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Amnesty International

SYRIA

SYRIAN ARAB REPUBLIC

Head of state: Bashar al-Assad

Head of government: Muhammad Naji 'Otri

Death penalty: retentionist

International Criminal Court: signed

UN Women's Convention: ratified with reservations

Optional Protocol to UN Women's Convention: not signed

Overview - Covering events from January - December 2005

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Freedom of expression and association remained severely restricted. Scores of people were arrested and hundreds remained imprisoned for political reasons, including prisoners of conscience and others sentenced after unfair trials. However, about 500 political prisoners were released under two amnesties. Torture and ill-treatment were common. Human rights defenders continued to face harassment. Women and members of the Kurdish minority continued to face discrimination.

Background

Syria became increasingly isolated after the assassination of former Lebanese Prime Minister Rafiq al-Hariri in Beirut on 14 February. In May the UN confirmed that Syria had withdrawn its forces from Lebanon. The state of emergency imposed in 1962 remained in force. The Association Agreement between Syria and the European Union, which was initiated in October 2004 and contains a human rights clause, remained frozen at the final approval stage.

Releases of political prisoners

Up to 312 political prisoners, including prisoners of conscience, were ordered to be released on 30 March under a presidential amnesty. Most were Kurds who had been detained following violent disturbances in north-eastern Syria in March 2004.

Some 190 political prisoners, including prisoners of conscience, were released under a presidential amnesty on 2 November. They included: 'Abd al-'Aziz al-Khayyir, arrested in February 1992 and sentenced after an unfair trial before the Supreme State Security Court (SSSC) in August 1995 to 22 years' imprisonment for membership of the Party for Communist Action; Haythem al-Hamwi, Muhammed Shehada, Yahya Shurbajee and Mu'atez Murad, community activists from Darya arrested in May 2003 and sentenced to between three and four years' imprisonment after unfair trials before Field Military Courts; and Mus'ab al-Hariri, who was arrested on 24 July 2002, aged 14 or 15, shortly after he and his mother returned to Syria after living in exile in Saudi Arabia. Mus'ab al-Hariri had been sentenced by the SSSC on 19 June 2005 to six years' imprisonment for alleged membership of the Muslim Brotherhood.

Imprisonment for political reasons

Scores of people were arrested during the year for political reasons, including tens of prisoners of conscience. At least several hundred people, including prisoners of conscience, remained imprisoned for political reasons. Scores were brought to trial before the SSSC and Military Courts, all of which suffer from a gross lack of independence and impartiality. Many of those facing trial were suspected members or affiliates of banned political parties such as the Kurdish Democratic Union Party, the Muslim Brotherhood, Hizb al-Tahrir, and the pro-Iraqi Arab Socialist Democratic Ba'th Party.

Prisoners of conscience included:

- Six men, who were arrested in 2001 and sentenced to up to 10 years' imprisonment after unfair trials in 2002 for their involvement in the "Damascus Spring" pro-reform movement, remained in prison.
- Former "Damascus Spring" detainee Kamal al-Labwani, who was released in September 2004 after three years' imprisonment, was rearrested on 8 November upon arrival in Damascus after several months in Europe and the USA. Charges against him, which related to his peaceful activities promoting democracy and human rights, included "weakening national morale", "inciting strife" and "belonging to a secret organization".
- 'Ali al-'Abdullah was arrested on 15 May, a week after he read a statement on behalf of the exiled Muslim Brotherhood leader at the unauthorized Jamal al-Atassi Forum. The Forum was then closed

down by the authorities. He was charged with "promoting an illegal organization". He was released under the presidential amnesty on 2 November.

- Riad Drar was arrested on 4 June after he made a speech at the funeral of Islamic scholar Sheikh Muhammad Ma'shuq al-Khiznawi. He faced charges before the SSSC of "inciting sectarian strife", a charge commonly used against people promoting the rights of Syrian Kurds. He remained held in solitary confinement.

'War on terror' detentions and torture

Scores of Syrians remained in detention and were being tried before the SSSC for alleged membership of a Salafi Islamist organization and for alleged plans to carry out acts of terrorism, including in Iraq. The detainees included 16 men from al-'Otaybe, who were arrested in April 2004, and 24 men from Qatana, aged between 17 and 25, who were arrested in July 2004. They were reportedly tortured and ill-treated during long periods of incommunicado detention. There were widespread concerns that the arrests and trials were attempts by the authorities to portray the country as under threat from terrorism.

According to unconfirmed media reports emanating from government sources, in 2005 the Syrian authorities arrested up to 1,500 people allegedly seeking to fight alongside anti-US forces in Iraq. Many were reportedly returned to their country of origin. Saudi Arabian media and human rights activists stated from July that Saudi nationals had been detained and tortured in Syria, from October 2003, before being returned to Saudi Arabia.

- Pregnant sisters Heba al-Khaled, 17, and Rola al-Khaled, 20, and Nadia al-Satour and her baby, were arrested on 3 September and held hostage by the authorities to put pressure on their husbands, alleged Islamist militants, to give themselves up. They were first detained in the town of Hama, then transferred to the Palestine Branch of Military Intelligence in Damascus where they remained at the end of the year.
- Muhammad Haydar Zammar, a German national of Syrian origin, remained detained incommunicado, at an unknown location and without charge, for a fourth year, apparently on account of alleged links to al-Qa'ida. The US security forces were reportedly involved in his arrest and interrogation in Morocco in 2001, and in his secret transfer to Syria one or two weeks later. He was reportedly interrogated in Syria in November 2002 by agents of German intelligence and criminal investigation agencies.

In August and October, information was released during an inquiry in Canada on the actions of Canadian officials in relation to Syrian/Canadian national Maher Arar. It indicated that, like him, at least three other Canadian nationals of Arab origin had been detained, interrogated and tortured in Syria in previous years with the possible complicity or involvement of Canadian and other foreign intelligence agencies. All three claimed they were forced to sign statements without being permitted to read them. They were:

- Ahmed Abou El-Maati was detained for 11 weeks after he arrived in Syria on 12 November 2001. He alleged that during this time he was beaten with electric cables, burned with cigarettes and had ice-cold water poured over him. He was then transferred to Egypt where he suffered further torture.
- 'Abdullah Almalki said he was beaten on the soles of his feet, hung in a tyre and beaten, and suspended by his hands from a metal frame and beaten while detained at the Palestine Branch of Military Intelligence in Damascus for 22 months from May 2002.
- Muayyed Nureddin said he was beaten repeatedly on the soles of his feet with a cable and had cold water poured on him while detained in Syria from 11 December 2003 to 13 January 2004.

Human rights defenders under threat

Syrian human rights defenders became increasingly active, but faced arrest and harassment. Several unauthorized human rights organizations were operating. At least 10 human rights defenders were forbidden from travelling outside the country.

- Nizar Ristnawi, a founding member of the unauthorized Arab Organization for Human Rights-Syria (AOHR-S), was arrested on 18 April. He remained in detention on unknown charges at the end of the year.
- Muhammad Ra'dun, head of the AOHR-S, was arrested on 22 May in connection with statements he had made about human rights in Syria. He was charged with "spreading false news" and "involvement in an illegal organization of an international nature". He was released under a presidential amnesty on 2 November.

'Disappearances'

The government provided no information about thousands of Syrians, Lebanese and other nationals who "disappeared" in the custody of Syrian forces in previous years. These included some 17,000 people, mostly Islamists who "disappeared" after they were detained in the late 1970s and early 1980s, and hundreds of Lebanese and Palestinians who were detained in Syria or abducted from Lebanon by Syrian forces or

Lebanese and Palestinian militias. In September, however, the government named one judge and two generals as its representatives on a joint Syrian-Lebanese committee intended to address the "disappearances" issue. Local human rights groups welcomed this but questioned the lack of independence and the limited powers of the committee.

Torture and ill-treatment

Torture and ill-treatment of political and criminal detainees continued to be widely reported, particularly during incommunicado, pre-trial detention. At least two deaths as a result of such treatment were reported.

- Ahmad 'Ali al-Masalma, a Muslim Brotherhood member, died at the end of March, two weeks after he was released from four weeks in detention. He was arrested on his return from 26 years' exile in Saudi Arabia. He was allegedly tortured in detention and denied essential medication.
- Sheikh Muhammad Ma'shuq al-Khiznawi, an Islamic religious leader and outspoken figure within the Kurdish community, died on 30 May, 20 days after he "disappeared", apparently in the custody of Military Intelligence agents. His nose and teeth were broken and there was a wound on his forehead.
- Seraj Khalbous became seriously ill probably as a result of torture while detained incommunicado in September at al-Mezze and al-Fayha Political Security Branches in Damascus. He was beaten, stamped on, struck with large sticks, threatened with anal rape, subjected to extreme cold, sleep deprivation and humiliation, and witnessed others being tortured with electric shocks. He was released on 25 October.

Most allegations of torture were not investigated. However, in June it was reported that two senior officials at the Ma'dan Court building in Raqqa were each sentenced to two months in prison for torturing Amna al-'Allush in March 2002 to force her to "confess" to a murder. Despite this, Amna al-'Allush continued serving the 12-year prison sentence she received in April 2004.

Discrimination against Kurds

Syrian Kurds continued to suffer from identity-based discrimination, including restrictions on the use of the Kurdish language and culture. Tens of thousands of Syrian Kurds remained effectively stateless. As a result, they were denied full access to education, employment, health and other rights enjoyed by Syrian nationals, as well as the right to have a nationality and passport. In June, at its first meeting for 10 years, the ruling Ba'th Party Congress ordered a review of a 1962 census which could result in stateless Kurds obtaining Syrian citizenship.

Discrimination and violence against women

Women remained subject to discrimination under a range of laws including in the areas of marriage, divorce, the family, inheritance and nationality. They were also inadequately protected against domestic and other forms of violence. For example, men who commit rape can escape possible punishment if they marry the victim, and men who murder a female relative on grounds of her alleged "adultery" or "extra-marital sexual relations" can also escape punishment or be treated more leniently than other murderers.

The scale of violence against women remained poorly documented and few cases were publicized during the year.

- At her wedding party in al-Suweida in August, Huda Abu 'Assali, a Druze, was reportedly killed by her father and brother for having married a Kurdish man while away from home at university in Damascus. No prosecution was known to have been brought.

Death penalty

The death penalty remained in force for a wide range of crimes but the authorities disclosed little information about its use. It was not known how many people were sentenced to death or executed in 2005. However, the government informed the UN Human Rights Committee (HRC) that 27 executions were carried out during 2002 and 2003, although it was unclear whether this was the total or it excluded executions carried out after trials before the SSSC or military courts. In an interview published in August, former Defence Minister Mustafa Tlas claimed that he had authorized the hanging of 150 political opponents a week throughout the 1980s and that he had signed execution orders for thousands of detainees whose families were not notified.

UN Human Rights Committee

The HRC, commenting on Syria's third periodic report, criticized the government's failure to implement human rights reforms recommended by the HRC in 2001. It expressed concern about the continuing state of emergency; restrictions on freedom of expression and other basic rights; discrimination and violence against women; the targeting of human rights defenders; and Syria's use of the death penalty.

AI country visits

AI and the Syrian authorities discussed the possibility of an AI visit to the country but no decision was reached. AI has not been permitted into Syria since 1997.

Syria
Archive information

Syria: Kurds in the Syrian Arabic Republic one year after the March 2004 events
(AI Index: MDE 24/002/2005)

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