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Covering events from January - December 2003

**Scores of people were arrested for political reasons, including for their involvement in peaceful gatherings and after their voluntary or forced return from exile. At least 20 of those arrested were Syrian Kurds. Hundreds of political prisoners, including prisoners of conscience, and scores of people who had "disappeared" remained in prolonged detention without trial or serving sentences imposed after unfair trials. Torture and ill-treatment remained widespread; at least two men died in custody allegedly as a result. Freedom of expression and association remained severely curtailed. Human rights defenders were harassed although in general they could operate more publicly than in previous years.**

### Background

Syria was increasingly caught up in the turmoil around the US-led war on Iraq and the international "war on terror". The US government frequently criticized Syria's foreign and domestic policies, culminating in the adoption by the US Congress on 11 November of the Syria Accountability and Lebanese Sovereignty Act. The Act authorized tough new sanctions on Syria for its alleged ties to "militant extremists", its purported efforts to develop weapons of mass destruction, and its "occupation" of Lebanon.

On 18/19 June up to 80 civilians were reportedly killed and a number of houses and buildings were destroyed when a US military strike targeted a convoy travelling from Iraq. On 5 October Israeli fighter jets fired missiles at an alleged Palestinian training camp at 'Ayn Saheb, north of Damascus, reportedly injuring six guards and causing extensive damage to a nearby compound housing several hundred Palestinian refugees.

Several Canadian nationals of Syrian descent were reportedly tortured in apparent attempts to extract information on suspected "terrorist" activities. At least one of these cases involved the USA, which reportedly "rendered" suspected "terrorists" to third countries, including Syria, for "more robust" questioning.

A new government was formed on 18 September under Prime Minister Muhammad Naji 'Otri. The Defence, Foreign and Interior Ministers remained unchanged. The President expressed a strong desire to push forward with economic and political reforms.

On 9 December representatives of the European Union and the Syrian government announced the successful conclusion of negotiations for a Euro-Mediterranean Association Agreement. The Agreement was expected to be signed in early 2004 and reportedly contained a legally binding human rights clause.

## Prisoners of conscience and political prisoners

Hundreds of political prisoners, including prisoners of conscience, remained in prolonged detention without trial or serving sentences imposed after unfair trials. Others were arrested during the year and tried before the Supreme State Security Court (SSSC) and other courts whose procedures fall far short of international fair trial standards.

- 'Abdel Rahman al-Shaghouri was arrested at a checkpoint between Qunaytra and Damascus on 23 February and held incommunicado. He was reportedly beaten in detention before being transferred to Sednaya Prison and charged with offences connected to his use of the Internet and sending news stories to his friends. In December he appeared before a state security court which set the next court session for March 2004.
- Eight Syrian Kurds were arrested following a peaceful demonstration outside the UN Children's Fund (UNICEF) headquarters in Damascus on 25 June. The demonstration, which called for civil and political rights for Syrian Kurds, was dispersed violently by police and security forces, and about 20 people were injured. The eight arrested – Mohammed Mustafa, Khaled Ahmed 'Ali, Sherif Ramadhan, 'Amr Mourad, Salar Saleh, Hosam Muhammed Amin, Husayn Ramadhan and Mas'ud Hamid – were reportedly ill-treated while held without charge at al-Mezze police station in Damascus and at the Political Security Branch, where they remained held, largely incommunicado and in solitary confinement, at the end of the year.
- Eight prominent human rights activists sentenced to up to 10 years' imprisonment after unfair trials in 2002 remained held in solitary confinement at 'Adra Prison. On 3 October the international Inter-Parliamentary Union (IPU) called for the immediate release of two of them – Ma'mun al-Homsi and Riad Seif – both independent members of parliament. The IPU also welcomed a general amnesty that reportedly reduced by a third the five-year prison sentences of both men. The six other prisoners are 'Arif Dalila, Walid al-Bunni, Kamal al-Labwani, Habib Salih, Habib 'Issa and Fawaz Tello.
- Two Syrian Kurds, Hassan Saleh and Marwan 'Uthman, remained held in 'Adra Prison. They had been arrested on 15 December 2002, five days after a peaceful demonstration in Damascus calling for greater protection for the rights of Syrian Kurds. In March a military court changed the charge against both men from "membership of an unauthorized organization" to "inciting sectarian strife", and transferred the case to the SSSC. The SSSC added a further charge of "attempting to sever a part of the Syrian territories". On 8 December the case was postponed until February 2004.

Hundreds of political prisoners, mostly Islamists, remained in detention without trial or imprisoned after unfair trials by the SSSC or field military courts. Among the 800 or so political prisoners in Sednaya Prison were about 460 members of the banned Muslim Brotherhood, some of whom had been held beyond their 20-year sentences; around 70 members of *Hizb al-Tahrir* (Islamic Liberation Party); and 24 members of *Al-Takfir wal-Hijra* (Excommunication and Migration). It was reported on 4 December that five members of *Hizb al-Tahrir*, detained since 1999, had been sentenced by a state security court to between eight and 10 years in prison. Eight other members arrested in 2002 were still awaiting trial.

## Releases of political prisoners

- Hassan Sa'dun, a founding member of the Human Rights Association in Syria (HRAS), was released on 9 September having served a two-year prison sentence. He was arrested during the 2001 crack-down on the emerging human rights movement.

- During the year it was learned that Kurdish activist Hussain Daoud had been released on 11 December 2002 after two years of mostly incommunicado detention during which he was allegedly tortured. He had been arrested upon arrival at Damascus airport in December 2000 following his deportation from Germany, where his asylum application had been rejected.

### Arrests of returnees

Scores of Syrians were arrested and detained on their voluntary or forced return from exile. Most of them were suspected of having links with the Muslim Brotherhood.

- Jamal Mahmud al-Wafa'i and six others were arrested on 18 April on their return from exile in Iraq. Two of the four women in the group were later released. Five of those arrested remained held incommunicado without charge at an unknown location at the end of the year.
- 'Abdul Razak Shoullar, aged 81, was arrested on his return from Saudi Arabia in July, following 23 years in exile based on his sons' membership of the Muslim Brotherhood. He was detained for several weeks in the Military Intelligence building in Homs.
- Maher Arar, who has dual Canadian/Syrian nationality, was arrested in October 2002 after he was deported from the USA via Jordan to Syria reportedly accused of having links with "terrorist" groups. He was held without charge for around a year at a secret location, where he was tortured and ill-treated. After his release on 5 October he gave evidence of the prolonged torture of 'Abdullah al-Malki, also a Canadian/Syrian, believed to be held on similar grounds to Maher Arar.
- Muhammad Sa'id al-Sakhri, his wife Maysun Lababidi and their four children were arrested in November 2002 after their forcible return to Syria from Italy, where they had applied unsuccessfully for political asylum. Maysun Lababidi and the four children were held for several weeks. Muhammad Sa'id al-Sakhri was detained until 13 October on charges of belonging to the Muslim Brotherhood. He was reportedly tortured and ill-treated.

### Harassment of human rights defenders

Human rights defenders were harassed, although in general they could operate publicly. On 23 August, after 25 years in exile, Haytham Manna' of the France-based Arab Commission for Human Rights returned to Syria for 12 days after a governmental decision to rehabilitate all of his rights.

- Aktham Nu'aysa, a former prisoner of conscience and a director of the Committee for the Defence of Human Rights was repeatedly harassed. His colleagues and family were also targeted, including his 75-year-old mother.
- Human rights lawyer Anwar al-Bunni was refused a travel permit to attend a human rights symposium in Germany. The symposium on 10 December presented a human rights award to the imprisoned Syrian parliamentarian Riad Seif. However, human rights lawyer Haytham al-Maleh, Chairman of the HRAS, was granted permission to travel to the symposium. Anwar al-Bunni and Haytham al-Maleh were still awaiting a decision by the Syrian Bar Council regarding charges brought against them by the Damascus Bar Association (DBA). If the DBA's charges are upheld, both men will be barred from practising law for up to three years, although in the meantime they may continue to work as lawyers.

### Freedom of expression

Freedom of expression continued to be severely curtailed. The country's only independent satirical weekly *Al-Domari* was reportedly banned in August.

- 'Aziza and Shireen al-Sabini, both of whom worked for *al-Muharrir al-'Arabi* newspaper, were released between March and June after serving one year in prison. The SSSC had charged the sisters with "obtaining information that should be kept confidential for the integrity of the state". 'Aziza al-Sabini was additionally charged with "promoting news that may weaken the morale of the nation".
- Ibrahim Humaydi, chief of the Damascus office of the newspaper *Al-Hayat*, was detained on 23 January for publishing "false information", apparently related to an article written about Syria's contingency plans to receive Iraqi refugees during the impending war, and to an alleged "misuse" of a security source. On 25 May, reportedly after a ruling by the SSSC, he was released on bail and resumed journalistic activities. A further session in December, also reportedly before the SSSC, postponed his trial for a further six months.
- Fateh Jamus and Safwan 'Akkash, both former prisoners of conscience, were among 14 human rights activists awaiting trial on charges relating to a lecture – which was cancelled before it started – marking the 40th anniversary of the declaration of the state of emergency in Syria. The men were arrested on 23 August and reportedly charged with "affiliation to a secret organization and carrying out acts which could incite factional conflict within the nation". Sessions of the military court in Aleppo scheduled to hear the case in October, November and December were postponed for procedural reasons.

### **Torture and ill-treatment**

Torture and ill-treatment were widespread and allegations of such treatment were not investigated by the authorities.

### **Deaths in custody**

- Lebanese national Joseph Huways, aged 43, died in custody in June. He was arrested by Syrian military forces operating in Lebanon after his car collided with a Syrian army jeep in 1992 to the east of Beirut and subsequently transferred for detention in Syria. He was at least the third Lebanese prisoner to have died in Syrian custody since 1996. Joseph Huways suffered from epilepsy and was reportedly denied access to medical treatment.
- Khalil Mustafa, a Syrian Kurd, died in August, apparently as a result of torture, in the Military Intelligence detention centre in Aleppo. He was arrested on 6 August, reportedly in connection with an alleged debt. On 14 August his body was handed over to his family. According to reports, the body had serious injuries, including a broken leg, a missing eye and a fractured skull. On 18 October, following media reports of his death, Political Security officers reportedly questioned his relatives and took his brother, Hasan Mustafa, to an unknown location, where he remained held incommunicado at the end of the year. Neither Hasan nor Khalil Mustafa was known to have any political affiliation.

### **'Disappearances'**

The fate of scores of Lebanese nationals who "disappeared" following their arrest in Lebanon or transfer to Syria by Syrian military or intelligence forces in previous years remained unclear. Some were believed to be still held at unknown locations throughout the country. On 5 July, the Interior Minister reportedly said there were no Lebanese political detainees in Syria. The fate of a number of "disappeared" Palestinians and other Arab nationals also remained unknown.

**Refugees**

Twelve Iraqis were reportedly sent back to Iraq on 13 April, and 32 Iraqi refugees were forcibly returned home from al-Hol refugee camp near the Syrian-Iraqi border on 21 April. The authorities reportedly cited "security concerns" for the moves.

**Violence against women**

The Syrian Penal Code continued to allow the suspension of punishment for a rapist if the rapist and victim marry, unless such a marriage is dissolved within three years. There was still no systematic recording or reporting of rape or "family" crimes nor any known shelters for victims of rape and domestic violence. Cases were reported where husbands who had been convicted of killing their wives were given lenient sentences – five to seven years in prison – based on allegedly mitigating circumstances such as the "sexual conduct" of the wife.

