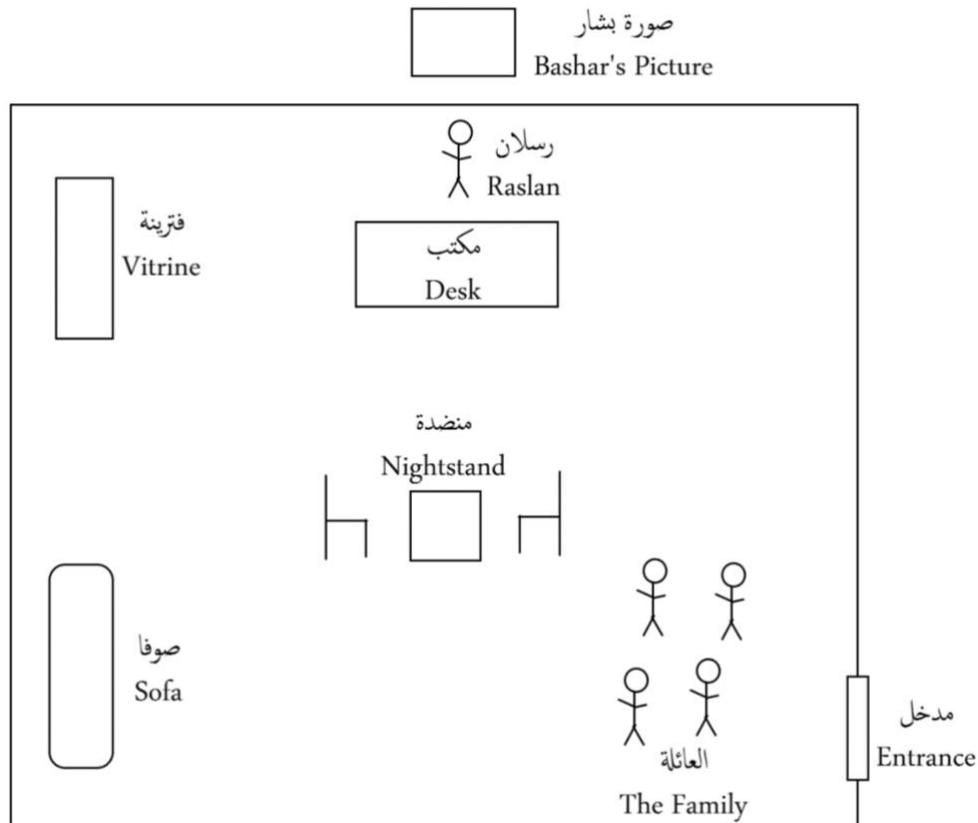
Wiedner recalled that regarding 'money' P32 told the police that "parents paid money in order to see her sister, but P32 did not know whom they paid." Wiedner asked if P32 remembered. P32 said of course she remembered. She added that their family was in contact with someone, because people in Syria know that the regime works that way [using contacts and bribery to facilitate things].

Wiedner asked P32 to describe the office where she saw Raslan at the meeting. P32 explained that the room was square, and the office was situated to the right of the entrance. There was a place for the table and the chair. That is what remained in P32's memory.

Wiedner wanted to know if the office was big. P32 denied, adding it was "normal".

Wiedner wanted to know more about the furniture. P32 said that it was neither simple nor luxurious, concluding that it was a normal office with neat furniture.

[The following is a recreation of a sketch shown in court, based on what the Trial Monitor was able to see and hear in court.]



Wiedner asked whether one had to go upstairs or downstairs to get to this room. P32 said they [P32 and her family, see context above] went upstairs.

Wiedner wanted to know who wrote the German words [there were German words in the sketch, detailing what was there]. P32 said it was her.

Wiedner asked P32 to explain her sketch. P32 said that the entrance was to the right and everything else was like she drew in the sketch.

Wiedner wanted to know if the object in the corner would be a display case. P32 said the object might have been behind him [Raslan].

Wiedner recalled P32 telling the police that “the office was maybe in the 3rd or 4th floor. It was luxurious. There was a sign with his name on it, written in a special Arabic font”. Wiedner wanted to know if P32 remembered. P32 affirmed.

Wiedner wanted to know more about ‘a picture’. P32 said that there was a picture of Bashar Al-Assad.

Wiedner asked if there was another picture. P32 did not remember if there was a picture of Hafez Al-Assad as well, because there would be pictures of Bashar and Hafez in every Branch.

Wiedner confirmed that P32 provided the BKA a similar description by quoting the transcript of the questioning.

Wiedner again quoted the transcript of P32’s police questioning during which P32 said “the office was 40 m² and there was a computer on the nightstand”. Wiedner asked if P32 remembered. P32 affirmed, adding she would not remember details. She explained to the Judges that both times [when she was in Raslan’s office] she was not in a state to concentrate, because [one time] her sister was detained and beaten and [the other time] P32 was detained. She therefore did not pay attention to details.

Wiedner said it would be alright, P32 only had to mention what she remembered.

Wiedner wanted to know what Raslan wore; a uniform or something else. P32 recalled he wore a uniform; however, it was not a military uniform but a normal suit with a tie.

Wiedner further wanted to know if Raslan wore the same outfit when P32 saw him during her detention. P32 affirmed, saying of course it was the same.

Wiedner asked if both meetings happened at the same office. P32 affirmed, explaining that the fact she went to the same office, helped her identify him when she met him the second time, because she had already seen him before.

Wiedner wanted to know how long the first meeting [P32 and her parents visiting the Branch] lasted. P32 said that it was only a few minutes.

Wiedner asked how P32 felt about Raslan, whether he was helpful and how she reacted to him. P32 said he would be “an apathetic human being without any feelings”.

Wiedner wanted to know why P32’s sister was released. P32 said she had no idea, maybe things were still at a preliminary stage, and they wanted to get rid of her to not cause a revolution. P32 added that “for the record,” her sister was detained a second time.

Wiedner asked when the second detention was. P32 did not remember precisely, saying it might have been at the end of 2011. Her sister was then smuggled abroad. P32 detailed that her sister was detained for seven days before she was released on an agreement with an officer who gave her a cell phone so she could turn people in, working undercover for the regime.

Wiedner asked if P32’s sister told her that her first detention was in Al-Khatib. P32 said her sister told her that she was detained with [REDACTED] and they were detained in the same women’s cell where P32 was detained as well [later].

Wiedner wanted to know if P32’s sister told her if she was abused or what happened to her. P32 explained that her sister said she was beaten and interrogated to get the name of those responsible for the demonstration [on March 15, 2011].

Wiedner asked if P32’s sister mentioned Raslan’s name as well. P32 affirmed.

Wiedner wanted to know what exactly P32’s sister told P32 about Raslan. P32 explained that she spoke with her sister about Raslan, because they shared similar experiences with Raslan. However, her sister was beaten by prison guards and P32 was not sure whether she was also beaten by Raslan.

Wiedner wanted to know if P32 told the police that her sister was beaten by prison guards and not by Raslan. P32 did not remember.

Wiedner again quoted the transcript of P32’s police questioning: when P32 was asked about what Raslan did to her sister, P32 said he interrogated her sister and hit her on the head. Her sister told the family when she was released, but she was not beaten by him”. P32 confirmed that this was what she told the police. P32 added that her sister was certainly interrogated by Anwar [Raslan], but P32 did not know if her sister was beaten during that interrogation. P32 concluded that this [beating by Raslan during an interrogation] did not happen to her.

Wiedner recalled that when P32 was arrested at a demonstration in May 2011, shots were fired. P32 confirmed.

Wiedner wanted to know if people were injured or killed. P32 did not know.

Wiedner asked how P32 knew that she was transferred to Al-Khatib from Division 40. P32 referred to a previous answer to a question in court: Syrians knew that people who were arrested would be transferred to Al-Khatib in 90% of the cases, especially when arrested in areas like Al-Jisr Al-Abyad. P32 explained she was also able to identify the place because she went there previously when she visited her sister. P32 did not remember whether she was blindfolded on the bus ride from Division 40 to Al-Khatib, however, she recalled the image when the detainees entered the Branch.

Wiedner again quoted the transcript of P32's police questioning, saying that "P32 knew that it was Al-Khatib from visiting her sister, although she was blindfolded on the way to it". P32 confirmed.

Wiedner asked if P32 was beaten when she was taken up or downstairs. P32 said did not remember, adding she would only remember being beaten when she entered Division 40.

Wiedner recalled that P32 told the police she was not beaten and asked P32 if she said that. P32 affirmed.

Wiedner wanted to clarify whether P32 remembered in that very moment in court if she was not beaten. P32 recalled previously saying [in her police questioning] that she and other detainees were not beaten in the second branch.

Wiedner asked if P32 was beaten when she arrived at Al-Khatib. P32 said she did not remember.

Wiedner reassured P32 that it would be alright if she did not know. P32 said ok.

Wiedner wanted to know if P32 remembered how other detainees looked like when they returned from interrogations and whether she spoke with them. P32 said she forgot how the women looked like when they used to return from interrogations. P32 said she was focused on herself and avoided talking to others as she had absolutely no trust. Even when talking to her mother, P32 would whisper.

Wiedner asked whether it was possible for someone in the basement to hear what happened to other detainees. P32 said one could hear that "all the time."

Wiedner wanted to know if the noise and voices could be perceived to come from the same floor. P32 said 100%. The sounds were very close, coming from the corridors or sometimes at the door when a prisoner would bang his head against a cell door.

Wiedner asked whether P32 meant male or female voices. P32 said male.

Wiedner wanted to know if P32 saw corpses. P32 said that she saw "bodies" [أجساد], explaining that on her way to the toilet, she used to see men sitting on their knees facing the wall.

Wiedner asked if they showed signs of abuse or injuries. P32 said she saw injured and whipped people. Their backs were full of blood as a result of beating with certain objects.

Wiedner recalled P32 telling the police that she once saw someone on the floor whose feet were tied, and his back was full of blood. P32 confirmed.

Wiedner recalled the situation when P32 requested to meet him and asked to be relocated to the women's collective cell. Wiedner wanted to know if P32's nose bled before or after the meeting. P32 said it was after her meeting with Anwar [Raslan].

Wiedner said P32 said the opposite in the police questioning. P32 said this would be because she would not be sure whether it happened before or after.

Wiedner wanted to know how long P32 stayed in the solitary cell where she was abused. P32 said around 11 days.



Wiedner recalled P32 previously saying she had problems with her spine and asked P32 if these problems were due to her detention. P32 explained the problems with her spine were caused by a blow on her neck with a rifle stock. She added that she was not sure if this was the cause, however she was x-rayed after the blow. The x-ray showed she had a disc prolapse. P32 also suffered a gastric ulcer.

Wiedner wanted to know if P32's family was informed about her detention. P32 said that if Wiedner wanted to know if her family was notified, then "no."

Wiedner asked if it would be correct to say that P32 was threatened to be detained for a very long time, unless she would mention names. P32 confirmed, explaining that she was threatened with 10 years imprisonment. She was also told that the reason behind such a long imprisonment would be because she was directly or indirectly involved in the death of Shadi.

Wiedner quoted the transcript of P32's police questioning saying "He told P32 that she would be imprisoned for 10 years if she does not confess or mention other names". Wiedner asked if P32 actually confessed and mentioned names or if she was held accountable. P32 said that he [the interrogator] was talking with her in such a way, so that she gives him names, as like "if you give me names, I will help you to not serve/spend the whole period [in prison]". In any case, P32 had to sign papers and give fingerprints.

Wiedner wanted to know if P32's memory would be better on this very day in court than compared to the police questioning or if her memory was better back then or the same. P32 said she remembered better back then, because after the police questioning, she decided to forget everything because she got tired.

Presiding Judge Kerber asked the parties how much time they needed for their questions. Defense Counsel Böcker said the defense needed some time to talk to their client in order to prepare a statement.

[20-minute-break]

P32 said she preferred to pause her testimony for now, because it had been going since the morning and was very intensive for her.

Presiding Judge Kerber dismissed P32 for the day, explain that this would also provide enough time for the defense to talk to their client.

Proceedings adjourned at 3:00PM.

The trial will continue on April 15, 2021.

Day 70 of Trial – April 15, 2021

The proceedings began at 9:30AM with ten spectators and six members of the press in the audience. One of the accredited journalists was permitted access to the Arabic interpretation (same person as on trial day 30). A court illustrator was among the spectators. The prosecution was represented by Prosecutors Klinge and Polz.



Defense Counsel Fratzky said the defense had prepared a statement which he wanted to read out. Plaintiff Counsel Scharmer suggested it could be delayed until the end of the session. Presiding Judge Kerber asked Fratzky about the importance of the statement for the course of the proceedings. Fratzky said it would be important.

Presiding Judge Kerber allowed the defense to read out the statement, explaining it would be read out loud once P32 had left the courtroom [P32 and her Counsel Dr. Kroker were preparing to leave the courtroom]. After P32 went outside, Kerber asked the interpreter to tell P32 that she was free to stay or leave. P32 went back inside and said she preferred to stay [Dr. Kroker discussed with P32 and they left again].

Presiding Judge Kerber noted that plaintiff P30 just entered the courtroom before Defense Counsel Fratzky started reading the statement:

[The following is a recreation of Raslan's statement based on what the Trial Monitor was able to hear in court.]

"[Raslan first recalled P32's testimony from the previous day regarding her arrest, detention, and meeting with Raslan]. I said in my previous defense statement that P32 was arrested along with [sister 1], however this was a mistake: it was rather [sister 1], [sister 2] and another girl from the [REDACTED] family. They were beaten and humiliated by the officers from Division 40, and I intervened to end the beating, although these officers were not under my command. This was, however, not the case with the second girl, she was not beaten. Tawfiq Younes demanded me to interrogate [sister 1], but I did not beat her. I searched her phone and Facebook account "The Damascene Rose" and found videos of demonstrations. I do not know if they paid money for the visit, but the parents visited the Branch on the same evening without P32. Her father threatened to light himself on fire in front of the Branch. Tawfiq Younes told me to come and bring [sister 1] along. In Younes' office, the father slapped his daughter so heavily that her headscarf was removed, and blood dripped on it. I asked the father to remain calm. Younes asked me to release [sister 2] and the girl from [REDACTED] family. I did interrogate [sister 1] three times. She was arrested again by Palestine Branch one week later, where she was released. I do not know why P32 slandered me on Facebook. She claimed to have asked me to be transferred to the collective cell, however, I do not remember that. Nonetheless, she would not have done that if she had heard bad things about me from her sister. In that case, she might as well have asked Abu Ghadab for help. The fact that she did approach me proves that her sister did not say anything bad about me. The mother was detained later. I met her around 40 to 45 days after having met her on March 15. The witnesses' mother was also arrested by Division 40".

Signed by Anwar Raslan

Presiding Judge Kerber asked Raslan if that would be his statement. Raslan shook his head [He appeared surprised].

Defense Counsel Fratzky asked for a break.

[5 minute break]

Presiding Judge Kerber repeated her question, asking Raslan if the statement was his. Raslan affirmed [in Arabic]. Kerber asked Raslan's interpreter, to translate what Raslan said. The interpreter clarified Raslan said "yes."

Prosecutor Klinge said the statement distorted the organizational flow of the day. Defense Counsel Böcker replied it would have been necessary and better than inviting P32 again at a later point. While one of the court officers distributed paper copies of the statement, Judge Kerber noted that P32 might want to consult her Counsel Dr. Kroker. Plaintiff Counsel Scharmer asked to inform both that the break would be extended.

[15 minute break]

Testimony of P32⁵

Prosecutors' Questioning

Prosecutor Polz recalled P32 saying that there was a doctor when she was transferred from Division 40 to Al-Khatib, asking P32 what the doctor was wearing. P32 said he was dressed like a doctor.

Polz asked if there was a sign on his clothes indicating that he belonged to the security forces or services. P32 denied.

Polz wanted to know if P32 heard from other detainees about sexual abuse of women or men. P32 denied.

Polz recalled P32 seeing detainees with blood and injuries on their backs, asking P32 if she also saw dead people or people being killed. P32 denied, adding she remembered the voices of the prison guards chatting when she was in the solitary cell. It seemed from their conversation that there was a corpse, they said something like "Look! This one died. Wrap him in a carpet and take him outside". P32 said they sounded like they were talking about a burlap bag or an animal.

Polz noted P32 using the pronoun "him" and asked if P32 meant that the dead person was male. P32 affirmed.

Polz wanted to know where P32 was during this conversation. P32 said she was in the solitary cell, alone.

Polz asked if it was day or night. P32 did not know, explaining there was no difference between day and night, and she had no sense of time.

Polz wanted to know if other detainees in Al-Khatib mentioned people dying. P32 said she did not remember talking about such things with other detainee.

Polz asked if P32 saw children while she was detained. P32 explained she would not know what Polz meant by "children", but P32 neither saw nor heard of children. However, there were people who belonged to the regime. P32 added that one might know the term "Corvée سُخْرَة" [forced labor] meaning that they were forced to clean.

⁵ Note from the Trial Monitor: As on the previous day, P23 was very emotional during the entire testimony. She also sometimes corrected the interpreter by making him aware that he did not translate the end of her sentence.

Polz wanted to know whether P32 saw these people and how old they were. P32 said they were not allowed to have direct contact with the detainees, only with the prison guards. They were treated like slaves and were told “come here and go there.” For that reason, there was no visual contact with them, but they were young.

Polz asked if P32 consequently did not see them. P32 said she did not see them, as far as she knows, only prison guards had contact with them.

Polz wanted to know how P32 knew that. P32 described how the detainees always heard the voices of the forced laborers. The detainees heard the guards giving orders to the forced laborers in the hallways. P32 added the conversations between guards and forced laborers “were like radio,” the detainees could hear them.

Polz asked if P32 could confirm that they were children. P32 said she was certain that they were forced laborers: slaves. However, she would not be sure about the age at all, adding she didn’t know if they were detainees as well. P32 said one would know that they were seventeen or eighteen years old, and before they were taken to the army, they were used as forced laborers.

Polz wanted to know more about P32’s family, asking if she had other siblings than her sisters. P32 said that she has two sisters and a brother.

Polz asked if they all lived in Syria. P32 affirmed.

Polz wanted to know if all siblings are in contact with each other. P32 said that they had a normal family relationship.

Polz asked if P32’s family would openly address an issue if something went wrong. P32 explained she thinks “family” is derived from “unity”. P32 therefore assumed that if something would happen, the family members talked with each other.

Polz explained that Raslan had just submitted a statement [read out by his defense, see context above]. Polz would like to read it out loud. The statement might be long but Polz could repeat any part if P32 wanted:

“P32 claimed she met Raslan twice in his office: Once when she was detained along with her sister [sister 1] and their parents were visiting Raslan.” P32 said Raslan might be mistaken, it was just [sister 1] [who was detained at this meeting].

[Polz continued reading the statement aloud]

Polz asked if P32 had something to say about the statement. P32 explained that exclamation and question marks were popping in her head right from the start of the statement. However, now that Polz finished, P32 had many things to address. P32 said she just wanted to say that Koblenz is beautiful, but she had not come for tourism. She would be a witness, a plaintiff, and a victim. She would not be in the position to listen to someone whom she considers a criminal, and it felt strange to have to defend herself against a criminal.

Polz said P32 would be in court as a witness and Accused Raslan denied the statements she made in her testimony. [Polz read the statement again] P32 asked Polz to repeat her question. Polz explained P32 that the content of Accused Raslan’s statement differs from what P32 said the prior day. Polz asked P32 if she was present during the first meeting with Raslan. P32 said that if Polz would like to address the points one by one, then Polz could read aloud and P32 would stop her to address certain points.

P32 added that if Polz had questions, then she would answer them. If the question was, however, what her response is, then the answer would be that it feels weird because Raslan has done nothing but to deny.

Defense Counsel Böcker asked if he could ask a question. Presiding Judge Kerber denied. Böcker said ok, however, the prosecutor's question was not answered.

Polz wanted to know whether P32's parents visited Raslan by themselves regarding the matter of P32's sister. P32 denied, adding her parents would not have told her that.

Polz recalled P32 saying she was present during the meeting. P32 confirmed.

Polz asked if her father smacked her sister. P32 said that the narrative is "no".

Polz asked if the Facebook account named "The Damascene Rose الوردة الشامية" belonged to her sister [sister 1]. P32 said she had no idea, one should ask her sister about that.

Polz wanted to know if P32 remembered the name of her sister's Facebook account. P32 said she forgot. Out of fear, everyone used to create accounts with fake names. P32 said that now at this very moment, if one would search for Al-Warda Ash-Shamiyya الوردة الشامية (in Arabic), one would find dozens of accounts with this name.

Polz asked if P32 knew whether her sister was active on the internet. P32 explained that she knew that her sister was active online but did not know any details. Even on March 15, no one from the family knew about it. P32 said she had a small query: Raslan said the detention lasted forty to forty-five days. This made P32 wonder if there was a misunderstanding on Raslan's side regarding the time of detention of herself, her mother and her two sisters. P32 explained that it sounded like Raslan assumed all of them were detained around the same time, however, her sisters were detained in 2011 while P32 and her mother were detained in 2012. P32 added sarcastically that the difference here would "only" be one year.

Judge Kerber intervened, asking P32 in which year she was detained. P32 said in 2012.

Prosecutor Polz recalled Accused Raslan mentioning that P32's sister's hijab was white. Polz asked P32 if that was correct. P32 confirmed.

Polz asked if it would be correct that P32's father threatened to burn himself. P32 said this would be unthinkable, her father would not say such thing. P32 asked if she may address a point where there would a terrifying contradiction: it was strange that the trial had been going on for a year, and Raslan would still think that P32 was detained along with her sister [sister 1] (confused both sisters). At the same time, he allegedly remembered the situation in his office. P32 said it sounded strange to her: Raslan got confused with fundamental things yet remembered certain details. P32 concluded that she thinks Raslan could not remember who was detained, because there were thousands of detainees entering and leaving this prison.

Polz said that unfortunately she could not give an answer. P32 thanked Polz for giving her the opportunity to talk.

Judge Wiedner's Questioning

Judge Wiedner recalled P32 telling the Court that her sister was detained on March 15, 2011. Wiedner wanted to know how much time passed until her family met Raslan in his office. P32 said she did not remember how much time passed. However, P32 recalled that security forces raided their house on the same day. They were searching for papers relating to organizing demonstrations.

They took many documents because P32 studied [REDACTED], so the forces assumed that some of her study materials were flyers and related to demonstrations.

Wiedner asked how many days it took them to meet Raslan in his office. P32 did not remember an exact time, adding that [sister 2] was detained together with [sister 1] and [sister 2] was released after three days. The family consequently did not see Raslan earlier than three days after her sisters were arrested.

Wiedner recalled P32 telling the police that the meeting took place on March 20, asking P32 whether that sounded right to her. P32 affirmed, explaining that she assumed that [sister 2] was released three days “after the family knew.”

Defense’s Questioning

Defense Counsel Fratzky asked P32 about her father’s job was. P32 said he was a merchant.

Fratzky asked P32 how her father positioned himself towards the regime. P32 said that like 90% of the Syrians, he was against the oppression by the regime, but the family was afraid [of the regime] like everybody else.

Fratzky recalled P32 asking to see Raslan during her detention in 2012 and asked why she wanted to see him. P32 referred to one of her previous statements, saying she wanted to get out of the solitary cell, because she was close to a break down. P32 added that she did not ask to see Raslan because he was kind to her sisters, but because he was the only person whose name she knew.

Fratzky said P32 mentioned other names the prior day, asking why P32 did not ask them [to be transferred to another cell]. P32 asked Fratzky to clarify what names he was referring to. If he meant the prison guards, they did not have the competence to address her request.

Fratzky asked P32 how she knew that. [P32 got very upset] P32 said she knew because it would be general knowledge in Syria and everywhere else that prison guards do not have such far reaching competencies. They would only be competent to open and close doors.

Fratzky asked if P32 knew about any other detainees trying to petition Raslan. P32 did not know, adding she did not ask about it and did not care. P32 explained her only request was to get out of the solitary cell.

Fratzky stated that although P32 was a detainee she had the courage to make a request to Raslan, asking if she had hoped that Raslan would help her. P32 explained her survival instinct pushed her to do what she did. She added that Raslan was a person who was able to sign her execution papers. It was only the survival instinct who made her do what she did.

Fratzky wanted to know why P32 tried to ask Raslan, if she had to expect that the answer would be no. [P32 got upset] P32 explained that there were simply no lawyers or angels of mercy. The only option for the detainees was to talk to the criminal.

Fratzky said that P32 did not answer his question, however, thanking her.

Defense Counsel Böcker asked P32 if her sister was released after the meeting with Raslan. P32 did not understand the question. Böcker said he wanted to know whether her sister was released after she saw Raslan. P32 said that if she understood correctly, then his question would be weird, because her sister was present together with P32’s mother, father and P32. After her sister was released, she said that Raslan interrogated her.

Böcker asked P32 how much time it took after that meeting for her sister to be released. P32 said that as she said the previous day and during the police questioning: 11 days.

Böcker asked whether P32 knew anything about what happened to get her sister released after 11 days. P32 said she does not know anything about the subject.

Böcker wanted to know if P32's sister's release was related to the meeting with Raslan. P32 asked Böcker to repeat the question. Böcker said that P32's sister was released 11 days after meeting with Raslan, asking whether P32 can connect both events. P32 said she does not know if anyone understood the question, asking Böcker to clarify and adding that her sister was not released 11 days after meeting with Raslan. 11 days were the entire detention period. P32 asked which events Böcker wanted her to connect.

Böcker asked how long it took for her sister to be released after the meeting with Raslan. P32 said one of the judges already asked the same question, adding that it took around three to four days if she remembered correctly.

Böcker asked if P32 sees any connection between her sister being released and the family meeting Raslan in his office. P32 said that she does not have an idea if there was a connection.

Böcker asked P32 whether she thought about the possibility of a connection. P32 asked "connection to what?" Böcker explained that if he would have been in P32's place then he would have thought about... P32 interrupted saying she understood. She did not think about it, it was only important to her that her sister was released.

Böcker intervened, asking P32 to allow him to finish his question. He repeated that if he had a sister and she would be in the same situation as P32's sister, then he would have thought about a possible connection between her release and a conversation with the interrogator a few days earlier. P32 said that this might be what would have happened if Böcker were in her place, but he would not be. P32 added the only thing she cared about was that her sister was released.

Böcker again wanted to know if P32 thought about a connection of the two events, or whether she tried to ask about the reasons for her sister's detention in the Branch. Plaintiff Counsel Scharmer intervened, saying Böcker should have said "the reasons of the release" not "detention". He told Böcker not to confuse the witness. Böcker said his colleague Scharmer was right. P32 replied she did not have an idea, nor did she want to know. Even if she wanted to know, she would have been arrested. P32 asked how she should have tried to find out about the reasons without being arrested herself.

Böcker recalled that P32 was arrested one year after her sister, still she asked to see Raslan. Böcker wanted to know why P32 asked to see Raslan. P32 said that as she mentioned before, she requested to see Raslan to get out of the solitary cell. He was the only person [in the Branch] she knew.

Defense Counsel Fratzky wanted to know how P32 and her parents visited Raslan in his office. Plaintiff Counsel Scharmer said the question was already answered on the previous day.

Fratzky asked if P32's parents told her what they were expecting from the meeting. P32 said they hoped to get her sister released.

Plaintiff Counsels' Questioning

Plaintiff Counsel Scharmer recalled P32 previously telling the Court how she was frisked by 2 nurses and mentioned that the situation was humiliating. Scharmer asked P32 to describe what exactly felt humiliating. P32 said she would only provide a brief answer, because she found [the situation back then] to be annoying. P32 explained that “in a humiliating manner” meant “they searched inside me”.

Scharmer recalled P32 saying that when her sister was detained again, she was released and given a cell phone. He asked P32 if her sister worked with the regime. P32 said of course she did not work for the regime. However, her sister accepted the offer [to work for the regime] in order to be released and then leave the country.

The witness was dismissed. Kerber told P32 she was free to stay in the courtroom [P32 stayed].

[10 minute break]

Presiding Judge Kerber announced that the previous court interpreter was officially released from his duties and another sworn-in interpreter [Al-Gharib's interpreter] would replace him.

Presiding Judge Kerber read out a ruling from the Judges, detailing that certain charges considering ordinary crimes under German law could be added to the indictment, since they were committed against some of the plaintiffs.

[The following is a recreation of the Judges' statement based on what the court monitor was able to hear in court]

- I) Presiding Judge Kerber explained that the limitation of a trial to the alleged crimes detailed in the indictment does not apply to cases where certain crimes were committed against plaintiffs. The Judges therefore informed the parties that bodily injury, severe bodily injury, sexual assault, and deprivation of liberty as provided by German law are to be added to the charges.

Kerber found that the detention conditions in Al-Khatib Branch – overcrowded cells, lack of oxygen, deprivation of sleep, lack of hygiene, lack of medical treatment, constantly audible abuse of fellow detainees, and malnutrition – qualify as bodily injury under German law. Beatings that the witnesses described would further qualify as severe bodily injury.

- II. Referring to the testimonies of the plaintiff so far, Judge Kerber said that all of them were affected in their bodily well-being which would qualify as causing bodily injury under German law:

- 1) [P1](#) was beaten with cables and batons to make him provide information about his life, his movie materials, and alleged cooperation with foreign powers. He was further told that he would have to stay in detention if he did not cooperate. In addition, a stick was inserted in his anus. Kerber concluded that these descriptions are indicators of crimes of severe sexual assault/rape §§ 177 (1) Nos 1 and 2 StGB, 177(2) s. 2 No. 1 StGB, 177 (4) No. 1 StGB [[version valid until 2016](#)], sexual abuse of detainees § 174a (1) StGB, bodily harm §223 StGB, dangerous bodily harm §224 (1) No. 2 StGB, unlawful imprisonment §239 (3) No. 1 StGB, hostage taking §239b StGB.

- 2) [P11](#) was told to provide names of members of the opposition and beaten on the soles of his feet using cables and tubes. Kerber concluded these descriptions were indicators of crimes of bodily harm § 223 StGB, dangerous bodily harm §224 (1) No. 2 StGB.
 - 3) [P12](#) was beaten with cables and threatened with torture. He was further told to provide names of opposition members. Kerber concluded these descriptions are indicators of crimes of bodily harm § 223 StGB, dangerous bodily harm §224 (1) No. 2 StGB, unlawful imprisonment §239 (3) No. 1 StGB.
 - 4) [P19](#) was beaten and touched on her breasts by a prison guard. Kerber concluded these descriptions were indicators of crimes of sexual assault/rape § 177 (1) Nos. 1 and 3 StGB [version valid until 2016], sexual abuse of detainees § 174a (1), bodily harm § 223 StGB, dangerous bodily harm § 224 (1) No. 2 StGB, unlawful imprisonment § 239 (3) No. 1 StGB.
 - 5) [P25](#) was beaten with an object similar to a tube. Kerber concluded this description was an indicator of crimes of bodily harm § 223 StGB, dangerous bodily harm §224 (1) No. 2 StGB.
 - 6) [P27](#) was beaten with a cable. Kerber concluded this would be an indicator of crimes of bodily harm § 223 StGB, dangerous bodily harm § 224 (1) No. 2 StGB.
 - 7) [P28](#) was beaten with several different objects. Kerber concluded this description was an indicator of crimes of bodily harm § 223 StGB, dangerous bodily harm § 224 (1) No. 2 StGB, unlawful imprisonment § 239 (3) No. 1 StGB.
 - 8) [P30](#) was beaten with the open end of a cable. Kerber concluded this would be an indicator of crimes of bodily harm § 223 StGB, dangerous bodily harm § 224 (1) No. 2 StGB, unlawful imprisonment § 239 (3) No. 1 StGB.
- III) Referring to the testimonies of [P1](#) and [P19](#), Kerber found that their description are also indicators of sexual assault as crimes against humanity as provided in § 7 (1) No. 6 var. 1 VStGB.
- IV) Referring to the testimonies of [P17 and P18](#) regarding the death of their brother/cousin Kerber found that these are indicators of crimes of murder § 211 StGB and manslaughter § 212 StGB. However, Judge Kerber added that one must take into account that the body of the allegedly dead person was never found and both witnesses mentioned it might be possible that the person was still alive.
- V) Judge Kerber explained that the Judges will request an expert opinion on the above-mentioned criminal offences and their evaluation in Syrian law at the time the relevant acts were committed.

Presiding Judge Kerber went on to read out an email that the Court received from [REDACTED] [listed as a plaintiff on trial day 1]. [REDACTED] thanked the Judges for offering her protective measures and support and explained that she was not only worried about her family, but has other concerns as well and would therefore prefer not to testify in court.

Plaintiff Counsel Kroker said his client [REDACTED] would no longer participate in the trial as plaintiff and also not testify in court.

Judge Kerber announced that the trial days schedules for April 28 and 29, 2021 would be canceled since the witness will not testify in court. She added that the Court was informed by [REDACTED] via email that he preferred not to testify in court.

Defense Counsel Böcker requested to be informed about such emails and decisions on time, since his office has to arrange the schedule accordingly.

Prosecutor Polz read out the Prosecutors' statement regarding [the defense's request to take additional evidence](#) in the form of five witness testimonies.

[The following is a recreation of the Prosecutors' statement based on what the Trial Monitor was able to hear in court.]

- 1) The Prosecutors objected to the defense's request to hear [REDACTED] from the German intelligence service (BND) as expert to testify on the competencies of Division 40 of the Syrian General Intelligence Directorate. The Prosecutors argued that the two proposed witnesses would be unable to testify on something they directly experienced, therefore their testimony would be either irrelevant or unsuitable: If the proposed witnesses were to testify that Division 40 was only in charge of demonstrations that took place in Damascus, their testimony would be irrelevant because the work of Division 40 is not relevant to the trial against Anwar Raslan. If the proposed witnesses were to testify that Division 40 was the only division/branch in charge of demonstrations in Damascus, their testimony would be unsuitable as the exclusive mandate of Division 40 was not part of the BND's expert report. The BND's report rather states that tasks and mandates of the different intelligence agencies in Syria were overlapping, and it was often unclear who was in charge of a particular situation. According to the prosecutors, the report also states that all intelligence agencies were involved in fighting the opposition. The prosecutors referred to Eyad Al-Gharib's statement with the BKA, saying that members of Division 40, members of other sub-divisions of Branch 251, members of the Ministry of Interior, and members of the Air Force Intelligence were present at protests in Duma. The prosecutors concluded that in case there would be any open questions about the competencies and mandate of different Syrian intelligence agencies, Criminal Chief Inspector Deußing from the BKA could be summoned as a witness once more.
- 2) The prosecutors objected to the summons of [REDACTED] and two other people as witnesses, due to a lack of connectivity. The prosecutors explained that it would be unclear how the proposed witnesses would be able to know that Accused Raslan was neither present at a protest nor at the funeral of a Syrian movie director. [REDACTED] worked downstairs in the prison of Branch 251 while Accused Raslan had his office on the first floor of the building. [REDACTED] would therefore not be able to confirm that Raslan was not present at the above-mentioned events as claimed by the defense, since he and Raslan were not together all the time. The prosecutors stated that the same would be the case for the two other proposed witnesses. According to the prosecutors, the defense's submission requesting to summon these people as witnesses would not indicate how these witnesses would be able to testify about Raslan's behavior. In any event their testimony regarding Raslan's behavior would be a mere subjective impression rather than a fact.

All plaintiff counsels announced that they would join the Prosecutors' statement. Plaintiff Counsel Scharmer added that it would nevertheless be interesting to hear [REDACTED] as a witness, however, for different reasons than those put forward by the defense.

Proceedings were adjourned at 12:10PM

The next trial day is scheduled for April 21, 2021.