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amnesty international

Amnesty International Report 2010 - Syria

SYRIAN ARAB REPUBLIC

Head of state: Bashar al-Assad**Head of government:** Muhammad Naji al-'Otri**Death penalty:** retentionist**Population:** 21.9 million**Life expectancy:** 74.1 years**Under-5 mortality (m/f):** 21/16 per 1,000**Adult literacy:** 83.1 per cent

The government remained intolerant of dissent. Critics, human rights defenders, alleged opponents of the government and others were detained, often for prolonged periods; some were sentenced to prison terms after unfair trials. Torture and other ill-treatment remained common, and were committed with impunity; there were several suspicious deaths in custody. The government failed to clarify the circumstances in which prisoners were killed at Sednaya Military Prison in 2008 and, again, took no steps to account for thousands of victims of enforced disappearances in previous years. Women faced legal and other discrimination and violence. The Kurdish minority remained subject to discrimination, and thousands of Syrian Kurds were effectively stateless. At least eight prisoners were executed.

Background

Relations between Syria and Lebanon continued to improve, but there was a marked deterioration in relations with Iraq. There were renewed discussions towards an Association Agreement with the European Union.

In November, the International Atomic Energy Agency said that it had not been able to investigate whether a facility destroyed by the Israeli air force in 2007 had been used for nuclear development purposes as the government had been unwilling to co-operate.

Repression of dissent

Syria remained under a national state of emergency in force continuously since 1963 and which, over many years, has been used to suppress and punish even peaceful dissent. This pattern continued throughout 2009. Political activists, human rights defenders, bloggers, Kurdish minority activists and others who criticized the government or exposed human rights violations were subject to arbitrary arrest and often prolonged detention or were sentenced to prison terms after unfair trials before the grossly deficient Supreme State Security Court (SSSC) or Military and Criminal Courts. They included prisoners of conscience. Others, including former detainees, were subject to travel bans.

- Muhannad al-Hassani, a prominent human rights lawyer detained in July, remained in prison awaiting trial at the end of the year accused of "weakening nationalist sentiment"

and disseminating "false news" – the stock charges used to prosecute critics – and other offences. The charges arose from his publication on the internet of reports of trials before the SSSC. Held at 'Adra Prison near Damascus, he could be imprisoned for 15 years if convicted. On 10 November, the Bar Association decided to ban him from practising law for publicly exposing the failure of the SSSC to uphold defendants' rights to defence and to fair trial.

- Haytham al-Maleh, aged 78, a veteran human rights lawyer and government critic arrested in October, also faced trial for allegedly "weakening nationalist sentiment", spreading "false news" and "slandering a governmental body" because of comments he made in a telephone interview with a Europe-based satellite TV channel in September. He too faced up to 15 years' imprisonment if convicted.
- Mesh'al al-Tammo, spokesperson of the Kurdish Future Current in Syria, an unauthorized political party, was sentenced to three and a half years in prison in May by the Damascus Criminal Court for "weakening nationalist sentiment" and disseminating "false news". In November, the same court sentenced Sa'dun Sheikhu and two other members of the unauthorized Kurdish Azadi Party in Syria to three-year prison terms for "weakening nationalist sentiment" and "inciting sectarian or racial strife or provoking conflict between sects and various members of the nation." The charges apparently arose from articles in their party newspaper criticizing discrimination against Syria's Kurdish minority.
- Kareem 'Arabji, a blogger, was sentenced to three years in prison by the SSSC in September for disseminating "false news" and "weakening nationalist sentiment". He had moderated the internet youth forum www.akhawia.net prior to his arrest in June 2007. He was reported to have been tortured and otherwise ill-treated during his prolonged incommunicado detention.
- Habib Saleh, a pro-reform activist, was sentenced to three years in prison by the Damascus Criminal Court in March for "weakening nationalist sentiment" and spreading "false news". The charges related to several articles criticizing the government that he had written and published on the internet prior to his arrest on 7 May 2008.
- Khaled Kenjo, a member of the Kurdish minority, was arrested in September, 12 days after he was forcibly returned to Syria from Germany, where he had unsuccessfully sought asylum. He was charged with "broadcasting abroad false news that could harm the reputation of the state". The charge apparently related to his participation, while in Germany, in activities to promote Kurdish minority rights in Syria. On 30 December, Qamishli Military Court ordered his release without dropping the charge. According to Khaled Kenjo, he was tortured in custody.
- Aktham Naisse, a human rights lawyer, was one of at least 11 human rights defenders and political activists who were prevented from travelling abroad in 2009.

Counter-terror and security

Suspected Islamists and supporters of the Muslim Brotherhood, which remained outlawed in Syria, faced arrest, prolonged detention and unfair trials, mostly before the SSSC. Defendants convicted of belonging to the Muslim Brotherhood are routinely sentenced to death and then have their sentences immediately commuted to 12-year prison terms. Hundreds of suspected Islamists and others accused of security offences were believed to be held at Sednaya Military Prison and other prisons, and to be subject to harsh treatment regimes.

- Nabil Khilioui and eight other alleged Islamists, mostly from Deir al-Zour, continued to be detained incommunicado at an unknown location following their arrest in August 2008.
- Two women – Bayan Saleh 'Ali and Usra al-Hussein – were released in April and July respectively after being held incommunicado for months apparently for contacting an international organization about the detention since 2002 of Usra al-Hussein's husband by the US authorities at Guantánamo Bay.
- Ziad Ramadan, a former work colleague of a suspect in the 2005 assassination of former Lebanese Prime Minister Rafiq al-Hariri, continued to be detained without trial although the Special Tribunal for Lebanon informed the Syrian authorities that it saw no grounds for his detention. He has been held since July 2005.

Torture and other ill-treatment

Torture and other ill-treatment were reported to be common in police stations, security agencies' detention centres, and prisons. These abuses were committed with impunity. The SSSC and other courts continued to convict defendants on the basis of "confessions" that the defendants alleged were extracted under torture while they were held incommunicado in pre-trial detention.

Seven suspicious deaths in custody were reported but the authorities apparently took no action to investigate them or the allegations of torture made by detainees.

- Jakarkhon 'Ali, a member of the Kurdish minority, was reported to have been tortured by beatings, electric shocks and being forced to stand for up to 20 hours each day while he was held incommunicado by Military Security officials following his arrest on 20 June. He was released without charge on 3 October.
- Yusuf Jabouli and Mohammed Amin al-Shawa died in Military Security custody in January, the former after several days' detention and the latter after he had been detained for more than four months. Their families were not permitted to examine the bodies and Military Security officials attended the funerals. Unofficial sources alleged that both men had died as a result of torture. The authorities disclosed no information and were not known to have investigated the deaths.

Impunity

The authorities failed to clarify the circumstances in which at least 17 prisoners and five other people were, according to reports, killed at Sednaya Military Prison in July 2008. No investigation was known to have been carried out. In July, the authorities allowed some family visits to the prison for the first time since the July 2008 events, but at least 43 families were not permitted to visit or have any contact with imprisoned relatives, increasing concern that they may have been among those killed in July 2008.

- In February, the Defence Minister closed an investigation into the killings of Sami Ma'touq and Joni Suleiman on 14 October 2008, apparently by Military Security officials, but it was unclear whether any action was taken against the officials alleged to be responsible for the deaths. Two witnesses to the killings, Hussam Mussa Elias and Qaher Deeb, and a lawyer, Khalil Ma'touq, were reported to have been harassed and intimidated when they persisted in demanding accountability.

Women's rights

Women continued to be denied equality with men under the law, notably the Personal Status Law covering rights to marriage and inheritance rights, and the Penal Code, which prescribes lower penalties for murder and other violent crimes committed against women in which defence of family "honour" is considered a mitigating factor. On 1 July, President Bashar al-Assad issued Legislative Decree 37. This replaced Article 548 of the Penal Code, which had exempted perpetrators of "honour crimes" from any penalty, and instituted a penalty of at least two years' imprisonment for men convicted of killing or injuring women relatives on grounds of "honour". However, no amendment was made to other Penal Code articles prescribing reduced sentences for crimes deemed to have been committed in the name of "honour".

At least 13 women and one man were reported to have been victims of "honour killings".

- In October, a court in Zablani near Damascus convicted Faye al-Ezzo, arrested in 2007, of stabbing his 16-year-old sister Zahra al-Ezzo to death in January 2007 because she had been kidnapped and raped by a family friend. The court ruled that the killing was "motivated by honour" and therefore sentenced him to only two and a half years in prison. He was released immediately as he had spent that period in prison awaiting the verdict. In November, Zahra al-Ezzo's husband appealed before the highest court of appeal against the ruling, demanding a harsher sentence. The court had not reached a decision by the end of the year.

Discrimination – Kurdish minority

Kurds, who comprise up to 10 per cent of the population and reside mostly in the north-east, continued to face identity-based discrimination, including restrictions on use of their language and culture. Thousands were effectively stateless and so denied equitable access to social and economic rights.

- Suleiman 'Abdelmajid Osso of the Yekiti Kurdish Party in Syria and 15 other men were detained incommunicado for almost two months after peacefully celebrating the Kurdish festival of Newruz in March. They were all charged with "inciting sectarian strife" and participating in a public gathering. They were all released on bail in May and June and were awaiting trial at the end of 2009.
- Jamal Sa'doun and three other members of a band were awaiting trial on the charge of "inciting sectarian strife" for performing Kurdish songs at a wedding celebration in Derek near the town of al-Hassaka.

Refugees and asylum-seekers

Hundreds of thousands of Iraqi refugees remained in Syria, many of whom faced economic and other problems because they did not have the right to work or did not possess valid visas, so opening them to the possibility of deportation to Iraq. Palestinian refugees who were long-term residents of Iraq were not permitted entry and some remained at a desolate camp at al-Tanf, in the border area between Iraq and Syria.

Iranian Ahwazi Arab asylum-seekers remained at risk of forcible return to Iran.

Death penalty

At least seven men were sentenced to death after being convicted of murder and at least eight prisoners were executed, including four who were executed at Aleppo Central Prison in August. The true number of executions may have been higher as the authorities rarely disclose information about executions.

Amnesty International reports

- Syria: Elderly Prisoner of Conscience charged (MDE 24/030/2009)
- Syria: Lifetime law practice ban against Muhannad al-Hassani sends chilling message (MDE 24/032/2009)
- Syria: Kurdish minority rights activists jailed (MDE 24/033/2009)
- Trial of Kurds in Syria likely to be a "parody of justice", 15 December 2009

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