



TRIAL
International

NEWS RELEASE

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In Switzerland, proceedings for war crimes against Rifaat Al-Assad

Revelations about TRIAL International's investigation

A collective of lawyers has revealed today the existence of criminal proceedings in Switzerland against Rifaat Al-Assad for war crimes committed in Syria in the 1980s. TRIAL International confirms it has, after a thorough investigation, denounced the former vice-president to the Swiss judicial authorities. A solid case is now in the hands of the Office of the Attorney General (OAG), who must now bring to its close this exemplary and historical case.

Since 2013 and following a criminal complaint by TRIAL International, Rifaat Al-Assad is the subject of a criminal investigation in Switzerland for war crimes. But four years later, the NGO is worried the case is at a stalemate, despite the significant amount of evidence at hand. This morning, the complainants' lawyers have publicly challenged the OAG and denounced a denial of justice for their clients – who are all victims of the Syrian regime's barbarity.

TADMOR AND HAMA, TWO SLAUGHTERS THAT HAVE GONE DOWN IN HISTORY

Who is Rifaat Al-Assad? An eminent member of the Syrian political cast and the uncle of the current president Bashar Al-Assad, he was in command of the Defense Brigades – the country's elite commando troops – in the 1980s. Under his lead, the Brigades are suspected of participating in the massacre of several thousand people in Tadmor and Hama.

On 27 June 1980, as an armed conflict rages on, the Defense Brigades storm the prison of Tadmor, near Palmyra. Bursting into the cells, Rifaat Al-Assad's men methodically kill almost 1'000 prisoners, according to various estimates.

Two years later, opponents to the regime take up arms in the city of Hama. Government forces, including the Defense Brigades, attack the city in retaliation. The population is trapped in its own city, without supply or electricity, for almost a month. Civil casualties range from 10'000 to 40'000, depending on the sources.

Executions, shelling, torture, rape, looting: in spite of the gravity of the crimes, nobody has ever been prosecuted. Rifaat Al-Assad, in exile since 1984, has travelled freely for years and invested a vast personal fortune in Europe.

FOUR YEARS OF INVESTIGATION

In 2013, the opening of an inquiry by the Swiss OAG revived the victims' hope to see Rifaat Al-Assad tried and punished. In the following four years, TRIAL International conducted investigative work in eight countries and provided the OAG with dozens of testimonies and pieces of evidence. By skimming through countless archives, the NGO was also able to find documents from secret services and embassies of various countries. The organization has also tracked down former Syrian combatants willing to testify.

"We have accumulated damning evidence showing Rifaat Al-Assad's responsibility in the massacres of Tadmor and Hama. The evidence also points at the unbounded brutality of his troops and his wish to purely and simply root out the opposition" says **Benedict de Moerloose**, the lawyer in charge of investigations at TRIAL International.

SWITZERLAND MUST SHOW COURAGE

The victims who have filed their complaint in Switzerland are bitterly disappointed today. Their lawyers denounce “grave shortcomings in the procedure, such as the cancellation of hearings, the refusal to arrest or hear the suspect (...) and even attempts to bury the case altogether”.

Yet according to the principle of universal jurisdiction, Switzerland has an obligation to prosecute the authors of war crimes present on its territory – regardless of where the crimes were committed and the nationality of the perpetrators.

“The sluggishness of the OAG goes against Switzerland’s international commitments – an irony given it is the depositary of the Geneva Convention”, deplores **Philip Grant**, Director of TRIAL International. “Besides, it sends a dangerous message to today’s belligerents in Syria. It must be absolutely clear to them that they are not beyond the reach of justice.”

Suspected of embezzlement of public funds, the assets of Rifaat Al-Assad – worth hundreds of millions of euros – have recently been seized in France, in Spain and in the United Kingdom. Switzerland now has a historic occasion to prosecute him for his criminal actions. For the thousands of victims in Syria, the OAG must have the courage to see this procedure through and to prepare the trial of Rifaat Al-Assad.

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For further information about the case, a press briefing will take place on Tuesday 26 September 2017 at 9am in Geneva, Maison des Associations, Room Rachel Carson. Please confirm your attendance at media@trialinternational.org

On Twitter

@trial
#Justice4Hama
#ProsecuteRifaat

TRIAL International is a non-governmental organization fighting impunity for international crimes and supporting victims in their quest for justice. TRIAL International takes an innovative approach to the law, paving the way to justice for survivors of unspeakable sufferings. The organization provides legal assistance, litigates cases, develops local capacity and pushes the human rights agenda forward.

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