



The
CENTER for
VICTIMS of
TORTURE
.....
Restoring the Dignity of
the Human Spirit

**RECLAIMING HOPE,
DIGNITY AND RESPECT:
Syrian and Iraqi Torture Survivors in Jordan**



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Photos: Agnes Montanari
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ABOUT CVT

The Center for Victims of Torture™ (CVT) provides healing services to survivors of torture and war atrocities at its clinics in the United States, the Middle East and Africa and engages in training and capacity building initiatives in support of torture survivor rehabilitation programs worldwide. CVT engages in policy advocacy in fulfillment of its mission to heal the wounds of torture and end the practice worldwide.

In 2008, CVT began providing trauma rehabilitation services to Iraqi refugees in Jordan. In 2012, with the influx of Syrian refugees fleeing war, the need for CVT's services increased dramatically. With nearly 630,000 registered Syrian refugees in Jordan¹ and increasing numbers of Iraqis, CVT currently operates two clinics in Jordan—Amman and Zarqa. Over 80 percent of refugees in Jordan are living in urban settings, not in camps, though Zaatari camp near the Syrian-Jordanian border holds nearly 80,000 Syrian refugees and Azraq camp holds approximately 27,000 individuals.² CVT's clinical staff members (psychosocial counselors, physical therapists and social workers) provide high-level specialized interventions for clients in ten-week group sessions.

CVT provides services to individuals who survived war trauma and/or torture outside of Jordan, regardless of refugee status.

Potential clients are introduced to CVT in Jordan primarily through word-of-mouth from former clients. CVT also has a large referral network of legal, social and medical service providers to refer clients based on need. These partners refer refugees with a high level of need and low level of functionality to CVT for specialized mental health and physiotherapy interventions.

CVT serves both asylum-seekers and refugees in Jordan, regardless of nationality. Refugees, as defined by the 1967 Protocol to the 1951 Convention Relating to the Status of

Refugees, are those individuals who flee their country of origin due to a “well-founded fear of being persecuted” on account of “race, religion, nationality, membership of a particular social group or political opinion” and are “unable [. . .] or unwilling to avail [themselves] of the protection of that country” because of such fear.³ Asylum-seekers are those individuals who flee their countries of origin, but whose refugee status is not yet or cannot be determined.⁴ Under its mandate, the UN High Commissioner for Refugees (UNHCR) designates individuals as refugees and asylum-seekers worldwide. Such individuals include those who are fleeing conflict or generalized violence or “other circumstances that have seriously disturbed public order and who, as a result, require international protection.”⁵

Along with its government and humanitarian aid partners, UNHCR provides protection and services to individuals falling under its mandate.⁶ Syrians displaced in the Middle East fall under a specially-designated category and are automatically presumed to be refugees upon initial registration with UNHCR. Displaced Iraqis must go through the standard UNHCR refugee status determination process. In Jordan, CVT provides services to individuals who survived war trauma and/or torture outside of Jordan, regardless of refugee status. However, most of CVT's clients are registered as refugees or asylum-seekers with UNHCR. UNHCR estimates that by January 2016, there will be over one million refugees and asylum seekers registered in Jordan.⁷

Given that needs far exceed available resources, CVT must prioritize those clients with the highest level of need—those who display a low level of functioning and may benefit most from specialized intervention. After intake, clients participate in 10-week group cycles. Individual meetings with counselors are used as needed to supplement group participation. Children's groups are divided by age and parents are involved in the group sessions to varying degrees. Adult groups are generally separated by gender. With some adjustments according to the particularities of each group, CVT's counselors guide clients through a 10-week cycle that provides a safe space for clients to heal from their traumatic experiences and improves their ability to function. . . .



METHODOLOGY

Selection Methodology

In order to more systematically track human rights violations that CVT's clients suffered in their home countries, lawyers from CVT's office in Washington, D.C. conducted four trips to Jordan to collect testimonial accounts of the human rights abuses faced by former CVT clients. Interviews were entirely voluntary and were only conducted after the clients had completed CVT's 10-week mental health and/or physical therapy program and had received a six-month follow-up with their CVT counselors to ensure that the clients were psychologically stable and prepared to share their story.

Teams of counselors selected potential interviewees among CVT's former client population of primary and secondary torture survivors⁸ from Syria or Iraq based on whether the client was psychologically stable, interested in sharing their personal story for public purposes and able to provide informed consent. Individuals who volunteered to participate in interviews were scheduled for one to two hour interviews in either Amman or Zarqa and were provided reimbursements for transportation costs.

Counselors did not attend the individual interview sessions as long as clients felt comfortable meeting the attorneys alone along with an interpreter. The counselors, however, were in the office nearby in case the clients required follow-up or experienced discomfort or retraumatization in discussing their experiences.

Interview Methodology

CVT's attorneys conducted 64 interviews during four separate trips to Jordan from January 2014 through October 2015. This report relies on those interviews with CVT's Syrian and Iraqi clients. Several of the interviews conducted were with survivors of war trauma who were not tortured and did not have family members who were tortured or disappeared. Those interviews are excluded from this report, which aims to relay the human rights violations committed against primary or secondary torture survivors and their particular needs.

This report relies on the definition of torture in the UN Convention against Torture, under which CVT's international programs classify torture survivors. Torture thus entails (i) severe physical or mental pain or suffering (ii) intentionally inflicted (iii) for purposes of obtaining information or a confession, punishment, intimidation, coercion, or discrimination of any kind (iv) by or with the consent or acquiescence of a public official or another person acting in official capacity, (v) not including pain or suffering arising from, inherent in, or incidental to lawful sanctions.⁹

Clients included in the report range in age from five to late 60s. Children (up to 18 years old) were not interviewed; rather, attorneys conducted interviews with their parents. In one case, a father asked to be interviewed simultaneously with his 14-year-old daughter (a CVT client). This request was granted. Iraqi clients interviewed came primarily from three cities in Iraq—Baghdad, Kirkuk and Basra. They often say that they were targeted for sectarian reasons either by unknown perpetrators or local militias. Although a majority of CVT's client's and the general Syrian refugee population



SYRIA

IRAQ

JORDAN

• Aleppo

• Latakia

• Homs

★ Damascus

• Deraa

• Zarqa

★ Amman

• Mosul

• Erbil

• Kirkuk

Baghdad ★

An Nasiriyah •

Al Basra •

are from Deraa, most Syrian interviewees and torture survivor clients are primarily from Homs, Damascus or Rif Dimashq and primarily cite the Syrian military and its affiliates or intelligence services as their torturers.

The interviews were structured chronologically starting with specific questions about the early stages of the Syrian or Iraqi conflict, focusing on the clients' direct experiences of torture and the perpetrators, and ending with questions regarding their current situation as refugees in Jordan and thoughts about the future. Within this flexible, semi-structured approach, the interviews allowed the clients to elaborate on their experiences to the level of detail they chose and to address the issues they wished to highlight.

Interview highlights are included in the report after several stages of informed consent. First, counselors informed clients about the nature of the interview and potential public use of the information, obtaining verbal consent regarding participation. Attorneys then received (i) verbal informed consent of the clients prior to the interviews, ensuring that clients understood that the purpose of the interviews were for their stories to be shared publicly to support advocacy work and (ii) written informed consent in Arabic at the end of the interview to provide clients with the opportunity to reflect upon the information they provided, consider potential risks and make an informed decision. On one occasion, the individual decided that after sharing her story with the attorney, she wanted the information to remain confidential. CVT respected that request and her story is not referenced in this report. Additionally, a number of clients asked for identifying information, such as locations, occupation or details about family members' experiences of torture to be kept general or confidential. In all of these instances, the clients' requests have been respected.

CVT is firmly committed to client confidentiality and preserving the therapeutic relationship. Therefore, CVT guarantees to its clients that anything that was shared during their participation in CVT's counseling, physical therapy or social work sessions would remain confidential, but information shared with attorneys could be made public. All of the names have been changed and some identifying information omitted for confidentiality and security purposes. All notes and details of interviews are on file with the authors.

Other Qualitative Data

In addition to interviews with former clients, the content and recommendations of this report are also informed by the 10 discussion group sessions conducted by CVT staff in Jordan. CVT's psychosocial counselors, physiotherapists and social workers gather on a monthly basis to share observations on human rights violations and challenges faced by clients in Jordan. These discussion groups bring together over 50 of CVT's clinical staff members who have seen 3,036 Iraqi clients since 2008 and 1,829 Syrian clients since 2011.

CVT staff members in Jordan have seen 3,036 Iraqi clients since 2008 and 1,829 Syrian clients since 2011.

Staff members interact with Syrian and Iraqi clients as well as refugee families within the community on a daily basis. As a result, staff members are continuously taking in information on the changing needs, fears and perceptions of the larger Syrian and Iraqi refugee communities related to their lived experiences and to their present circumstances in Jordan. When this report refers to "CVT clients," this information comes from anecdotal evidence shared in monthly staff discussion groups. The terms "interviewees" or "clients interviewed" refer to those clients who shared their stories directly with U.S.-based CVT attorneys.

Finally, the report is informed by extensive discussions with referral partner organizations working in Amman and Zaatari camp. These discussions have provided key contextual information to ground CVT's understanding of the situation in Jordan and its influence on the well-being of Syrian and Iraqi refugee communities. ...



Limitations

CVT's specialized high-level interventions make it unique among refugee service providers. CVT's clients are a subset of the larger refugee population in Jordan. The experiences of this client population may be indicative of larger trends, though they also present an inherent selection bias. Clients seeking CVT's services may either face more problems than the general refugee population or may be more capable of seeking out services than others. Thus, the interviews and observations that follow are based on a select portion of the larger refugee population in Jordan and may differ from the experiences of Syrian or Iraqi refugee populations in Lebanon, Turkey, Egypt or other parts of the region.

Refugees describe despising having to “beg” for money from the international community and prefer to provide for themselves.

The discussions that informed this report, however, led to the conclusion that the shortfalls in humanitarian assistance are similar among the Syrian refugee populations residing in the camps. The purpose of this report is to share trends among CVT's client base and inform policies for the U.S. government, the Jordanian government, the United Nations and NGO partners moving forward. The narratives of Syrian and Iraqi clients provide a powerful, rich depiction of the types of torture experienced as a result of the ongoing protracted conflicts in Syria and Iraq. Additionally, the information shared by clients and staff illustrate the critical and emerging issues faced by Syrians and Iraqis that seek CVT's services given the current situation in Jordan. ...

EXECUTIVE SUMMARY

Under international law, torture can be both a war crime and crime against humanity and may be an element of genocide. The long-standing prohibition against torture has not brought an end to the practice around the world. In few places has it been more widespread than in the context of the ongoing conflicts in Syria and Iraq. As the following discussions illuminate, torture practices in the region include beatings, sexual violence, burning, electrocution, pulling fingernails and threats against family.

In the following report, CVT shares trends that have emerged separately among its Syrian and Iraqi clients. Most of CVT's clients who were imprisoned and tortured in Syria did not identify or report affiliation with opposition forces, demonstrations or political activities. Rather, they were caught up in generalized violence and round-ups in some of Syria's largest cities. Though the majority of CVT's Syrian clients are from Deraa on the Jordanian border, most of the torture survivors interviewed came from Homs, Damascus and Rif Dimashq. Interviewees rarely report being tortured to elicit certain information. Rather, the torture survivors believed that perpetrators wanted to intimidate and create pervasive fear.

Because the borders between Jordan and Syria have been effectively closed since January 2015, most of the Syrian clients interviewed report entering Jordan between 2011 and 2014. Although fighting in Syria is complex, with nearly 1,000 different groups participating,¹⁰ the primary torture perpetrator reported to CVT is the Syrian military and its affiliates or security and intelligence forces. Most survivors

reported being detained in government facilities, most notably intelligence prisons or intelligence-related sections of regular prisons in Homs and Damascus.¹¹ However, others reported being detained in makeshift or informal centers of confinement, including houses or markets.

Clients expressed fears of returning to Syria due to the brutality from all sides of the conflict including the Islamic State of Iraq and Syria (ISIS), the Free Syrian Army (FSA) and other opposition forces. However, very few of the Syrian clients interviewed have been targeted by opposition forces or ISIS because they are either from territory not held by ISIS or fled ISIS-held areas prior to ISIS takeover. Instead, they recount stories of family members who are still in Syria and face threats, attacks or restrictions by ISIS. Clients thus express fears of returning to Syria because of potentially being targeted by ISIS.

In Iraq, the reports of torture are much murkier. Clients rarely know who attacked them, but often know that threats or attacks were based on sectarianism. Interviews were conducted with CVT Iraqi clients from Baghdad, Kirkuk, Mosul and Basra. Most interviewees report they were attacked because they are from a minority group in their particular region—usually Sunnis, Christians and Sabians. Although interviewees and other clients can rarely identify perpetrators definitively, they often cite local militias as perpetrating much of the violence and reiterate that they were attacked based on their religion with perpetrators taking advantage of the chaos and lack of government enforcement.

The mental health effects that clients describe stemming from the abuse faced in Syria or Iraq include nightmares, trouble sleeping, constant paranoia, difficulty with concentration in simple daily tasks, fear of loud noises and planes, withdrawal and isolation. Clients are constantly plagued by symptoms of post-traumatic stress disorder contributing to a low level of functioning even as they fled to the relative safety of Jordan. Exacerbating the situation has been the tense relationship with the host community that is struggling to integrate the large influx of people, the increasing difficulty of obtaining appropriate services from the underfunded international humanitarian community and the lack of legal work opportunities in Jordan.

The recommendations in this report focus not only on the violations faced by CVT's clients, but the mental health impacts of the torture and abuse they faced. To combat the negative coping mechanisms and mental health effects that have plagued refugees in Jordan, more opportunities must be in place for refugees to live relatively normal lives. First and foremost, increased opportunities to provide for their families must be afforded. Refugees describe despising having to "beg" for money from the international community and preferred to provide for themselves. However, opportunities for refugees to obtain legal work authorization are incredibly limited in Jordan and most refugees are prevented from working. While some continue to work illegally, the pay is minimal and there are no protections. Rather, they are in constant fear of being discovered by Jordanian authorities and being sent to Azraq camp or deported. Some clients report sending their children to work instead of school because they are less likely to be deported if discovered.

CVT's clients tell stories not of victimhood, but of survival in the face of serious war crimes and crimes against humanity.

Importantly, the lack of communication by the international humanitarian community has also created a feeling of abandonment and frustration, particularly among Iraqi refugees. Much of the international donor community earmarks aid for the Syrian refugee response. Iraqi interviewees report being ignored or turned away by humanitarian aid providers. Finally, the lengthiness of third country refugee resettlement processes has left many in limbo as they wait for a sign from the United States, Canada, Australia and other resettlement countries. Interviewees report waiting a year or more to hear anything when referred for resettlement; this is after several years of going through the application process with UNHCR. Improvements in communication and provision of services in all of these programs can go a long way to preventing the retraumatization of torture survivors and the general refugee population in Jordan. Despite the difficulties they face, CVT's clients tell the stories not of victimhood, but of survival in the face of serious war crimes and crimes against humanity. ...

PATTERNS OF TORTURE AMONG CVT'S SYRIAN CLIENTS

Throughout the 64 client interviews, certain patterns of torture in Syria have emerged. These patterns are confirmed by clinical staff observations in relation to the larger torture survivor population seeking CVT's services in Jordan. Described below are the most common emerging themes and excerpts from client testimonials that illustrate those patterns.

Arbitrariness

The overwhelming majority of clients interviewed who were tortured in Syria claim no part in the opposition movement. With no reported involvement in demonstrations, revolution or armed groups, many interviewees were arbitrarily swept up in the violence and government crackdowns. They happened to be in the wrong place at the wrong time—often their own homes or at checkpoints. Others were only incidentally involved in opposition activities.

Arbitrary detention is not well-defined under international law. The UN Human Rights Council's Working Group on Arbitrary Detention determines that a detention is arbitrary if it falls into one of three categories: (i) "When it is clearly impossible to invoke any legal basis justifying the deprivation of liberty;" (ii) "When the deprivation of liberty results from the exercise of the rights or freedoms guaranteed by" several articles under the Universal Declaration of Human Rights or International Covenant on Civil and Political Rights, such as freedoms of assembly, press, movement, expression, opinion, or association; or (iii) "When the total or partial non-observance of the international norms relating to a fair trial [...] is of such gravity as to give the deprivation of liberty an arbitrary character."¹² Under these standards, when individuals are held for no investigative purpose, or for exercising basic rights, or are given trials that lacked basic protections, their detention may be arbitrary.

In Syria, many of the interviewees reported being arrested for no identifiable purpose other than being in their own

homes when government troops arrived in their neighborhoods. Men, women and children who were detained were all potential targets for torture. Those tortured were from different socioeconomic backgrounds and many were prominent in their communities as businesspeople, academics and professionals.

*When the revolution started in Deraa in 2011, **Hamza**¹³ did not participate. One day in November, soldiers came into his neighborhood. He had stayed out of the protests near his home the night before, but soldiers came into his home and asked for his identity card. They arrested him and many other men in the neighborhood. He was held in solitary confinement and subject to various methods of torture including throwing cold water at him while undressed and leaving him in a cold room. After several days, he was transferred to a room of about 40 to 50 men where he stayed for 10 days. Eventually he was forced to sign papers confessing that he helped men who attacked officers. Prison officials asked him about rebel activities, but he didn't know anything. He was then transferred to a prison in Damascus, where he was held in solitary confinement, interrogated and beaten for six hours a day. He was forced to confess to supplying weapons to the rebels and participating in the revolution, which he did not do. Hamza was eventually transferred to the State Security Prison in Damascus and after days of interrogation, he was eventually cleared and released.*

Ibrahim was arrested on three separate occasions simply because of his shop's location near the security and intelligence branches.

***Ibrahim**¹⁴ owned a shop in Deraa located near several security and intelligence branches on a main road. He was arrested in his shop on three separate occasions simply because of his shop's location. Ibrahim was accused of informing opposition forces about the movement of the regime and intelligence forces, something he claims no involvement in and says he was disgusted by the violence and brutality of both sides. While in prison, he was beaten with the barrel of a rifle on his mouth and still has broken teeth. He was blindfolded*



and suspended from a ceiling for hours at a time. Guards threatened to hurt his wife. Ibrahim describes the psychological torture as worse than the physical torture. For weeks and months after, he describes experiencing deep paranoia and a strong pain in his chest when he heard the sounds of ambulances or police cars.

Qassem¹⁵ worked for a company that was accused of incidentally aiding demonstrations in the early months of the revolution. Shortly afterwards, he and several other employees of his company were arrested and taken to the Air Force Intelligence Branch. He confessed, hoping for mercy, but instead was tortured for 13 days straight. He was put in a tire and beaten and was electrocuted. He says he is lucky because only one of his nails was removed; many others had all of their nails removed. His family did not know where he was for nine months. When he was transferred to a local prison in Homs, he spent six months suffering from sexual and psychological humiliation. All of the prisoners were forced to strip naked and eat while they were kneeling with their hands behind their backs. Qassem was finally released when one of the prison officials in the local prison recognized him and alerted his family. The judge that eventually released him told him to leave Syria immediately.

Aisha¹⁶ and her husband ran a charity in Homs. As the violence spread to their area in August 2011, she and her family did not participate in demonstrations. They watched as tanks and snipers rolled into their neighborhoods. They continued their charity work by taking injured people into their home to provide first aid. Aisha's brother was killed and her mother was

wounded, both by sniper shots. In October 2011, her disabled husband was detained for over 12 hours by security forces accusing them of being terrorists. They forced him out of his wheelchair and made him drag himself up seven flights of stairs. Upon being released, he told Aisha that he heard and saw people being tortured at the security/intelligence office and was threatened with physical torture himself. Officers threatened to hurt his wife and daughter and accused him of faking his disability. They humiliated him when they forced him to walk and he fell. Undeterred, the family continued to take injured people into their homes. When their home was bombed in November 2011, they fled to Damascus, where after a short while, her son was killed when tanks lined up outside their house. They unwillingly fled to Jordan shortly after.

Many interviewees reported being arrested for no identifiable purpose other than being in their own homes when government troops arrived.

Demonstrating the arbitrariness with which torture was carried out, some of the clients interviewed were even former government officials, had family that worked for the government or were associated with the ruling Baath Party. Several clients describe never taking part in protests, continuing their work in government jobs and despite this, still being arbitrarily detained and tortured.

As an academic and philosopher in Homs, **Khaled**¹⁷ had written four books and over 30 other publications. He had a son who worked for the government and had been himself a member of the ruling Baath Party in the past. Khaled did not participate in the revolution. In April 2011, while sitting in his office, a security officer came in and arrested him. He was placed in solitary confinement, in a room about one-half meter by two meters for eight days. Khaled's son paid prison officials to give him water. He was given two small bottles for drinking and bathing per day. He would be taken out of his cell each day, undressed and beaten by three men. A fourth man would supervise. After eight days, he was transferred to the central prison in Homs where he stayed for a month until he was declared innocent [of false murder charges] and released, after paying the judge a hefty bribe.

Imad,¹⁸ a Syrian lawyer, worked in the legal affairs section of the Ministry of Communications. He did not take part in demonstrations, though some of his family members participated. He was first arrested after he fled Damascus with his family during clashes between the regime and the Free Syrian Army. When he went back to check on his home, he was arrested and accused of treason, but was let go when the chief security officer recognized him. Imad was trying to go back to work when he was stopped and arrested at an

Walid said that before the war no one would ask who was Shia, Sunni or Alawi. This environment changed during the war.

irregular security checkpoint. He was kept alone in a dark, cold room and beaten with cables, wires and rods. He was hung and kicked. He was repeatedly questioned about people with his family name, a very large family in Deraa, which he says has over 200,000 members in Syria. He was eventually released, he suspects because they discovered he had no information and worked for the civil service.

Some interviewees point out that their targeting might not have been entirely arbitrary, speculating it may have been connected to the sectarianism that took over Syria after the war broke out. Client interviewees describe, and most independent reports confirm, that sectarianism was not a particular concern in day-to-day life prior to the war. Syria's population was nearly 90 percent Arab, made up of Sunnis, Christians, Alawis Shia and Druze. Kurds, Armenians, Turkmen and other ethnic minorities made up the other roughly 10 percent of the population.¹⁹ Interviewees were quick to note that they all lived together peacefully prior to the conflict, but lament the sectarian character of the attacks after 2011.²⁰ What the sectarian subtext of the conflict means for future accountability and reconciliation remains unclear. But many Syrian interviewees were quick to note their desire for accountability for all sides of the conflict, including any of the opposition forces.²¹

Mahmoud²² from Rif Dimashq explained that prior to the war, Syrians of all religious and ethnic groups lived side-by-side in the same communities. He said that when the revolution first started, it was like any other, people from all sects were in opposition or with the regime. But the regime directed its brutality at Sunnis; even those Sunnis who worked for the government were targeted.

Akram's father was kidnapped at his workplace in a government-affiliated factory. He along with seven of his colleagues—all Sunnis—were arrested. His family hasn't heard anything about him since he was kidnapped in 2013. Akram's mother told CVT that she believes her husband was only arrested because sectarianism, particularly between Sunnis and Alawis, had taken over.²³

Walid²⁴ was arrested and tortured in prison for 45 days. He said that before the war, no one would ask who was Shia, Sunni or Alawi. His neighborhood in Homs was diverse and he got along with his Christian neighbor. This environment changed during the war. He noted that snipers were mostly Alawis. When he stopped at a checkpoint as he was fleeing Syria, he was cursed for being Sunni and the soldier threatened to cut off his hands and feet.





Freedoms of assembly and speech suppressed

The few interviewees who had either participated in demonstrations or attempted to document the events describe particularly brutal torture. They were often held in central intelligence prisons and faced harsh treatment until they were released—usually through hefty bribe payments. Their treatment indicates the well-documented intention to suppress peaceful assembly²⁵ and stifle the press.²⁶

Kareem²⁷ was a photographer who took photos of demonstrations, but was not affiliated with the opposition. His wife and son were kidnapped and soon after, he was taken to what he describes as a “house” with several rooms. There, he was forced to watch the gang rape of his wife and the killing of his son as officers affiliated with the regime slit his throat with a knife. Kareem was electrocuted, suspended from the ceiling and beaten, and burned with cigarettes. Interrogators continued to ask him about names on their lists, but he fed them false information. He was beaten until he was unconscious. When they discovered he was lying, they would beat him again.

Kareem, an independent photographer, was forced to watch the gang rape of his wife and killing of his son.

In the early months of the revolution, **Fouad**²⁸ and his four brothers were arrested for their participation in demonstrations. They had all received threatening texts prior to their arrest. He spent a year in an intelligence prison where he and others would be beaten until their teeth broke, exposed to electric shock, beat on the back and forced to watch the torture and rape of others, including men. He was forced to watch the beating to death of one prisoner. For the first 12 days, his interrogators attempted to ask him questions and get information, but after that, they just beat him to punish him.

Torture and targeting of children

Children have not escaped the brutality of torture in Syria. Many of the children who take part in CVT’s program in Jordan are deeply affected by trauma from war and mass atrocities. However, a select few are themselves survivors of torture. Some of CVT’s adult clients also report that their children were tortured and/or killed, even if the children themselves are not CVT clients. In several instances, parents sought CVT’s services to cope with the torture and severe war trauma endured by their children and their inability to protect them from such experiences.

Fatima’s²⁹ daughter was 12 years old when she was taken by Syrian troops from her home. Soldiers wanted her father who was a member of the Free Syrian Army. When they didn’t find him, they took her instead. The young girl was held for a few weeks until her father surrendered to save his daughter. The FSA was able to free the children that were held but the father was

killed. Fatima's daughter described being treated badly, seeing other children tortured and/or killed.

Bushra's³⁰ 17-year-old son was arrested in regime sweeps in Damascus in the middle of the night when regime forces entered their home. He was charged with trumped up terrorism charges and held for four months until Bushra was able to win his release by paying bribes. She does not know the details of his treatment, but knows he was treated badly.

Multiple family members were arrested and tortured

For some of the interviewees many of their family members, usually males, were swept up in the arbitrary arrest, detention and torture in places like Damascus and Homs. Entire families have been affected. Parents who lost one child said that they fled as quickly as possible to prevent the same fate from happening to their other children.

Bushra, whose 17-year-old son was arrested, also saw the arrest of her 19-year-old son and her husband in the same sweep. Regime forces broke into their home in the middle of the night. They were taken along with other men and boys from the neighborhood, some as young as 13. None of them had reportedly participated in protests or in the revolution. Father and sons were dispersed and held in different places. They were finally released after four months when Bushra paid a bribe for their release. Her husband now suffers from knee problems because he was forced to kneel in a small crowded room for extended periods of time. He returned home with his teeth broken and thumbs fractured.

Manal,³¹ a hospital employee who was arrested, forced to listen to the rape and torture of others and was threatened with gang rape herself, was not the only one in her family arrested and tortured. Her husband was arrested because he helped displaced civilians who had fled to Damascus from Homs by raising money and bringing them food, diapers and milk. This was only a short time before she was detained and tortured.

Ayman,³² of Palestinian origin with Jordanian citizenship, was born and raised in Damascus. When the war broke out, he warned his brothers not to get involved in opposition activity and even describes himself as supporting the regime at first. After he was hit by sniper bullets in his legs, he had to navigate checkpoints and regime hospitals to receive treatment. Shortly after, his youngest brother was arrested. Ayman and much of his family fled. When Ayman's oldest brother returned to Syria to search for their youngest brother, he was also arrested and faced abusive treatment. He was forced to strip naked and shower in scalding water until his skin peeled. Ayman's oldest brother was held in prison for a month and was deported to Jordan. There remains little word on their youngest brother with the most recent update that he was in a military court in 2015.

Cultural and family pressures urge individuals not to mourn for their missing loved ones because it indicates that they are dead.

Disappearances

In Syrian government prisons, political prisoners have been disappeared or brutally tortured, and the government attempted to cover up the treatment by claiming they died from natural causes, issuing death certificates to that effect. Other families still do not know what happened to their loved ones who disappeared and have not received any information from officials, despite repeated attempts. Human rights groups estimate that over 65,000 individuals are still missing in Syria.³³ Cultural and family pressures urge individuals not to mourn for their missing loved ones because it indicates that they are dead.³⁴ Some clients have been missing family members for years. As the release of 55,000 photos by a defected Syrian military photographer confirms, thousands may have died in Syrian prisons.³⁵

Under international law, the families of the disappeared have a right to know the fate of their loved ones. The government is obligated to carry out a full investigation and provide the family with information. Because of the anxiety associated with not knowing the fate of close family members and loved ones, the families of the disappeared

are often survivors of severe psychological pain and suffering. The UN Human Rights Committee has long regarded enforced disappearances as a violation of the prohibition against torture and cruel, inhuman or degrading treatment for the family.³⁶ Disappearance is one of the few continuous crimes under international law, meaning that the crime does not cease until the fate or whereabouts of the individual are released.³⁷ The European Court of Human Rights and the Inter-American Court of Human Rights both note that the mental anguish and distress associated with not knowing the fate of family members is a breach of the prohibition against torture and cruel, inhuman or degrading treatment.³⁸ The experiences of CVT's clients show that this assessment is also clinically correct and severe pain and suffering are associated with disappearances and a lack of genuine investigation. Many families still suffer from not knowing the fate and whereabouts of their loved ones. Others, who have had the bodies of their loved ones returned, do not know the truth about what happened to them.

“They don’t even let me mourn for my husband or honor him.” The ongoing uncertainty is a heavy burden.

Tarek's³⁹ brother aided in the release of a man held hostage by the Free Syrian Army. In 2012, that brother was arrested for reasons that remain unclear to Tarek. He was released after a few months only to be arrested again in 2013 and held in a military intelligence prison. When Tarek and his family tried to find his brother, they were told he had died of a stroke and were given a death certificate to that effect. He was 42 years old and in good health. After the family went through parliamentary contacts and paid money to retrieve the body, they saw that he had bruises everywhere and signs of torture.

When the revolution started, **Nayif**⁴⁰ was a government driver working in the telecommunications sector. He started transporting injured civilians to get medical help. When he was picked up by the secret services, he was brutally tortured in prison. During his two months in prison, he personally saw three people die from a

combination of torture and illness. He describes seeing prison officials leave dead bodies in the prison for days. Eventually they were taken away, he suspects they were just dumped outside somewhere.

In 2013, during the siege and bombardment of Homs, **Akram's** father was arrested. Akram was 8 years old at the time. His mother said her youngest daughter was born shortly after her husband's disappearance. She tried everything to get information about him, but the police did not provide any information, only gave her pictures of mutilated bodies to look at and identify him, but he wasn't among them. She thought that he might have been taken to another region where a lot of people are rumored to have been killed. The family fled to Jordan in late 2013. As a result of his father's disappearance and the war violence he's been exposed to, Akram acts out and is often withdrawn and isolated. He has nightmares, trouble sleeping and wakes up screaming and crying. He also developed a stutter when he speaks. His mother laments, “They don't even let me mourn for my husband or honor him.” The ongoing uncertainty is a heavy burden for her and her children to continue carrying.

Iman's⁴¹ 21-year-old son was in the Syrian army. From pieces of the story that they put together through unofficial sources, his family understood that he defected from the army towards the beginning of the war and was killed in 2012. She and her husband begged to find him or find his body, but had a lot of trouble. They were told to retrieve his body from Tishreen Military Hospital, but despite looking around “like crazy people” they could not find him. They would scream out for him in the streets. They went back and forth for 15 days and were told to look through the morgue themselves, which they did to no avail. Finally, Iman saw an officer at the morgue on the computer and tried to look over his shoulder for any documentation of her son. The officer was dismissive, but told her that he was probably in one of the mass graves.





Torture was often used for no investigative purpose, only to create fear

Clients report that methods of torture were usually carried out in combination leading to physical, psychological and social effects. Nearly all clients who report being tortured shared stories of being physically beaten, often on their feet or back, or while in forced stress positions. Suspension by arms from the ceiling is a commonly reported method as is being forced to hear or witness others being tortured or raped. Rape, roughly defined as “a physical invasion of a sexual nature, committed on a person under circumstances which are coercive,” constitutes torture where all elements of the torture crime are fulfilled.⁴² Women who were forced to witness the rape of others reported being told, “You’re next.” Clients recently reported a new method of torture by which they are forced to peel newly hard-boiled eggs and place them under their armpits, leading to muscle injuries. One common method of torture reported by clients involves being forced into a rubber tire and beaten. In several instances, clients reported severe beatings that resulted in nerve damage or paralysis.

They were not looking for any information. Just to torture.

Tarek, whose brother died in prison, also recounted the stories of two other brothers who were arrested. His younger brother, a 30-year-old musician, was accused of composing a song against the regime, taken and tortured for one month and five days. He was handcuffed, kicked in his face and knees. Another brother of his was also arrested. He was squeezed into a tire and beaten.

Many interviewees said that the intent of their torturers were mainly to create fear and intimidation. They believe that their torturers were rarely interested in obtaining information. Interviewees were often eventually released because their families paid off the right officials.

Hassan,⁴³ who lived in Deraa when the revolution broke out, described himself as apolitical; he didn’t really support or oppose the regime. One day while riding alone on a motorbike near his village, he was arrested at a checkpoint and held for 40 days, “which felt like 40 years.” His fingernails were removed with pliers, which caused him to lose sensation in his fingers. His interrogators cursed at him, insulted him and drilled a hole into his leg with a power drill; he passed out from the pain. When he was released, he had lost 40 kilos (88 pounds) and his wife didn’t even recognize him. He recalls that the questions he and others were asked during their torture and interrogations were “Do you want to be president of Syria?” or “Are you a secret agent?” Hassan said they were not looking for any information. Just to torture.

Manal worked at a government-run hospital in Damascus when the fighting broke out. She described both her humanity and her professional integrity being tested when government officials or other medical professionals prevented her from helping wounded members of the opposition. After she left her job because it was no longer sustainable to turn a blind eye to injured patients, she was attacked by regime forces in her house and dragged out in her nightclothes. For days, she was held in a makeshift prison with other women and was forced to hear the cries of rape and torture. She was interrogated for only an hour and asked why she treated the opposition's wounded. The interrogating lieutenant said very profane things and sent her back. Finally, when they took her to a room and told her she would be raped, she was forced to choose how many men would rape her; one was not an option. At that point, she had completely given in and was numb. Moments later, she was saved because her brothers paid off the prison officials to let her out.

Manal's humanity and professional integrity were tested when she was prevented from helping wounded opposition members.

Laith⁴⁴ participated in the demonstrations in Homs against the regime, but he was never arrested for that purpose. Instead, he was picked up at a regime checkpoint and put in a prison where he was tortured daily. He described prisoners being forced to strip naked and line up against one another as the guards laughed at them and called them "gay." Other times he was suspended from the ceiling by chains. He was eventually accused of killing a police officer, which he said was absurd, but he was never interrogated. ...

PATTERNS OF TORTURE AMONG CVT'S IRAQI CLIENTS

The situation in Iraq is much murkier. After on-and-off periods of war since 1989, the most substantial emerging trend among Iraqi clients is that many have known nothing but war their whole lives. The chaos and ongoing violence has made virtually all ethnic and religious groups vulnerable to attack and perpetrators are increasingly difficult to ascertain.

Unknown perpetrators

Illustrating the level to which the chaos in Iraq has caused immense suffering among civilians, the Iraqi clients interviewed can rarely definitively identify their torturers. Virtually no armed groups, government or opposition, are absolved of torture in Iraq. CVT's clients describe perpetrators ranging from the government, to Shia militias such as Jaysh al Mahdi, Asaib Ahl Al Haq, Kataeb Hezbollah and Al Hashd al Shaabi, to Sunni militants such as the Islamic State of Iraq, a precursor to today's ISIS. Yet many more say they don't know exactly who targeted them and cite widespread violence in their communities carried out by local militias. When one client attempted to draw attention to the chaos and sectarianism taking over Iraq, he became a direct target of the local militia groups.

Youssef⁴⁵ was a journalist in Basra working for various government and private newspapers. In 2011, Kataeb Hezbollah published a list of 50 journalists who would be targeted. Youssef was towards the bottom of the list. When the first person on the list was killed, Youssef fled to Syria for safety. He left Syria in 2012 when the situation deteriorated and returned to work as a journalist. He moved around a lot within Iraq because he felt unsafe. His older brother was killed in a spate of killings against Iraqi Sunnis, which he attributes to revenge killings for Shia killed in northern Iraq by ISIS. He started receiving phone calls and text messages from unknown people telling him that he must leave Basra. Around dusk in September 2013, a group of men knocked on his door and entered. They were in a car

that belonged to Iraqi intelligence, but the license plate was scratched out. Youssef surmises that they were not Iraqi intelligence. The men attempted to grab him and started beating him with their guns on his head and legs and attempting to pull him into the car trunk. He started resisting and screaming. Neighbors who heard him came out of their homes and some fired warning shots into the air. This prevented the kidnapping. Youssef says he doesn't know exactly which group targeted him the second time.

Yehya,⁴⁶ a university professor, fled Iraq after years of attacks and threats by militants in his hometown. The first threats he faced were when cars stopped the church-run buses that transported him and others from the main city to their home village on a daily basis. Yehya was grabbed by the militants and they tried to force him into the trunk of a car. He did not fit, so he was eventually allowed back on the bus. The Islamic State of Iraq demanded ransom for the rest of the kidnapped individuals. After these convoys were twice subjected to bombing incidents, Yehya stopped taking the buses and took extra precautions when traveling to his job. Up through 2013, he would receive threatening phone calls from people identifying themselves as the Islamic State of Iraq. The incident that caused him to flee, however, was when he was called out by name as he was leaving the university and asked if he was Christian. One of the two men who approached him took out a gun, called him a "kafir" or infidel and a "corpse of a pig" saying

Samir⁴⁷ often received threats calling him an infidel and notes telling him to leave his town in Basra. The incident that caused him to flee was an attempted kidnapping on his way to work one morning. He was walking out of his house when he was stopped by a white car. Four men came out of the car with their faces covered. They hit him in the face with a gun and tried to drag him into the car, but he resisted and started shouting. Neighbors started coming out of their houses and surrounding him. In the chaos, Samir was let go and the car left. He knew of many other Sunnis in Basra who were similarly targeted and said if the kidnappings were successful, they would be killed and found later under bridges and in garbage dumps. He doesn't know who targeted him, but says there are many local militias that carry out such attacks.

Minority groups targeted

The Iraqi clients interviewed for this report arrived in Jordan more recently; many over the past year. They are increasingly from minority communities—Sunnis, Sabeans and Christians. Although the targeting based on sectarian or ethnic identity is not new in Iraq, the ongoing struggles, fear of ISIS and seemingly endless violence has caused Iraqis to flee in greater numbers. UNHCR estimates that in 2014 about 21,502 Iraqis arrived as asylum-seekers in Jordan to bring the total to 49,350 Iraqis in Jordan in 2015. About 90 percent of Iraqis in Jordan are in Amman.⁴⁸

Faten⁴⁹ fled Iraq by the time she was 21. Her two brothers and sister had all been kidnapped at different times. They were all tortured. Both of her brothers ended up in the hospital and her sister was able to escape her captors. Her father had received a letter directly addressed to him from Asaib Ahl El Haq threatening him to convert or leave Baghdad. In June 2013, militia members came to her house; she suspects they were members of Asaib Ahl El Haq. They trapped her husband, hit her son on his back, who was only a few months old at the time and hit her and tossed her around. She screamed, but none of the neighbors came to their aid. The militia members asked if they were Sabean, took all of the gold her husband had for work, told them all Sabeans were "dirty," and insulted her. Her 3-year-old daughter witnessed all of these events.

Militia members asked Faten if she was Sabean, took all of their gold, told them all Sabeans were "dirty" and insulted her.

they wanted to clean Iraq from these dirty people. They knew his house and his family. Yehya begged for mercy; the man told him to leave Iraq or if he saw him again, he would kill him mercilessly. Yehya sold all of his possessions, picked up his family and fled to Jordan immediately.





When **Mustafa**⁵⁰ was taken to a hospital, he had been left for dead in a dumpster. He was kidnapped coming out of a Sunni mosque in Basra along with five or six others. About nine or 10 militia men grabbed them and beat them for hours. He had been slashed with a sword on his leg and had other marks of abuse on his body. He had passed out from the pain. After sustained beatings, he and others were put in a dumpster and set on fire. After receiving treatment for his severe burns, he was released from the hospital. He moved to a different village near Basra, but continued to receive written threats. He's not sure exactly who targeted him, but says it's because he's Sunni as there are many Shia militias present in the area.

After sustained beatings, Mustafa was put in a dumpster and set on fire.

Mira⁵¹ doesn't know where the threats against her and her family came from, but the threats followed them from Baghdad to Mosul. She says the militias found them everywhere. They told her husband that as long as he was Christian he was an infidel and threatened his wife and children.

Targeting of children

As with CVT's Syrian clients, among the most disturbing aspects of the violence described by clients in Iraq is the deliberate targeting of children. In particular, interviewees share stories of children being kidnapped out of their homes to extract money from the parents.

Eleven-year-old **Amal**⁵² was kidnapped out of her parents' home in Kirkuk. Armed militants entered their home, started breaking things and took their money. She doesn't know where she was taken or who kidnapped her. While she was in the house that she was taken to, an old woman grabbed her, put a knife to her throat, asked her for money and gold and asked about her family. Amal insisted they have nothing. Three days later, she was violently dragged and dropped off in another area in Kirkuk where Kurdish police picked her up and took her back to her family. Her father was also threatened by an unidentified "non-Arab person" who stopped him in the street and told him he had to convert to Islam (the family is Sabeen) within three days. They left instantly after this, going to Baghdad and then Jordan.

Rami⁵³ was around 13 years old when he was attacked outside of his parents' home. He was walking to get bread for breakfast one morning when militia members approached him and a friend on the street. There were three men with their faces covered. They pulled out a knife and started stabbing Rami's friend. The next thing he knew, one of the militiamen grabbed him and threw him to the ground. His head landed on the curb. He doesn't know what happened after that because he woke up three days later in a hospital with paralysis along the left side of his body.

Government acquiescence to violence and abuse

When interviewees were asked whether they reported their attacks to the government, the most common answer was "the government is as afraid of the militias as we are." Most said that reporting to the government would be pointless. Few contribute stories of futile government help that failed to sufficiently protect them. Still others describe how local government officials turned a blind eye to the militias' abuse.

Under the Convention against Torture, to constitute torture, the abuse must be perpetrated by a government actor or the government authority must acquiesce to the abuse.⁵⁴ Acquiescence exists "where State authorities or others acting in official capacity . . . know or have reasonable grounds to believe that acts of torture or ill-treatment are being committed by non-State officials or private actors and they fail to exercise due diligence to prevent, investigate, prosecute and punish such non-State officials or private actors." In such situations, "the State bears responsibility."⁵⁵ The stories of CVT clients illustrate significant government acquiescence in the abuse and ill-treatment across the various Iraqi regions.

Faten, who was attacked in her home in Baghdad, said the militiamen who attacked told her not to bother telling the authorities. When she and her husband went to the local police, they only told her to leave Iraq and that they couldn't do anything.

Yehya, the Iraqi professor whose bus convoy was repeatedly attacked between Mosul and his home village, said that after the first attack, they went to the local authorities for help, but the police did very little. The police told them that they should be thankful that most of the passengers are okay. They sent police cars to accompany other buses that were traveling that day from Mosul.

"...the government is as afraid of the militias as we are."

Youssef, the journalist who was attacked outside his home and repeatedly threatened to leave Basra, said he never reported the kidnapping incident. He says many of the militias take advantage of their relationship with the local government to push their agendas, so he wouldn't have been protected. Instead, he went to the journalists' union for help applying for a visa and left Iraq.

Mustafa, who was nearly burned alive in a dumpster in Basra, said that he did not tell the police about the kidnapping, torture and burning. He said he has no faith in the government and that it doesn't have any control over the local militias. When he tried to tell the police about the threatening notes he received, they did nothing, but told him to go to court.

Nura,⁵⁶ was kidnapped, sexually abused and called an infidel in Wasit. Many of her relatives were killed. When she went to the police to report her kidnapping, she says they laughed and told her it happened because her family were rich Sabeans. Nura insisted, however, that the militants did not ask for money, they told her she had to convert to Islam or she would be killed. ...

MENTAL HEALTH IMPACT

Regardless of the identity of the perpetrators or interviewees' socio-economic, religious or regional backgrounds, the mental health and social effects of torture are consistent. Clients report withdrawal, poor effects on the family—particularly children—anger, depression and pervasive fear. CVT's group therapy sessions are mixed, and adult groups are divided by gender, age and in some circumstances, similarity of experiences.

Breakdown of support systems, family and community

For many of CVT's most severely affected clients from both Syria and Iraq, their torture leads to a breakdown of their community and family structures. It affects the ability and desire to communicate with family, friends and loved ones. The assault on the family caused by torture has led entire families to seek CVT's services and contributes to the informal referral system among Iraqi and Syrian clients.

Khadija grabbed a shard of glass from the mirror to kill herself, but stopped when she thought of her son.

After **Hamza** was severely beaten and held in solitary confinement for over a month in Damascus and Deraa prisons, he became uncomfortable with other people. He withdrew from social interactions and didn't want anyone to visit. He would just spend time watching cartoons with his children.

Khadija⁵⁷ from Damascus said that after the abuse she and her husband endured at the hands of Syrian soldiers, they couldn't be intimate or even be close to one another. The soldiers had entered their home, started harassing her, tearing off her clothes and touching her inappropriately. The soldiers cursed at them and tore apart their house. Her husband, who is disabled, couldn't stop them. In the moments after they left, she grabbed a shard of glass from the mirror to kill herself, but stopped when she thought of her son. She resented

her husband for not being able to protect her and he was angry at and ashamed of himself. Both husband and wife eventually sought CVT's services.

Mustafa, the Iraqi client who suffered burns on much of his body, says he suffered from nightmares and flashbacks, couldn't sleep until the sun came up and was so ashamed of his body that he couldn't be intimate with his wife.

Saeed and Mariam,⁵⁸ an Iraqi couple, had several members of their family kidnapped and they faced threats in Iraq. In 2006, they fled to Syria. When conditions in Syria worsened, they went back to Iraq to await visas to Jordan—a year they called the worst of their lives. They both expressed frustration at their situation in Jordan. Saeed says he feels "paralyzed" because he can't support his kids. He says, "The man should be the source of strength for his family, but I feel I am the weakest. Instead of me helping them, my son must help me."

Aggression, withdrawal and isolation of children

The impacts of torture on children are particularly severe. Parents describe both the war trauma and torture as making kids more aggressive and unable to regulate their anger or emotions. Parents and staff also report that children are severely impacted by directly witnessing the abuse and torture of their parents. Many withdraw to themselves and do not want to interact with the outside world. Another ongoing problem reported is children's inability to concentrate and attend school regularly. Other children exhibit debilitating fear that affects all of their daily interactions. Children refuse to go outside or in public areas and many become distrusting of others including neighbors and family members.

Samir's youngest son watched as his father was attacked outside of his house in Basra and four militia-men attempted to kidnap him. He became scared and cried a lot. He was around 3 years old at the time. Even after their escape to Jordan, the young boy has barely spoken, despite receiving some services from local organizations.





Qassem, who suffered for months in local and federal intelligence prisons in Homs, said that his oldest daughter has suffered greatly from the violence. She doesn't communicate or play with her siblings or other children; she's constantly isolated. Her school work suffers because she often forgets things.

Youssef, the Iraqi journalist who was nearly kidnapped outside of his home, had a young witness to his abuse. His 6-year-old daughter was standing right behind him when he opened the door and she saw the entire attack on her father. She was scared and isolated, had nightmares, constant fear and wet the bed. She didn't want to go to school, even in Jordan, and constantly asked why this happened to her father.

Hanan's daughter became a "completely different girl" after she saw the police beating her father.

Hanan's⁵⁹ daughter was in her grandparent's home when her father and four uncles were arrested. She witnessed the police beating her father. Hanan described her daughter becoming a "completely different girl" after this incident. She had the impression every man was a threat and was afraid to walk in the street and was alarmed when people would come to their house. She even refused to go to the bathroom alone.

Ongoing trauma, nightmares and depression

CVT's clients report symptoms of post-traumatic stress disorder such as withdrawal, depression, fear, flashbacks and inability to perform daily activities. Clinical staff members observe that when one member of the household exhibits such symptoms, others begin to do so as well. For example, when children are fearful or isolated, parents often exhibit the same symptoms. When clients contemplate the future, they often become more depressed and melancholy. In addition, many experience psychosomatic symptoms that are common among torture survivors such as joint and muscle pain.⁶⁰ CVT clinicians observe that clients struggle to find hope in Jordan.

Hassan, who suffered severe torture in Deraa and Damascus, said that he used to be terrified of even hearing the phone ring or hearing a knock on the door. He can still hear the screaming and the sounds of other people being tortured in the prison. He often has nightmares.

Kareem, the Syrian photographer, had scars all over his body after he was tortured. His psychological suffering has also been severe. He continues to suffer from flashbacks and wishes he had died before he had to see all of the torture and killing that happened.

Clinicians report observing that some male clients have become particularly withdrawn. As their fear, pain or anger is internalized, they may take it out on their families and feel deep regret afterwards. Further, male clients may seek CVT's services to better cope with the consequences of

their torture and inability to control fear, pain or anger. In the words of one client, “I don’t want my family to be frightened by me.”⁶¹ Clinicians and clients report that others refuse to seek treatment despite the lasting effects of torture.

Faten, a 22-year-old Iraqi client who was tortured along with her husband and son in their own home, says that she and her husband have many ongoing problems. He cannot work and is frustrated. She asks him to seek mental health services, but he insists that he is “not crazy.”

After he was arrested and tortured, **Zahra’s**⁶² husband became more and more angry. She says he often lost his temper and it became worse as their financial situation deteriorated.

Conditions of flight and displacement exacerbate mental health effects

The conditions of flight and prolonged refuge in Jordan have had detrimental mental health impacts. Preexisting conditions exhibited by either CVT’s clients or their family members have been exacerbated by the mental health and psychosocial effects of the conflict. For many of CVT’s clients, Jordan was not their first displacement. They had been displaced several times inside Syria or Iraq, fled their cities or villages and attempted to retrieve their possessions only to find their homes and villages destroyed.

At the border, conditions are difficult and have only gotten worse as the borders between Jordan and Syria are effectively closed. When clients reached Jordan, they often said that Jordanian soldiers treated them well and it was like “we reached heaven.” But many were immediately ushered into Zaatari camp near the Syrian border. Even though clients acknowledge that medical, food and other services were readily available in the camp, they nonetheless described the conditions as unlivable and preferred to fend for themselves in Jordan’s cities. However, they have found that there are many difficult restrictions outside the camps. Syrians and Iraqis cannot work in Jordan and many clients fear being sent to camps or deported if they are caught.

Khadija’s husband, **Yasser**,⁶³ also a CVT client, said the inability to work is “driving us crazy.” International aid is drying up, he explained and his able-bodied son cannot work because if he gets caught, they are afraid he would be sent to a camp or deported.

Nayif said that life without work is too hard in Jordan. Rent is too high and assistance is too low. He suspects that it’s a reason some people are choosing to go back to Syria.

Refugees in Jordan encounter particular difficulty obtaining medical treatment and medicine at affordable prices and are frustrated when they are unable to pay for such treatment for themselves and their children. CVT clinicians report observing that when clients cannot obtain medication or a necessary procedure, it becomes the dominant thing they think about and want to talk about in therapeutic sessions.

Clients complain about the lack of communication from the aid community and feeling ignored.

Yasser, a disabled man in a wheelchair who suffers from high blood pressure and diabetes, has a lot of difficulty obtaining the appropriate medication. He says that although it was covered when they first arrived in Jordan, he had to buy it at full price for a long time and could not afford it.

Rami, the 20-year-old Iraqi who was almost completely paralyzed on one side of his body, said that doctors told him he required follow-up surgery after his first operation. He went to international medical service providers in Jordan who said that they prioritize burns and reconstructive surgery, but do not perform the kind of procedure he needs. He can neither afford private Jordanian medical facilities nor the medicine he needs prior to the surgery.

Many clients expressed a desire for better treatment from the international aid community. They understand and acknowledge the lack of resources, but feel that the many humanitarian aid providers treat them in a disrespectful and dismissive manner. Clients complain about the lack of communication from the aid community and feeling ignored. This has left many clients feeling like they have no support or stability in Jordan.

Nayif wants to send suggestions to UNHCR because of the poor communication. He says that many new arrivals are not getting aid, while UNHCR is still allocating aid for people who left Jordan. UNHCR's complaint box is full and no one ever follows up, he says.

Youssef, the Iraqi journalist, echoed the frustration with the international humanitarian aid community. He says treatment by UNHCR has often been brash and he has submitted some complaints about the treatment. The reason for such high illegal migration, he says, is because of the difficulty and barriers navigating the legal migration route. Because no one at UNHCR is even willing to listen, he assumes that their message is that he should just stay and die in Jordan.

Iraqis must pay around \$56 per child for school. Such a fee can be prohibitively expensive.

Saeed and Mariam still do not understand why their application for resettlement was rejected. They insisted that they were never involved in politics and that Saeed even worked with the Americans. They seemed to be in great agony over this seemingly unjust decision and that they were not even given a reason.

Most of all, clients want a place where there is a future for their children. For many of them, they cannot see that in Jordan.

Bushra, whose husband and two of her sons were detained and tortured, said she just cares about her children's future. Some of her children were still waiting for a spot in school. They've gone through their savings and spend most of their money on rent and basic services. She said that regardless of what she's lost, she just wants to go where her children will be safest.

Yehya, the Iraqi professor, said the only thing that keeps him alive now is his daughters. He lives for them and just wants them to live in a place where they don't have to endure the war or trauma that he lived through. He said his wife "hasn't had a single day of happiness since we got married" and wonders when they can start their life.

Saeed and Mariam have a 9-year-old boy and 5-year-old twin girls. Their children have been displaced and lived in desolate conditions most of their lives. The couple said that they just want their children to have a future. "It's like we're in prison now," they said.

As displacement increases, Syrian clients are increasingly hopeless for a safe return to Syria. This situation has deepened anger at the warring parties and depression among some clients. It has also contributed to an increasingly negative relationship with the host community. Clients describe being questioned by police or charged higher rates for rent because they are refugees. This tension is often manifested in schools and on the playground where Jordanian teachers and children tease and harass refugee children. Several clients reported withdrawing their children from Jordanian schools because of the negative treatment by their peers and teachers. Among Iraqi clients from minority religious groups, school attendance rates are particularly low because of fear of mistreatment.

Ibrahim, the storeowner from Deraa, said that he pulled his children out of school in Jordan last year because they were treated very poorly and insulted by their teachers. He said they also missed a year of school in Syria, so this sets them back significantly. He hopes that this year in school will be better.



مافيد صفا ابو
مع سامع صفا كاشي
مع صفا صفا
الكتاب والبيع مافيد صفا ابو

3



Earmarking of resources that disadvantages Iraqis and non-Syrian refugees

Syrian and Iraqi refugees face many similar restrictions. They rarely, if ever, are permitted to work legally in Jordan.⁶⁴ Syrian refugees report that rent prices continue to increase and are the single biggest expense they face.⁶⁵ Both Syrians and Iraqis face discrimination from the host community and children report harassment from teachers and students in schools. Syrians have faced constant cuts in food vouchers, the most recent in September 2015 that eliminated vouchers for 229,000 Syrians in Jordan.⁶⁶ Those who do receive food vouchers, now receive \$21 per month, but at other points received as little as \$13.50.⁶⁷ Still others report having financial assistance cut off with no warning or having humanitarian workers come to their homes to assess their level of need, but never providing any aid. What little aid or programming is afforded to refugees is often earmarked for Syrians, leaving Iraqis with even fewer options for support. Unlike Syrians, Iraqis in Jordan are not automatically classified as refugees. Rather, many torture survivors wait months to be registered with UNHCR and then spend months or even years as asylum-seekers before receiving refugee status, delaying their resettlement applications.

Mustafa, who was severely tortured and burned, meticulously documented his abuse. He has pictures of the scars and burns that remained on his body and has medical records from the treatment he received in Iraq and Jordan. However, he has not even received refugee status in Jordan and is still considered an asylum-seeker despite being in Jordan since July 2014 and applying for refugee status over a year prior to his CVT interview date.

Furthermore, the services available to non-Syrian refugees are increasingly limited. Iraqis report receiving no services at all despite facing similar work restrictions in Jordan. To Iraqis, the gradual decreases of UNHCR's services have left some individuals feeling like there is a conspiracy against them. Some Iraqi clients directly pointed out that Syrians are receiving services while they are being turned away. In the words of one client, "We are all refugees. Why is there a nationality distinction? We're all suffering the same."

Samir's two sons, both under age 5, are not yet in school. His youngest son watched as his father was ambushed and beaten by local militia members outside of his house in Basra. The boy, who was 3 years old at the time, had not really spoken much since and his father was struggling to get services to help him. In Jordan, he registered his sons at a nursery run by a local church and was not originally asked about his nationality. When the school officials found out that the family was Iraqi, they refused to let the boys into the school, saying that they only serve Syrians. "Even a preschool that is associated with the church discriminates between Iraqis and Syrians?" Samir asked in disbelief. He says the incident continues to disturb him.

Yehya, the Iraqi professor, also describes being turned away for services by international aid organizations and told that Iraqis cannot be served. He pondered, "Do they think I have a well of petrol with me?"

Such stories of Iraqis being turned away from services because of funding restrictions are common, despite the high level of need. In addition, Iraqis must pay 40 JOD (around \$56) per child for school; such a fee can be

prohibitively expensive and leaves some clients out of school for months or years.⁶⁸ For health services, as of August 2015, Iraqis have to pay a foreigner rate at state-run medical facilities, rather than the original rates that corresponded to those of uninsured Jordanians.⁶⁹ Samir was quick to point out that it's not just Iraqis, but Somalis, Sudanese and others who suffer an even worse fate. They face similar restrictions and are subject to racism and discrimination from the host community. Seeing the suffering of all refugee communities, he says he doesn't understand why the international community doesn't treat people with more kindness. CVT's Jordanian staff members confirm these concerns. For Sudanese, they say that their situation gets no attention and no media outlets cover their suffering. Racism for Sudanese is creating a secondary trauma for them.

they are less likely to be deported by Jordanian authorities if caught working. These conditions leave women and children susceptible to domestic violence as well as sexual violence from both the refugee and host communities. International observers report that girls who are out of school become more vulnerable to exploitation and early marriage.⁷¹

Amal, the young girl who was kidnapped in Kirkuk, is not in school in Jordan. Her father says that she is scared to go to school and she will only leave the house with him. He wishes she would go to school and tries to convince her that she will be safe.

Nura and her family sold all of their belongings when they fled Iraq after she was kidnapped and sexually abused. Her 16-year-old daughter and 19-year-old daughter are not in school because they cannot afford it. She has already sold off all of her possessions, including her wedding ring, to buy daily necessities.

Nayif is one of many Syrian clients who said his daughter should be at the university level now, but because they cannot afford it, she cannot go to school.

Iman, whose oldest son was disappeared by the Syrian regime when he defected from the army, has married off her 16-year-old daughter. She admits that the only reason she is married and not in school is because of financial difficulties they face in Jordan. She says it's "too early" for her to be married.

Desire to return

Where CVT's Syrian and Iraqi clients diverged most significantly was in their desire to return to their country of origin. Iraqi clients described years, even decades, of abuse, threats and war. Most were targeted for sectarian reasons and do not foresee a change in Iraq. Consequently, Iraqi clients are usually anxiously awaiting word from UNHCR or third countries on their resettlement application and find the waiting period unbearable.

Sometimes, clients report that desperation leads their children to work to support the family, despite the children's best interests and the parents' better judgment, because they are less likely to be deported by Jordanian authorities if caught working.

Negative coping mechanisms

The conditions of displacement often lead to negative coping strategies, which leave refugees vulnerable to violence or exploitation. CVT's counselors report that many families sell off all of their possessions and withdraw their children from school either to support their families or because they are afraid of going to school. Female-headed households, which are one third of the Syrian urban refugee families in Jordan, are particularly prone to negative coping mechanisms.⁷⁰ Clinical staff members observed that young females who are struggling to provide for their families also have high levels of difficulty maintaining hope for the future in therapeutic sessions.

Sometimes, clients report that desperation leads their children to work to support the family, despite the children's best interests and the parents' better judgment, because

Faten's brother and sister had both been kidnapped and tortured. She and her 1-year-old son had also been tortured by local militia members in her home in Baghdad. Faten said all she knew since she was a child is war. She had been internally displaced in Irbil with her family. She tried to integrate in Iraq by wearing hijab and Islamic dress, even though she's Sabean, and her family was still targeted. She declared she doesn't want to think about Iraq or hear the word Iraq ever again.

Some clients pondered whether they would live a more dignified existence amidst the war in Syria. One said, "At least I would die in my country."

Rami, a 20-year-old young man from Baghdad was attacked by militia members outside of his home. His father received continuous threats from militias to either convert or leave Iraq. The family is Sabean. Rami had to have an invasive surgery and continues to take necessary medication when he can afford it. He has trouble walking and has had some physical therapy for his left hand and leg. Asked if he would return to Iraq if it were safe, he said, "Not in a million years. There is no future there. I've known nothing but war all my life."

Although Syrian clients similarly exhibit a level of hopelessness related to the situation in Jordan, they continue to express a desire to eventually return to Syria, even if they no longer believe that it is realistic. When CVT started serving Syrian clients in 2011, many thought their displacement was temporary. Even those interviewed in early 2014 seemed intent on returning to their home country. By 2015, however, the situation for Syrians had changed. The most common response when asked about returning to Syria was, "Of course I would return. Who would want to leave their country?" However, even those who expressed a desire to return and a love for their country seemed ready to move on. Most had applied for resettlement and hoped to find a place where they could restart their lives with their families.

Yasser and Khadija both said they wish they could return to their country, but said there is nothing to return to. Their home was destroyed and their business is gone. They rest their hopes now on a successful resettlement application. But even there, they are losing hope as they find it increasingly difficult to communicate with UNHCR about the status of their application.

Still, some clients report that because of their loss of agency or ability to support their families, they would rather go home and die in Syria. Return to Syria, for many clients, is a sure death sentence, if not at the hands of the government that targeted and tortured them, then at the hands of the militant groups that they hear horror stories about from family back home. Some interviewees even pondered whether they would live a more dignified existence amidst the war in Syria. One client said, "At least I would die in my country." Torture directly attacks the individual's dignity and integrity. For many clients, the situation in Jordan only adds to the assault on one's dignity by restricting their ability to care for themselves and their families, leaving them without agency. Some interviewees express a desire to return only to attempt to flee to Europe, because the risk of dying at sea or in Syria is better than living with no agency or opportunity in Jordan, but cite the high cost as prohibitive. It costs \$3,400 - \$5,700 to flee from Jordan to Europe.⁷²

Youssef, the Iraqi journalist from Basra, said that the danger of fleeing to Europe is not the problem. He would rather try his luck at the journey through sea than stay in Jordan. The only thing preventing him right now is the cost.

Iman, the mother of four sons and one daughter, whose oldest was a defected soldier who was disappeared, says that things are so difficult, her husband often proposes going to Zaatari camp. She said she would rather return to Syria, even if they have no home, which was likely destroyed. Living off the land in your own home, even bread and onion is enough, she explained.

CVT's counselors explain this discrepancy between Syrian and Iraqi clients as not only the result of prolonged war and violence in Iraq, but also the lack of aid and support that Iraqis are receiving from the host state and the humanitarian aid community.





Resilience

Despite the torture and war trauma they have faced, CVT's clients demonstrate the spectacular human capacity for resilience. Across the board, clients demonstrate an immense ability to overcome their traumatic experiences, provide for their families in the most difficult of circumstances and provide support to one another. Nearly all of them express a desire to be able to work and fend for themselves in Jordan without the need for international support.

Fadia⁷³ was stopped in her car and shot at close range by regime forces while she was pregnant. She survived and escaped with her husband and children by jumping on the roofs from building to building until they finally reached an open farm area and were able to drive to Damascus and eventually to Jordan. Despite her ordeal, in Jordan, she volunteers for the Jordanian Women's Union to coordinate services for Syrian families in Zarqa.

Tarek, whose three brothers were arrested, tortured, and one killed, is suffering from extreme back pain. He needs another surgery, but is the only provider in his family. He said he "hates going to NGOs and begging for support."

In the interviews, CVT clients were quick to counter what may sound like complaints with affirmations of being thankful for what they have. Clients said that hearing the stories of others and the struggles that they have been through allows them to reflect on their own lives. In nearly every client interview, after describing the violence, torture and displacement conditions that they and their families faced,

clients would invoke God and reiterate their gratefulness for not being in a worse situation. Furthermore, many describe living on the prospect of hope. Despite their current situation, they talk about still being hopeful for receiving an education and having a bright future.

Saad⁷⁴ was under 20 years old when his younger brother was kidnapped by militias in southeastern Iraq. He was held for about two weeks and tortured. The militia sent pictures of his abuse to Saad's family with a message warning them to leave Iraq. Because Saad and his family had been displaced in Iraq moving from their village to Tikrit and then traveling to Jordan, he had to stop his studies before completing high school. He struggled through school in Jordan because of finances and a difficult environment at home. However, Saad said that he is living on hope and wants to study to become a pilot. "There are ambitions and goals inside of me, but the paths and doors are closed. The eye can see it but the hand is short," he said.

Iman, whose son was a disappeared Syrian army defector, said that despite losing everything and starting at square one in Jordan, she still thanks God for what they have.

While family units have been destroyed, the reversal of traditional family roles has also led to the empowerment of women within the family structure. CVT's clinical staff observes that women and children are increasingly acting as caretakers and breadwinners. For some women, this can be empowering, particularly compared to their past roles. They are the ones increasingly seeking out aid for the families, seeking CVT's services and supporting their families. •••

CONCLUSION

In the nearly five-year-long war that has plagued Syria, civilians have borne the brunt of the suffering. In addition to the indiscriminate bombing, sniper shootings and chemical weapons use, people fleeing from all over Syria report being arbitrarily detained and treated brutally. When resettling refugees, providing humanitarian aid for those fleeing and envisioning a ceasefire and eventual peace in Syria, the stories of these people should be at the forefront. Their experiences should not be forgotten when trials and other avenues to justice are carried out in Syria or abroad. The lasting effects of their torture and severe war trauma experiences have important consequences for reconciliation and reform on both the institutional and community level. Their voices must be integral to future reparations and peace-building efforts alike.

The suffering of Iraqi refugees has been ongoing for years. Many young Iraqis, now in their 30s, say they have never known a time when they lived without fear or war. Often displaced multiple times within Iraq or neighboring countries before they finally fled to Jordan, they see return to Iraq as wholly improbable. Like their Syrian counterparts, Iraqi torture survivors report brutal treatment, kidnapping and attacks on their families. However, they are often unable to identify the perpetrators and report chaos and bands of militias taking over their villages, making the prospects for justice even more difficult. Iraqi clients' lack of desire to return to Iraq complicates their involvement in eventually participating in rebuilding their country and justice mechanisms. One thing, however, is clear: Iraqi refugees have faced severe human rights abuses and their suffering should not be forgotten when accountability and reparations are envisioned.

Most importantly of all, they long for a future where their children can live free from war and desperation, receive a good education, find viable employment and have a positive outlook for the future.

What CVT has learned about the torture and trauma survivors in Iraq and Syria is the incredible resilience they exhibit in the face of unspeakable violence and difficult conditions of displacement. The lived experiences of torture as well as the lasting effects of torture shared in this report highlight the importance of specialized mental health provision in response to the crisis situations in Syria and Iraq. Clients express a desire for increased advocacy and urgent action from international actors as well as paths to justice in their home countries. Most importantly of all, they long for a future where their children can live free from war and desperation, receive a good education, find viable employment and have a positive outlook for the future. ...

RECOMMENDATIONS

Refugee Response

DONORS:

In its response to the humanitarian crisis in the region, the international community can and should do more to support refugees fleeing from various parts of the region. In doing so, aid should not be earmarked to distinguish between refugees based on nationality.

- **CVT recommends that donors contribute to the regional response in a way that allows actors on the ground to distribute aid based primarily on need and vulnerability.**

While basic necessities, such as food, shelter and medical care, cannot be ignored, mental health and psychosocial support (MHPSS) services must be a higher priority. Without appropriate and timely interventions, some refugees may develop chronic mental health problems, leading them to struggle with all the challenges other refugees face but also doing so while suffering deep despair, anxiety and depression. For some, this psychological pain can be debilitating, hindering their ability to function or provide for themselves or their children. Mental health care itself can be lifesaving, but integration of MHPSS care into humanitarian response also supports other life-saving efforts.

- **CVT recommends donors invest in programs providing trauma rehabilitation and MHPSS services, including through the U.S. State Department's Bureau of Population, Refugees, and Migration, UNHCR and the U.N. Voluntary Fund for Victims of Torture.**

UNHCR:

As the international face of the refugee response, UNHCR faces both added challenges and responsibilities. Even as UNHCR is overwhelmed by the numbers and needs of refugees, it is still essential that refugees receive prompt and gracious communication from the organization.

- **CVT recommends improvement in communication regarding registration and resettlement applications, including by offering regular updates and addressing individual concerns about reasons for denial.**

It is unacceptable that many Iraqi torture survivors have waited more than a year to receive refugee status despite well-documented and obvious abuse and unwillingness to return to Iraq.

- **CVT recommends that UNHCR accelerate the process for refugee status determinations for Iraqis.**

RESETTLEMENT COUNTRIES:

Though resettlement will likely be a durable solution available for only a very small percentage of the population, the international resettlement response to the Syrian and Iraqi crises has not been commensurate with the scope of the needs. Jordan, Lebanon and Turkey are hosting the overwhelming majority of the four million Syrian refugees and hundreds of thousands of Iraqis. The rapid influx risks destabilizing these refugee hosting states and applies significant strain on their social services.

- **CVT recommends that traditional resettlement countries accelerate their response and increase allocations for individuals fleeing the violence in Syria and Iraq.**

The United States can and should do more in the face of the widespread displacement in the Middle East. Processing for resettlement out of Jordan, Turkey, Iraq and Lebanon should continue and accelerate for both Syrian and Iraqis, as well as for highly vulnerable refugees from South Sudan, Somalia, Eritrea and elsewhere who are living in the region without options for other durable solutions. The United States has announced plans to resettle 10,000 Syrian refugees by the end of 2016 and to continue its resettlement of Iraqi refugees. CVT supports these ongoing efforts. However, given the severity of refugee needs globally and the scale of the Syrian refugee crisis in particular, U.S. resettlement efforts can and should be increased.

- **CVT calls on the United States to significantly bolster the capacity of the U.S. Refugee Admissions Program.**

For some individuals, the mental health and psychosocial consequences of war trauma and torture do not disappear with time. In fact, the traumatic effects of torture can take months or years to develop and, in some instances, symptoms of post-traumatic stress disorder (PTSD) and major depressive disorder do not present themselves until after an individual has found a place of safety and is no longer living in active “fight or flight” mode. For refugees, this point can follow resettlement to a third country, such as the United States. Likewise, for children in particular, grief and depression may resurface among refugee populations after resettlement. Furthermore, certain hardships in resettlement such as language barriers, family and community separation, discrimination and social isolation can have negative ramifications for mental health.

- **CVT recommends increasing the availability of mental health services for survivors of torture and war trauma in their countries of resettlement. For refugees being resettled to the United States, this should come in part through increases in funding to the Office of Refugee Resettlement’s Survivors of Torture program.**

JORDANIAN GOVERNMENT:

Most refugees in Jordan do not have legal work authorization and many live in fear of deportation or forced relocation to Azraq or Zaatari camp if they work in the informal sector. Without work authorization they are therefore entirely dependent on insufficient international aid. Most individuals desire to provide for themselves and their families and to contribute to their host economy. Resilience is hampered by excessive restrictions on movement and work from the host community. The ability to work can contribute to the individual and family resilience as well as to the Jordanian community.

- **CVT recommends that the Jordanian government develop a plan to allow refugees access to income and work in the formal sector.**

Transitional Justice and Accountability

DONORS:

Humanitarian assistance alone is not sufficient to address the challenges refugees face in the wake of mass atrocities. Furthermore, it does not address the root causes of the fundamental breaches of human rights they face or victims’ rights to truth and justice. The narratives of Syrian and Iraqi clients provide a powerful, rich depiction of the types of torture experienced as a result of the protracted conflicts being waged in those countries. Until the conflict is resolved, Syrian refugees will continue to flood into neighboring countries and beyond. While the immediate needs of refugees must be addressed, the world cannot lose sight of the long-term healing, reconciliation and rebuilding of Syria and Iraq.

- **CVT recommends continued work toward a political solution to the Syrian war that includes a vision for comprehensive accountability.**

With international military coalition involvement in Iraq and aid pouring in for support of the Iraqi government, the widespread terror sown by various Iraqi militias and criminal groups is unacceptable. The Iraqi government must reign in the militias that are fighting alongside it as well as those opposing it, including by holding accountable those militias that have caused widespread fear and terror where they have *de facto* local control.

- **CVT recommends that the U.S. government utilize tools such as Leahy Law,⁷⁵ which withholds assistance from unaccountable security services units that commit gross violations of human rights, more effectively where they apply.**

INTERNATIONAL TRANSITIONAL JUSTICE ACTORS:

The mental health effects of participating in justice mechanisms such as truth commissions and prosecutions are not well-known. Aside from a few studies, the data is not comprehensive on whether torture survivors and other victims of mass atrocities have benefitted from transitional justice mechanisms. However, it is clear that many individuals affected by war and torture do want their stories told and their voices heard, as evidenced by their willingness to participate in CVT's interviews. Therefore, such mechanisms should be formulated in a way that respects the mental health needs of the survivor-beneficiaries who will be participating in, and at the cornerstone of, justice approaches.

- **CVT recommends a comprehensive review of safe and effective victim participation in previous mechanisms of international transitional justice and accountability that looks specifically at the fulfillment of expectations of survivors and whether they feel that justice was carried out, with a view to making improvements.**

NATIONAL AND INTERNATIONAL POLITICAL AND TRANSITIONAL JUSTICE ACTORS:

As legal and political actors inside and outside Iraq and Syria contemplate holding perpetrators of violence and mass atrocities accountable, purely political agendas must not be pursued at the risk of achieving justice for victims and survivors.

- **CVT supports developing national, regional or international mechanisms, as appropriate, to hold perpetrators accountable and establishing culturally-tailored approaches that will allow for truth-telling and reconciliation as part of a long-term peacebuilding process. Such approaches should be developed with and by national actors and may include a combination of reparations, legal redress, rehabilitation, memorialization and storytelling, in addition to prosecutions and truth-telling.**

In Iraq, CVT's clients paint a picture of ongoing war and violence that has roots stretching long before the current conflict between ISIS and the Iraqi government. Therefore, efforts at human rights documentation and accountability must not be limited to crimes perpetrated by ISIS. Such an approach to documenting abuse perpetrated in Iraq risks alienating a portion of the population and projecting an image of uneven justice, thus risking any efforts at reconciliation and comprehensive rebuilding.

- **CVT recommends comprehensive documentation that includes torture and sexual violence perpetrated across Iraq by all actors including government-affiliated groups, opposition forces and various local militias.**

Disappearances are a continuous crime against not only the disappeared individual, but also the family. Often victims of disappearances may also be victims of torture. Their surviving family members are victims of torture where the state fails to investigate and provide information on the fate and whereabouts of the disappeared individual. Accountability for disappearances must take into account the complex nature of this crime, the right of the family to know the truth about their loved ones and the possible torture perpetrated against the disappeared individual.

- **CVT recommends addressing the legacy of disappearances through full investigations into the treatment and whereabouts of the disappeared, reparations schemes and memorialization for the families, and providing them with the required support as they face unique challenges in rebuilding their lives.**





- ¹ UNHCR has registered 633,644 refugees in Jordan as of 17 November 2015, but the government estimates that the numbers of unregistered refugees would put the total closer to 1 million. See UN High Commissioner for Refugees, *Syria Regional Refugee Response: Interagency Information Sharing Portal*, last updated Nov. 17, 2015, available at <http://data.unhcr.org/syrian-refugees/country.php?id=107>.
- ² As of 17 November 2015, UNHCR reports 79,140 people are in Zaatari camp and another 27,701 are registered in Azraq camp. See *Id.*
- ³ 1951 Convention Relating to Status of Refugees, art. 1, entered into force Apr. 24, 1954, 189 U.N.T.S. 150 as incorporated by 1967 Protocol Relating to Status of Refugees, art. 1(2), entered into force Oct. 4, 1967, 606 U.N.T.S. 267.
- ⁴ UN High Commissioner for Refugees, *Note on the Mandate of the High Commissioner for Refugees*, Oct. 2013, at 3-4 available at <http://www.unhcr.org/526a22cb6.html>.
- ⁵ *Id.* at 3.
- ⁶ *Id.* at 4. (“The High Commissioner is primarily mandated to provide international protection and humanitarian assistance and to seek permanent solutions for persons within the Office’s core mandate responsibilities.”).
- ⁷ UN High Commissioner for Refugees, “2015 UNHCR Operations Country Profile – Jordan,” <http://www.unhcr.org/pages/49e486566.html>.
- ⁸ Secondary survivors are those who experience trauma through the torture of a close relative or acquaintance. See e.g., National Child Traumatic Stress Network, “What is Secondary Traumatic Stress?” <http://www.nctsn.org/resources/topics/secondary-traumatic-stress>.
- ⁹ Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment art. 1, para. 1, G.A. Res. 39/46, 39 U.N. GAOR Supp. (No. 51), U.N. Doc. A/19/51 (1984), entered into force June 26, 1987 [hereinafter CAT].
- ¹⁰ Selcuk R. Sirin and Lauren Rogers-Sirin, Migration Policy Institute: Washington, D.C., *The Educational and Mental Health Needs of Syrian Refugee Children*, Oct. 2015, at 4 (citing Thompson Reuters Foundation, “Syria’s Civil War,” available at <http://www.trust.org/spotlight/Syrias-civil-war/?tab=briefing>) [hereinafter Sirin Report].
- ¹¹ Human Rights Watch, *Syria: Torture Centers Revealed*, Jul. 3, 2012, available at <https://www.hrw.org/news/2012/07/03/syria-torture-centers-revealed>.
- ¹² UN Office of the High Commissioner for Human Rights, “Fact Sheet No. 26, The Working Group on Arbitrary Detention,” at 4, available at <http://www.ohchr.org/Documents/Publications/FactSheet26en.pdf>.
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- ¹⁴ Interviewed October 2015.
- ¹⁵ Interviewed October 2015.
- ¹⁶ Interviewed May 2014.
- ¹⁷ Interviewed May 2014.
- ¹⁸ Interviewed May 2014.
- ¹⁹ Central Intelligence Agency, “The World Factbook: Syria,” <https://www.cia.gov/library/publications/the-world-factbook/geos/sy.html>.
- ²⁰ Sirin Report, *supra* note 10, at 3 (noting that, historically, the diverse ethnic and religious groups coexisted peacefully in Syria); Mark Urban, BBC, “Why there is more to Syria conflict than sectarianism,” Jun. 4, 2013, <http://www.bbc.com/news/world-middle-east-22770219>.

- ²¹ This is largely supported by qualitative research conducted by the Syrian Justice and Accountability Centre in its January 2015 report. See Craig Charney, Syria Justice and Accountability Centre, “*Maybe We Can Reach a Solution*” *Syrian Perspectives on Local Initiatives for Peace, Justice, and Reconciliation*, 2015 available at http://33bjjc3l8q7dpgn6j1rg637f.wpengine.netdna-cdn.com/wp-content/uploads/SJAC_Perceptions_2015.pdf.
- ²² Interviewed October 2015.
- ²³ Interviewed October 2015.
- ²⁴ Interviewed January 2014.
- ²⁵ Press Release, UN Office of the High Commissioner for Human Rights, “Syria must stop using violent strategies against civilians, now,” Aug. 5, 2011 available at <http://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=11281&LangID=E>;
- ²⁶ Press Release, UN Office of the High Commissioner for Human Rights, “Syria: UN experts raise alarm over arbitrary detentions and likely use of torture,” Feb. 21, 2012 available at <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=11848&LangID=E>
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- ²⁸ Interviewed January 2014.
- ²⁹ Interviewed December 2014.
- ³⁰ Interviewed May 2014.
- ³¹ Interviewed October 2015.
- ³² Interviewed October 2015.
- ³³ Amnesty International, *Between Prison and the Grave: Enforced Disappearances in Syria*, Nov. 2015, at 13-14, available at http://www.amnesty.org.uk/sites/default/files/embargoed_-_between_prison_and_the_grave_final.pdf
- ³⁴ Veronica Laveta, Center for Victims of Torture Healing and Human Rights Blog, “Jordan Counseling Group Session 7: Grief and Loss/Reconnecting with Memories of Lost Loved Ones,” Oct. 23, 2015, <http://www.cvt.org/blog/healing-and-human-rights/jordan-counseling-group-session-7-grief-and-lossreconnecting-memories>.
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- ³⁷ UN Working Group on Enforced or Involuntary Disappearances, “General Comment on Enforced Disappearance as a Continuous Crime,” available at <http://www.ohchr.org/Documents/Issues/Disappearances/GC-EDCC.pdf>.
- ³⁸ European Court of Human Rights, No. 2565/94, *Orhan v. Turkey*, Jun. 18, 2002, ¶ 358-360 (“[T]he uncertainty and apprehension suffered by the applicant over a prolonged and continuing period [. . .] has clearly caused him severe mental distress and anguish constituting inhuman treatment[.]”); Inter-American Court of Human Rights, *Godínez Cruz Case, Compensatory Damages*, (Ser. C) No. 8, 1990, ¶ 48-49 (finding that the disappearance of the head of the family caused harmful psychological impacts on his family that entitled them to moral damages).
- ³⁹ Interviewed May 2014.
- ⁴⁰ Interviewed January 2014.
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- ⁴² See International Committee of the Red Cross, “International Humanitarian Law: Rule 93: Rape and Other forms of Sexual Violence,” https://www.icrc.org/customary-ihl/eng/docs/v1_rul_rule93 (citing International Criminal Tribunal for Rwanda, *Akayesu case*, Judgment, Sept. 2, 1998, ¶ 598; International Criminal Tribunal for the Former Yugoslavia, *Delali case*, Judgment, Nov. 16, 1998, ¶ 495-496).
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- ⁴⁴ Interviewed January 2014.
- ⁴⁵ Interviewed in October 2015.
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- ⁴⁷ Interviewed October 2015.
- ⁴⁸ UN High Commissioner for Refugees, *Assessment of Health Access of New Arrival Iraqi Refugees in Jordan*, Aug. 3, 2015, at 1 [hereinafter UNHCR *Iraqi Health Assessment*].
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- ⁵¹ Interviewed December 2014.
- ⁵² Interviewed October 2015.
- ⁵³ Interviewed October 2015.
- ⁵⁴ CAT, *supra* note 9, art. 1.
- ⁵⁵ Committee against Torture, General Comment 2, CAT/C/GC/2 (Jan. 24, 2008) ¶ 8, available at http://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=1&DocTypeID=11.

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- ⁵⁷ Husband and wife interviewed separately in October 2015.
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- ⁶⁰ Metin Basgolu, Ed., "Torture and its Consequences: Current Treatment Approaches," Cambridge University Press, 1992, summary *available at* <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1376516/?page=1>.
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- ⁶⁶ Associated Press, The Guardian, "Lack of funds: World Food Programme drops aid to one-third of Syrian refugees," Sept. 4, 2015 <http://www.theguardian.com/world/2015/sep/05/lack-of-funds-world-food-programme-drops-aid-to-one-third-of-syrian-refugees>.
- ⁶⁷ World Food Programme, "Syria Emergency: Food Assistance," 2015 <http://www.wfp.org/emergencies/syria> ("In October, as a result of new donor support, WFP has been able to increase the value loaded onto the electronic vouchers it uses to provide food assistance to extremely vulnerable Syrian refugees in Jordan and Lebanon to an average of US\$21 per person per month – 80 percent of the full intended voucher value. This is a positive development as assistance was cut down to 50 percent on average during the previous months due to a severe lack of funding.")
- ⁶⁸ UNHCR *Iraqi Health Assessment*, *supra* note 48, at 5.
- ⁶⁹ *Id.* at 3.
- ⁷⁰ UN High Commissioner for Refugees, *Living in the Shadows: Jordan Home Visits Report 2014*, at 7, *available at* <http://unhcr.org/jordan2014urbanreport/home-visit-report.pdf>.
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- ⁷³ Interviewed May 2014.
- ⁷⁴ Interviewed December 2014.
- ⁷⁵ 22 U.S.C. § 2378d (a-d) and Pub. L. 112-74 § 8058 together make up the "Leahy Law." These two sections withhold assistance and training to "any unit of the security forces of a foreign country" if the Secretary of State and Secretary of Defense have credible information that the unit has "committed a gross violation of human rights." The assistance or training may only be restored once "all necessary corrective steps have been taken" including bringing the "responsible members of the security forces unit to justice."





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