

A Safer World For The Truth



**PEOPLE'S TRIBUNAL ON THE
MURDER OF JOURNALISTS**

CASE FILE

CASE HEARING

SYRIA

16-17 MAY 2022

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1. INTRODUCTION

1. This case file contains the materials presented to the Panel of Judges of the Permanent Peoples' Tribunal (PPT) in the context of the fourth hearing of the PPT's 50th Session: the People's Tribunal on the Murder of Journalists in Syria. This hearing takes place in the Hague on 16 and 17 May 2022. The hearing is organized by Free Press Unlimited (FPU), Reporters without Borders (RSF) and the Committee to Protect Journalists (CPJ) in partnership with the Syrian Center for Media and Freedom of Expression.

2. **The first day of the hearing** starts with the testimony of various experts and overview witnesses to set out the background and the context of impunity for crimes against journalists in Syria. They will present the different types of attacks on journalists, specific groups of journalists at risk, and the role of the State in the prevention and investigation of these crimes. **The second day of the Syria hearing** will focus on the emblematic case of journalist Nabil Al-Sharbaji, who died in detention in 2015 after having been subjected to torture and maltreatment. The case of Nabil Al-Sharbaji reflects the wider patterns of systemic and targeted attacks committed against members of the press in Syria.

3. This case file includes an outline of the evidence to be presented during the hearing. Sections 1.1 and 1.2 contain an overview of the submitted materials ([list of annexes](#)) and witnesses ([witnesses](#)) who will testify during the hearing. This overview connects these materials and testimonies to the points made in the indictment concerning the context of crimes against journalists in Syria and the case of journalist Nabil Al-Sharbaji.

4. The witnesses were selected in consultation with the Syrian Center for Media and Freedom of Expression, as well as the Syria teams of the three initiating organizations FPU, RSF and CPJ. The witnesses for day 1 were selected to, in similar fashion to the other hearings, cover the context of crimes against journalists in the described period, the impact of these crimes, as well as the impunity following these crimes. The witnesses are primarily expert witnesses from the fields of journalism, law and academia - several with both expert testimonials as well as personal experiences with the topics discussed.

5. The witnesses on day 2 all have personal experiences and direct knowledge of the events that led to Mr Nabil Al-Sharbaji's death in detention, presented during the hearing in chronological order. We also aimed to ensure a balance among the witnesses in terms of background and type of expertise.

Programme

Syria Hearing, the People's Tribunal on the Murder of Journalists

50th session of the Permanent Peoples' Tribunal

16 and 17 May 2022

The Hague Hearing Center, the Hague

16 May 2022: Impunity for crimes against journalists in Syria (2011-present)

8:30 - 9:00	REGISTRATION
9:00 – 9:30	<p>OPENING CEREMONY</p> <p><i>Welcome words</i></p> <ul style="list-style-type: none"> • Ruth Kronenburg, Free Press Unlimited • Syrian Center for Media Freedom and Expression <p><i>Introduction PPT and judges</i></p> <ul style="list-style-type: none"> • Gianni Tognoni, Secretary-General of the Permanent Peoples' Tribunal
9:30 – 9:45	<p>OPENING STATEMENT PROSECUTOR</p> <p><i>Almudena Bernabeu</i></p>
9:45 – 10:30	<p>WITNESS TESTIMONY</p> <p>Hala Kodmani</p>
10:30-10:45	<i>Questions from judges PPT</i>
10:45-11:15	COFFEE BREAK
11:15-11:45	<p>WITNESS TESTIMONY</p> <p>prof. dr. Uğur Ümit Üngör</p>

11:45 - 12:00	<i>Questions from judges PPT</i>
12:00 - 12:45	WITNESS TESTIMONY Kholoud Helmi
12:45-13:00	<i>Questions from judges PPT</i>
13:00 - 13:30	LUNCH BREAK
13:30 - 14:30	WITNESS TESTIMONY Édith Bouvier & Paul Conroy
14:30 - 14:45	<i>Questions from judges PPT</i>
14:45 - 15:00	COFFEE BREAK
15:00 - 15:45	WITNESS TESTIMONY Mazen Darwish
15:45 - 16:00	<i>Questions from judges PPT</i>
16:00 - 16:30	WITNESS TESTIMONY Nadim Houry, <i>High Level Panel</i>
16:30 - 16:45	<i>Questions from judges PPT</i>
16:45 - 17:00	CLOSING STATEMENT PROSECUTOR

17 May 2022: The case of Nabil Al-Sharbaji

9:00 - 9:10 12:00 - 12:15	Introduction to the case by the prosecutor of the Tribunal Almudena Bernabeu
9:10 - 9:15	Introduction to the physical evidence by the Prosecution: cloth written by Nabil Al-Sharbaji while in detention to document the names of his cellmates Introduction by Jos Bartman, exhibit and video introduction provided by

	Mr Mansour Oumari
9:15 – 10:15	WITNESS TESTIMONY Oussama Chourbagi and Hanan Lakkoud
10:15-10:30	<i>Questions from judges PPT</i>
10:30 - 11:00	COFFEE BREAK
11:00 - 11:45	WITNESS TESTIMONY Yaser Kholani
11:45 - 12:00	<i>Questions from judges PPT</i>
12:00 - 12:45	LUNCH BREAK
12:45 - 13:45	WITNESS TESTIMONY: Nabil's arrest and detention Osama Nassar and Maimouna Allamar
13:45 - 14:00	<i>Questions from judges PPT</i>
14:00 - 14:45	WITNESS TESTIMONY: Nabil's arrest and detention Marwan Alesh
14:45 - 15:00	<i>Questions from judges PPT</i>
15:00 - 15:30	COFFEE BREAK
15:30 - 16:00	Statement by the defense
16:00 - 16:15	Closing statement by the Prosecutor Almudena Bernabeu
16:15 - 16:45	Closing statement by the PPT Gianni Tognoni Panel of the 50th session of the PPT

4. 1.1 Contextual Background of Crimes against Journalists in Syria

1.1.1 Targeted crimes against journalists

6. Between 2011 and 2020, Syria has become one of the most dangerous places in the world for journalists. As of May 2022, between 139 and 702 journalists were reported to have been murdered since 2011.¹ In 2013 alone, the Syria Center for Media and Freedom of Expression (SCM) reported 167 extrajudicial killings and 151 enforced disappearances (**Annex B** - the UN Report of the Independent International Commission of Inquiry on the Syrian Arab Republic). In total, SCM reported 1992 documented cases of crimes against journalists in Syria between 2011 and 2020, ranging from extrajudicial killings (702) and enforced disappearances (140) to arbitrary detention (434) and injuries by direct and indirect targeting (222). These violations were part of an intentional campaign by parties to the conflict, including the Government of Syria, to prevent members of the press from covering events in the country. These violations were ‘multiple, intensive, widespread, and clear.’²

7. During the first day of the hearing, witness and journalist [Hala Kodmani](#) will shed light on the general context of (and developments in) the Syrian media landscape before, and at the start of the Syrian civil war. This includes an analysis of the media landscape in the years preceding the conflict, the activities of independent journalists, as well as the developments regarding press freedom following the start of the protests and the war in 2011. Mrs Kodmani is a French-Syrian journalist who has researched these topics extensively. By means of introduction to her testimony, a French-language interview (translation can be provided) on the topics covered during the testimony, is included in **Annex K**.

8. Witness and journalist [Kholoud Helmi](#) will build on Mrs Kodmani’s testimony by speaking about her own experiences as a journalist in Syria between 2011 and 2013, and subsequently working in exile. Her testimony will address the magazine (Enab

¹ CPJ.

https://cpj.org/data/killed/mideast/syria/?status=Killed&motiveConfirmed%5B%5D=Confirmed&type%5B%5D=Journalist&cc_fips%5B%5D=SY&start_year=2011&end_year=2020&group_by=location. Retrieved on 5 May 2022; Syria Center for Media and Freedom of Expression (2021). *Syria: The Black Hole for Media Work*.

² EU Agency for Asylum based on Syria Network for Human Rights (2020). *Journalists, other media professionals and citizen journalists*.

Baladi) she co-founded with, among others, Nabil Al-Sharbaji. Her testimony will also touch upon the role fulfilled by female journalists in the Syrian media landscape, and the specific risks they face in response to their work.

9. Syrian writer and journalist [Omar Kaddour](#) will testify in writing about his own experiences as a journalist, both prior to 2011 and in the early phases of the war. He will speak about the repression of journalists by the Syrian government before 2011, including his personal experiences. This repression was typically conducted by intelligence units, in the form of harassment and intimidation and the imposition of travel bans vis-a-vis journalists writing critically about the government. He will also testify about the changed approach to this form of retaliation towards journalists after 2011, in the early phases of the conflict.

10. French journalist [Edith Bouvier](#) will testify together with British photojournalist [Paul Conroy](#) about their experiences in Syria in February 2012, and the attack on a press center on 26 February 2012. This attack wounded both Bouvier and Conroy, and killed their colleagues Marie Colvin and Remi Ochlik. Bouvier and Conroy will testify together about the circumstances at the time of the attack, the different types of threats and attacks faced by (international) journalists in Syria, and the attribution of the attack to the Syrian government.

11. These testimonies document the various types of violence journalists face in different parts of Syria, including enforced disappearance, arbitrary detention and injuries by direct targeting. These testimonies will be related to the findings by the Syrian Center for Media and Freedom of Expression during the testimony of Mr [Mazen Darwish](#), who will summarize the findings of the Center's report on the violations against the media in Syria between 2011 and 2021 (the report is included in **Annex C**).

12. These findings are supported by the Annual Report on the Most Notable Violations against Media Workers in Syria, conducted by the Syrian Network for Human Rights, included in **Annex D**. A short brief outlining the legal framework for the media in Syria preceding 2011, as well as the state of the media in 2011-2012 (the years during which Nabil Al-Sharbaji was arrested) is included in **Annex E**.

13. While the focus of the hearing is on violations committed against the press in Syria by the Syrian government, these reports also outline the grave attacks committed by other actors in the conflict, such as the violations committed in areas controlled by the opposition, those controlled by the Kurdish Autonomous Administration, those controlled by the Turkish Forces and those controlled by Islamic State in Iraq and Syria (**Annex C**).

1.1.2 Impunity for crimes against journalists

14. In 2021, Syria ranked second on the Committee to Protect Journalists (CPJ)' Impunity Index.³ Through its specific methodology, CPJ documented an impunity percentage of 91% in all cases of murders of journalists in Syria between 2011 and 2022.⁴ While some convictions of perpetrators of crimes against members of the press have been realized outside Syria, using universal jurisdiction, impunity for these violations in Syria is virtually complete.⁵

15. In Syria, this culture of impunity is upheld by a legal framework that facilitates and upholds impunity in these cases. This framework consists of a range of exceptional laws, a weak and compromised judiciary branch, as well as far-reaching powers for the executive branch, immunity legislation, as well as Syria's security forces. This framework is documented in **Annex C** and **Annex E**. **Annex I** contains an introduction to the Syrian intelligence agencies and their role in the arbitrary detention of dissenting citizens, including critical journalists.

16. An important part of this framework concerns the detention system employed to detain, among others, critical activists and journalists in Syria, as exemplified in the case of Nabil Al-Sharbaji. The second expert witness on the first day, [prof. dr. Uğur Ümit Üngör](#), will provide context regarding this prison system. Prof. Üngör works for the University of Amsterdam and the NIOD Institute for War, Holocaust, and Genocide Studies. During the hearing, he will present context regarding the prison and detention system operated by the Assad regime. His testimony is based on his

³ The Committee to Protect Journalists. 2021 *Global Impunity Index*.

<https://cpj.org/reports/2021/10/killers-of-journalists-still-get-away-with-murder/>

⁴ The Committee to Protect Journalists. Data. [retrieved on 3 May 2022) cpj.org/data/

⁵ Syria Justice and Accountability Centre. 2020.

<https://syriaaccountability.org/its-time-to-stop-impunity-for-crimes-against-journalists-in-syria/>

recent book 'Syrian Gulag: Assad's Prisons, 1970-2020'. During his testimony, he will particularly discuss the period covered by this hearing 2011-2021.

17. Witness [Mazen Darwish](#), lawyer and journalist and director of SCM, will also provide context about the aforementioned findings regarding impunity for these crimes in Syria. He will present the different ways in which the Syrian government actively protects perpetrators in cases involving attacks on the press committed by government authorities, as well as facilitates impunity in cases attributed to other actors. Mr Darwish will also present the opportunities for justice in these cases outside Syria, for example in cases based on universal jurisdiction. He will highlight several cases, and describe the main remaining obstacles to securing justice for crimes against the press in Syria in foreign jurisdictions.

18. Witness [Nadim Houry](#), lawyer and member of the High Level Panel of Legal Experts on Media Freedom, will build on this testimony by sharing the Panel's observations about the role that other countries, including those included in the Media Freedom Coalition, can play in promoting justice in these cases.

1.2 The case of Nabil Al-Sharbaji (1986-2015)

19. Nabil Al-Sharbaji was a young blogger, journalist and peaceful political activist with a degree in Media from Damascus University. He participated in organizing the peaceful protest demonstrations in Darayya, a town close to Damascus, as part of the Darayya Youth Group. As a journalist, he was known for his key role in documenting and photographing the demonstrations in Darayya, among others, for the magazine he co-founded in June 2011: Enab Baladi.

20. Nabil Al-Sharbaji was arrested for the first time during a sit-in on March 16, 2011. He was released after two weeks, but arrested again by the Air Force Intelligence in Darayya on February 26, 2012, without a formal charge. He was arrested after disclosing his profession as a journalist. His laptop and notebook were confiscated.

21. After his arrest, Nabil was brought to Mezzeh Military Airport, operated by the Air Force Intelligence. During his detention, Nabil was transferred to the Fourth Division prison on April 21, 2012, then returned to Mezzeh until he was transferred to the

Military Police and taken to Adra Central Prison in February 2013 and Sednaya prison on 25 September 2013. Nabil Al-Sharbaji was subjected to severe forms of torture during his detention, particularly in Mezzeh Military Airport.

22. Throughout his detention, Nabil was not presented with a formal charge. On 27 March 2013, he was brought before the Military Field Court in Qaboun, where he was also submitted to torture. During his detention, he did not have access to a lawyer in prison and was only allowed a visit by his family once.

23. On 3 May 2015, Nabil passed away in Sednaya Military Prison as a result of the conditions of his arbitrary detention and the torture he had been subjected to. On May 25, 2015, his family was informed of his death. They were not provided with further information about his death, and his body was not returned to his family.

24. The case of Nabil Al-Sharbaji is emblematic of the systematic targeting of journalists by the Syrian government.⁶ As will be illustrated by the testimonies presented in this hearing, his arrest and treatment in arbitrary detention are representative of the methods employed by the Syrian government to silence (among others) journalists.⁷ In its 2021 report to the UN Human Rights Council, the Independent International Commission of Inquiry on the Syrian Arab Republic called 'the use of arbitrary detention, torture and ill-treatment (...) a hallmark of the conflict'.⁸ The Commission found that out of the 500 former detainees interviewed, almost none were given a reason for their arrest nor the opportunity to present their case before a judiciary, and torture of detainees was a routine practice.⁹

1.2.1 Nabil's work and role as a journalist

25. Nabil Al-Sharbaji gained an interest in societal reform, activism and journalism at a young age, and started studying journalism in 2004. His first journalistic work was

⁶ **Annex C** and **Annex F**

⁷ See also **Annex G**, which documents the system of detention and torture of dissenting citizens, including journalists

⁸ **Annex B.2**, p. 2

⁹ **Annex B.2**, p. 8

published on his own blog, and after 2009, he collaborated on several media projects, such as the public campaign to clean the Barada River.¹⁰

26. Nabil was also involved in the Darayya Youth Group.¹¹ This collective was founded in 1998 and engaged in several well-known protests already before 2011, facing repression by Syrian government authorities throughout its existence.¹² At the start of the Arab Spring, Nabil and his friends from the Youth Group participated in solidarity sit-ins in front of the embassies of Egypt and Tunisia. When the protests started in Syria as well, they joined sit-ins in solidarity with prisoners of conscience in Syria.¹³ His first arrest on 16 March 2011 occurred during one of these sit-ins (section 1.2.2.).

27. After his release from prison following his first arrest in March 2011, Nabil took a key role in reporting on, and spreading information about, the protests in Darayya as part of the Local Coordination Committee in Darayya.¹⁴ He filmed demonstrations and coordinated a group of young activists and journalists - broadcasting and editing their video material, and teaching others how to film and report.¹⁵ He published the photo and video material collected by the group on his blog and his YouTube channel Musa4Hak.¹⁶

28. When arrests of activists increased in May 2011, Nabil, together with witness (in writing) Maimouna Alammari, publicly documented the detainees from Daraya. It was widely known that Nabil was associated with the Facebook-account on which these lists were published.¹⁷ In December 2011, he co-founded the magazine Enab Baladi.¹⁸ Over the course of 2011, Nabil became the main coordinator of the media

¹⁰ Annex N, Testimony Ousama Nassar, p. 2; Nabil's video report of the campaign:
<https://www.youtube.com/watch?v=lQIN4j7s1vA>

¹¹ Annex M, Testimony Ousama Chourbagi

¹² Annex N, Testimony Ousama Nassar, p. 1-2, see also:

<https://globalvoices.org/2016/08/26/daraya-symbol-of-non-violent-revolution-and-self-determination-falls-to-the-syrian-regime/>

¹³ Annex N, Testimony Ousama Nassar, p. 2; Annex I, Testimony Mazen Darwish, p. 3

¹⁴ Annex I, Testimony Mazen Darwish, p. 4; Annex I, p. 9

¹⁵ Annex L, Testimony Hanan Allakoud

¹⁶ Annex N, Testimony Ousama Nassar, p. 4

¹⁷ Annex N, Testimony Ousama Nassar, p. 4

¹⁸ Annex I, p. 10

coverage of the protests in Darayya, as part of his overall dedication to the promotion of peaceful resistance.¹⁹

29. During the hearing, [Hanan Allakoud](#) and [Ousama Chourbagi](#), who knew Nabil from a young age, will testify about his aspirations and work as a journalist, and the role he played in Darayya and the Darayya Youth Group. Witness [Kholoud Helmi](#) will present contextual evidence on the first day of the hearing, but will also speak about the history and work of Enab Baladi.

1.2.2. The arrests of Nabil Al-Sharbaji in March 2011 and February 2012

30. On 16 March 2011, Nabil participated in a sit-in in solidarity with prisoners of conscience in front of the Ministry of Internal Affairs. At this sit-in, he was arrested by members of the security forces, together with several of the witnesses listed in **Annex I**, and together with [Ousama Nassar](#), who will testify during the hearing.

31. After their arrest, the group, including Nabil, was held in Damascus Intelligence Branch, also known as 'District Branch'.²⁰ They were brought before a judge, who ordered their detention for 'undermining the state esteem', and transferred to Adra Prison. They were released after 15 days. By the time they were released, on 29 or 30 March 2011, the protests in Darayya had started.²¹

32. On 26 February 2012, protests in Darayya were organized in response to a referendum on the constitution.²² Nabil wanted to cover the demonstrations and agreed to meet with activists in the evening to obtain the video material.²³ He was together with his friends, the brothers Yaser and Balil Kholani.²⁴ During the hearing, [Yaser Kholani](#) will provide testimony.

33. A curfew was in place and it was dangerous to travel at this time of the night. Nabil, Yaser and Balil traveled together and carried Nabil's computer and hard drive

¹⁹ Annex N, Testimony Ousama Nassar, p. 5; Annex I, Testimony Mazen Darwish, p. 4

²⁰ Annex N, Testimony Ousama Nassar, p. 3

²¹ Annex N, Testimony Ousama Nassar, p. 3

²² Annex O, Testimony Yaser Kholani, p. 1

²³ Annex O, Testimony Yaser Kholani, p. 1

²⁴ Annex O, Testimony Yaser Kholani, p. 1; Annex I, p. 1

in the car.²⁵ At the intersection of the road, near Omar bin Abdul Aziz Mosque with al-Thawra Street, the car was stopped by a military convoy and the three men were asked to exit the car and present identification. Yaser Kholani recognized some of the soldiers as members of the Air Force Intelligence.²⁶

34. When Nabil stated his name, the officers reacted strongly and stated they had previously pursued him.²⁷ This is confirmed by witness testimony of a detainee who was arrested in September 2011 and was asked about Nabil during his interrogation.²⁸ He was asked about his profession by a senior official, and Nabil answered 'I am a journalist'. All three men were subsequently beaten, Nabil was tied and taken away, and Nabil's laptop and hard drive were confiscated.²⁹ Yaser and Balil denied their relationship with Nabil and were allowed to leave.

1.2.3. The detention of Nabil Al-Sharbaji between 26 February 2012 and 3 May 2015

35. After his arrest, Nabil was taken to Mezzeh Military Airport, a detention unit of the Investigative Branch of the Air Force Intelligence.³⁰ Witnesses who were with Nabil in Mezzeh Military Airport have testified about the extremely poor conditions in the prison, including the lack of health care and food.³¹ Nabil was subjected to severe torture in the interrogation rooms and yard of this prison, including suspension and exposure to an electric baton.³²

36. On 21 April 2012, Nabil was transferred to the detention center of the Fourth Division.³³ Witness Mazen Darwish, who was transferred together with Nabil, has testified about the beatings they received with electrical cables and iron handcuffs upon arrival in the Fourth Division. During their time in the prison, Nabil spoke to Darwish about the interrogations following his arrest and told him that he was

²⁵ Annex O, Testimony Yaser Kholani, p. 1; Annex I, p. 2

²⁶ Annex O, Testimony Yaser Kholani, p. 2; Annex O, Testimony Yaser Kholani, p. 1

²⁷ Annex I, p. 2

²⁸ Annex I, p. 8

²⁹ Annex O, Testimony Yaser Kholani, p. 2; Annex I, p. 2

³⁰ Annex G

³¹ Annex I, Testimony Mazen Darwish, p. 5

³² Annex I, Testimony Mazen Darwish, p. 6

³³ Annex I, Testimony Mazen Darwish, p. 5

interrogated about his video reports of the demonstrations, his news reports, his contacts with TV stations and work for the Coordination Committee.³⁴ During their detention in the Fourth Division, they were tortured twice a day, including beatings with electric sticks and plastic bars.³⁵

36. While in detention in the Fourth Division, Nabil participated in efforts to document the names and fate of his fellow detainees.³⁶ On pieces of cloth, using blood and rust, he wrote the names, phone numbers and places of his cellmates. This cloth was smuggled out by fellow journalist and detainee Mansour Omari. Mr Omari has provided the Tribunal with - given the fragility of the original material - authentic reproductions of this cloth. During the second day of the hearing, this material will be presented through a video introduction.³⁷ It remains on display at the Hearing Center for the duration of the hearing.

38. On 10 February 2013, he was transferred to the Military Police in Qaboun, and one day later to Adra Prison.³⁸ Nabil was seen in Adra prison by several of the witnesses whose testimonies have been recorded in Annex I.³⁹ While in Adra Prison, Nabil also spoke to other detainees about the torture he was subjected to in Mezzeh Military Airport.⁴⁰ Witness [Marwan Alesh](#) will testify during the hearing about his encounters with Nabil in Adra Prison.

39. On 27 September 2013, Nabil was taken to the Military Field Court in Al-Qaboun. At the Court, he was subjected to beatings together with 30 other detainees. The detainees, including Nabil, were brought before the judge individually and were kept blindfolded. During the hearing, they were only asked by the judge why they had confessed, and told to sign a court order.⁴¹

³⁴ Annex I, Testimony Mazen Darwish, p. 5

³⁵ Annex I, Testimony Mazen Darwish, p. 5; Annex I, p. 29

³⁶ Enab Baladi. Who Killed Nabil Al-Sharbaji. 2016.

<https://english.enabbaladi.net/archives/2016/12/killed-nabil-shurbaji/>; Annex I, p. 30

³⁷ <https://www.youtube.com/watch?v=CbzwRXfOa-M> (0:56-3:30). See also;

<https://www.newyorker.com/news/news-desk/written-in-blood-and-rust-from-a-syrian-prison-dont-forget-us>

³⁸ Annex I, p. 22

³⁹ Annex I, p. 3; Annex I, Testimony Mazen Darwish, p. 6; Annex I, Testimony, p. 22

⁴⁰ Annex I, , p. 23

⁴¹ Annex I, p. 24

40. On 29 September 2013, Nabil was transferred to Sednaya Prison.⁴² In Sednaya, Nabil was again subjected to beatings, including with cables and sticks. Nabil and his cellmates were stripped naked and put into solitary confinement.⁴³ After 24 days, they were transferred to another cell. In this cell, they were subjected to punishment in the form of the pouring of cold water from morning to evening. Detainees who received visits by family members were tortured severely afterwards.⁴⁴

41. On 15 or 16 February, Nabil was visited by his father. Immediately after his return to the cell, he complained of a pain in his chest following a beating.⁴⁵ His cellmates advised him not to ask for medical assistance, as most did not return from the prison hospital. On 3 May 2015, two of Nabil's fellow detainees in Sednaya heard a guard call out the announcement of the death of Nabil.⁴⁶

1.2.4. Accountability for the murder of Nabil Al-Sharbaji

42. No investigation was conducted into the death of Nabil Al-Sharbaji. His family was informed of his death on 25 May 2015. His body was not returned to them, and no further information has been released since.

43. In conclusion, and following the indictment submitted to the Permanent Peoples' Tribunal, it is alleged that:

- **The government of the Syrian Arab Republic** targeted Nabil Al-Sharbaji in response to his work as a journalist and activist when they arrested him on February 26, 2012.
- **The government of the Syrian Arab Republic** subsequently held Nabil Al-Sharbaji in arbitrary detention. He was not presented with a formal charge, not given a lawyer to represent himself, including during his brief hearing at the Military Field Court in Qaboun, during which he was blindfolded.

⁴² Annex I, p. 24

⁴³ Annex I, p. 24

⁴⁴ Annex I, p. 25

⁴⁵ Annex J

⁴⁶ Annex I, p. 26; Annex J

- Direct witness testimonies confirm that, while Nabil was held in detention between 26 February 2012 and 3 May 2015, **he was subjected to severe torture and ill-treatment** by government authorities.
 - As confirmed by the documented chain of command included in **Annex G**, the witness testimonies in **Annex I to P**, and the report by the Independent International Commission of Inquiry on the Syrian Arab Republic in **Annex B.2**, this treatment of detainees in the facilities in which Nabil was held, were consistent and widespread, excluding the possibility that they were committed without knowledge of the relevant chain of command.
- Given its responsibility for the circumstances that led to Nabil's death, the Government has never presented any indication of an **investigation into the death of Nabil**. His body was not returned to his family, ruling out the possibility of an autopsy. The government has not presented any information regarding his death following the notice of his death on 25 May 2015.

2. WITNESS BIOGRAPHIES

2.1 Day 1 - Systematic targeting of journalists in Syria (16 May 2022)

2.1.1 Hala Kodmani

Journalist and founder of Souria Houria

French-Syrian journalist, Hala Kodmani, specializes in covering the Arab uprisings, especially the Syrian revolution. She has worked for the French daily paper *Libération*, the weekly news magazine *L'Express* and other French media outlets. In 2011 she founded and chaired the French association 'Souria Houria' which campaigns for "democracy, freedoms and human rights in Syria" and helps Syrians who seek refuge in France. In 2013 she received an award from l'Association de la presse diplomatique française for her coverage of the situation in Syria. She will testify in Arabic in person.

2.1.2. Prof. dr. Uğur Ümit Üngör

Professor of Holocaust and Genocide Studies at the University of Amsterdam and NIOD

Uğur Ümit Üngör (PhD Amsterdam, 2009) is Professor of Holocaust and Genocide Studies at the University of Amsterdam and NIOD. His main areas of interest are the global history and sociology of genocide and mass violence, with a particular focus on the modern and contemporary Middle East. His publications include *Genocide: New Perspectives on its*

Causes, Courses and Consequences (Amsterdam University Press, 2016, ed.), Confiscation and Destruction: The Young Turk Seizure of Armenian Property (Continuum, 2011), and the award-winning *The Making of Modern Turkey: Nation and State in Eastern Anatolia, 1913-1950* (Oxford University Press, 2011). He will testify in English in person.

2.1.3. Kholoud Helmi

Journalist and co-founder and board member of Enab Baladi

Kholoud Helmi is a Syrian journalist and co-founder and board member of Enab Baladi newspaper, which was established in 2011 at the start of the Syrian war. She believes that women are key in development, peacebuilding and stability. Before fleeing Syria, she was an eyewitness to the shooting of peaceful demonstrators, arbitrary arrests and massacres that occurred in Darayya and surrounding towns committed by Assad's regime. Helmi was the 2015 winner of the Anna Politkovskaya Award for reporting on Syrian events and the 2017 winner of the International Association's Courage Under Fire Award for the documentary 'Cries from Syria'. She will testify in person.

2.1.4. Édith Bouvier

Freelance French journalist, book author and documentary filmmaker.

In February 2012 she joined a small group of war correspondents documenting the assault on the city by forces loyal to President Bashar al-Assad. She got trapped in the epicenter of intense fighting in Baba Amr during the Syrian Civil War in February 2012. She got wounded in a rocket attack which killed two foreign journalists. Bouvier and photographer William Daniels tried to escape and eventually managed to get to the Lebanese border through the assistance of a rebel. She will testify in English in person.

2.1.5. Paul Conroy

Freelance photographer and filmmaker

Conroy extensively worked as a journalist in conflict zones. During the Syrian Civil War in 2012, he got injured when the Syrian government shelled a media centre. The same attack killed the newspaper's war correspondent, Marie Colvin, and French photojournalist Remi Ochlik. In 2019 Paul received a Society of Editors award, and the May Chidiac impact award for his photography in war zones. Paul has covered conflicts in Libya, Syria, Iraq, DRC, Egypt, Afghanistan and the Balkans. Paul currently sits on the board of the Frontline Club and Reporters Sans Frontières. He will testify in English in person.

2.1.6. Mazen Darwish

Human rights defender, journalist and Director of the Syrian Centre for Media and Free Expression

Mazen Darwish worked for many years on human rights, freedom of expression and freedom of the press in Syria. He has been speaking up for the Syrian cause and about torture, detention conditions and the plight of civilians caught up in a war zone. In 2000, Mazen Darwish founded the Syrian Center for Media and Freedom of Expression (SCM), creating the first ever NGO in Syria. His active commitment to human rights has repeatedly made him a victim of state repression. He has been arrested several times and was subject to severe ill-treatment and torture before finally being released in August 2015. While in prison Darwish received numerous honors. IPI named him a World Press Freedom Hero and he was given the UNESCO/Guillermo Cano World Press Freedom Prize and PEN's Pinter International Writer of Courage Award. He will testify in English in person.

2.1.7. Nadim Houry

Member of the High Level Panel of Legal Experts on Media Freedom

Nadim Houry is a member of the High Level Panel of Legal Experts on Media Freedom. An experienced human rights lawyer, he is currently the Executive Director of the Arab Reform Initiative, a leading think-tank working on democratic reforms in the Middle East & North Africa (MENA). Previously, he worked at Human Rights Watch, including as deputy director of the MENA division and as director of the Terrorism and Counter-terrorism Program. He will testify in English and remotely.

2.2 Day 2 - The case of Nabil Al-Sharbaji (17 May 2022)

2.2.1 Hanan Allakoud

Hanan Allakoud works as the head of the administrative body in the Hurras at the Guardians of Childhood Network. She is a mother who dreams of a safe world for all the children of the world. As an engineer, she wants to build bases for peace. That is why she works with the Guardians of Childhood Network to strengthen the immunity of society against any form of tyranny. She will testify in person in Arabic.

2.2.2 Ousama Chourbagi

Oussama Chourbagi is a pharmacist; he has been exiled to France since 2005 after being imprisoned by Assad regime authorities in Damascus. He met Nabil for the first time after his release in 2003, then they developed an excellent relationship together through daily meetings during 2 years Oussama is one of the founding members of the Syrian Non-Violence

Movement. In 2010, Oussama got a PhD degree in Molecular Biology from Paris University and worked at several hospitals in Paris. Four years after participating in creating the Syrian National Council in 2011, he has distanced himself from politics to return to his primary mission: to transmit the principles of democracy and non-violence values to Syrian society. He will testify, together with Hanan Allakoud, in Arabic and in person.

2.2.3 Yaser Kholani

Mr Kholani met Nabil through his brothers Bilal and Majd, and their shared participation in the Daraya Youth Group. Mr Kholani was present during Nabil’s second arrest on 26 February 2012, and he will testify about these events during the testimony. He currently resides in Turkey and will testify in Arabic and remotely.

2.2.4 Osama Nassar

Resident in the United Kingdom, Bachelor of Arts - Department of English Language and Literature - University of Damascus. He knew Nabil since 1997, when they lived in the same neighborhood. Nabil was one of the students of the institute that Osama was part of its administration and a teacher in Anas bin Malik Mosque in Daraya. Our relationship developed further when Nabil moved to university and we started getting active together. And we remained so until his arrest in February 2012. He will testify in English in person.

2.2.5 Marwan Alesh

Study: Bachelor of Engineering in Geology and Mining 1980, Master of Development and Economics 1987 Trader of engineering machinery and equipment. He met Nabil after he was released from prison in 2010, and will testify about his experiences with Nabil while Nabil was detained in Adra prison. He will testify in Arabic in person.

3. LIST OF ANNEXES

ANNEX	TITLE	YEAR	AUTHOR
3.1 General materials			
A	People’s Tribunal on the Murder of Journalists - Indictment	2021	N/A

B	Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, UN DOC A/HRC/28/69	2015	UN Human Rights Council
B.2	Report of the Independent International Commission of Inquiry on the Syrian Arab Republic, UN DOC A/HRC/46/55	2021	UN Human Rights Council
3.2 Materials concerning context of impunity for crimes against journalists in Syria			
C	Syria the Black Hole for the Media: 10 years of violations against the media (2011-2021)	2021	SCM
D	The Annual Report on the Most Notable Violations against Media Workers in Syria	2021	SNHR
E	Brief on the State of Media in Syria	2021	SCM
F	Shooting the Messenger: Journalists Targeted by All Sides in Syria	2013	Amnesty International
3.3 Materials corresponding to the case of Nabil Al-Sharbaji			
G	Chronology of the case [based on witness testimonies]	2022	SCM
H	The Air Force Intelligence Directorate in Syria	2022	SCM
I	[CONFIDENTIAL] - collection of witness testimonies. This public case file only names the witnesses who also participated during the hearing.	2022	
J	[CONFIDENTIAL]	2021	
3.4 Materials written or produced by witnesses who provide testimony during the hearing			
K	Interview Mrs Hala Kodmani	2013	Hala Kodmani, Sixtine de Thé
L	Testimony Hanan Allakoud	2021	Hanan Allakoud

M	Testimony Ousama Chourbagi	2021	Ousama Chourbagi
N	Testimony Ousama Nassar	2021	Ousama Nassar
O	Testimony Yaser Kholani	2021	Yaser Kholani
P	Testimony Marwan Alesh	2021	Marwan Alesh