

**Flygtningenævnets baggrundsmateriale**

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## Syria

18 March 2011

### 32 human rights defenders and family members of prisoners of conscience charged - SYR 003 / 0311 / OBS 037.1

The Observatory for the Protection of Human Rights Defenders, a joint programme of the International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT), has received new information and requests your urgent intervention in the following situation in **Syria**.

#### **New information:**

The Observatory has been informed by reliable sources about the release of several family members of human rights defenders and prisoners of conscience as well as of a court order to maintain in detention 32 others who have been charged after a peaceful gathering held before the Ministry of Interior to call for the release of their relatives and all prisoners of conscience in Syria.

According to the information received, on March 17, 2011, 32 family members of human rights defenders and prisoners of conscience were interrogated and charged by the first investigating judge of Damascus for violating Article 285 of the Criminal Code which criminalises "allegations that weaken national sentiment or incite racial or sectarian strife made during times of war or in anticipation of war" by three to 15 years' imprisonment and Article 307 which punishes "deeds committed, writings composed, or speeches held with the intention of inciting sectarian or racial strife or provoking conflict between the religions and the various members of the nation" by six months and two years of prison. All of the accused denied having committed the offences.

The 32 individuals are Omar Al-Labwani, Riba Al-Labwani, Laila Al-Labwani, Ammar Al-Labwani, Siba Hafiz Hassan, human rights defender Sereen Khouri, Nahid Badawieh, Naret Ibrahim Abdul Karim, Badr Eddin Al-Shallash, Kamal Shaikho, member of the Committee for the Defence of Democratic Liberties and Human Rights in Syria (CDF), Suhair Al-Attassi, President of the Attassi Forum, a pro-democracy discussion group, Mohamed Osama Nassar, Saad Jawdat Saeed, Bisher Jawdat Saeed, Ghaffar Hikmat Muhammad, Dana Ibrahim Al-Jawabra, Wafa Mohamed Al-Lahham, Nabil Walid Shurbaji, Fahima (Herveen) Saleh Awsi, a member of the Kurdish Committee for Human Rights (Monitor), Rayan Kamal Suleyman, Dia Eldin Doghmosh, Nasr Eddin Fakhr Eddin Ahmi, Zokan Nofal, Ali Abdul Rahman Al-Muqdad, Shaher Al-Warea', Hisham Khalid Al-Droubi, Mohammad Hassan Al-Khalil, Nisreen Khalid Hasan, Adel Al-Bunni, Fahed Al-Bassam Al-Yimani, Abdul Al-Razzaq Al-Temmo, Mudar Al-Asimi.

The investigating judge also ordered the release of Nawras Al-Shaer Radi.

As of issuing this urgent appeal, all the individuals mentioned above remain detained in the Damascus Central Prison of Adra or Douma Prison for Women. The 32 individuals announced that they would join the hunger strike started by a group of 12 including human rights defenders and prisoners of conscience on March 7, 2011.

Furthermore, according to the information received, Ismail Khatib, Mazen Darwish, Director of the Syrian Centre for

Media and Freedom of Expression (SCM), Tayeb Tizini, Maimouna Alammr, Ammar Dawood, Ricardo Dawood, Yassin Al-Labwani, Hassiba Abderrahman, also arrested on March 16, 2011, have been released without charge.

No information has been received so far concerning the situation of several other family members who would also have been arrested in relation to the peaceful gathering. They include: Hussein Al-Labwani, Hannibal Awwad, Mahmoud Ghawrani, Mohammad Adib Matar, Mohammad Darwish, Ghaffar Hikmat Muhammad, Abdul Rahman Kheto, Kaka Dawood, Mohammad Munir Al-Fakir, Bara Kellizin, Mohammad Al-Katib and Wissam Tarif.

These acts illustrate once more the extreme harassment faced by human rights defenders in Syria and the refusal of the regime to open any dialogue with any dissenting voices. The Observatory expresses its deepest concern about the assault and arrest of these peaceful demonstrators, which seem to merely aim at sanctioning their human rights activities, and particularly fears for their physical and psychological integrity. The Observatory therefore calls upon the Syrian authorities to take prompt action in order to immediately and unconditionally release them, and drop the charges brought against 32 of them.

The Observatory further urges the Syrian authorities to release all human rights defenders currently detained in the country.

#### **Background information:**

On March 16, 2011, dozens of family members of human rights defenders and prisoners of conscience gathered peacefully at noon to call for the release of their relatives and all prisoners of conscience in Syria as well as to express disappointment that a significant number of prisoners of conscience were not covered by the March 8 amnesty issued to mark the Baath Revolution Day. There, they were "welcomed" by state security officers who beat them up and arrested some of them. More than 40 of them were then arrested.

Moreover, on March 7, 2011, a group of around 12 prisoners including human rights defenders and prisoners of conscience detained in the Damascus central prison of Adra went on a hunger strike to demand the end of political trials and detentions, as well as democratic reforms in the country. This group notably included human rights defenders Messrs. Anwar Al Bunni, a lawyer and founding member of the Syrian Human Rights Association, Habib Saleh, founder of the Tartus branch of the National Dialogue Forum, Ali Al-Abdallah, member of the National Council of the Damascus Declaration for Democratic National Change (NCDD), Kamal Al-Labwani, member of CDF.

#### **Actions requested:**

Please write to the Syrian authorities, urging them to:

- i. Guarantee in all circumstances the physical and psychological integrity of all above-mentioned peaceful demonstrators and human rights defenders;
- ii. Ensure their immediate and unconditionally release since their detention is arbitrary as it only aims at sanctioning their human rights activities;
- iii. Put an end to any acts of harassment, including at the judicial level, against all human rights defenders in Syria;
- iv. Conform with the provisions of the UN Declaration on Human Rights Defenders, adopted by the General

Assembly of the United Nations on December 9, 1998, especially:

- its Article 1, which states that "everyone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels";
- Article 5 (a), which states that "for the purpose of promoting and protecting human rights and fundamental freedoms, everyone has the right, individually and in association with others, at the national and international levels: to meet or assemble peacefully";
- and its Article 12.2, which provides that "the State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration";

v. Ensure in all circumstances respect for human rights and fundamental freedoms in accordance with international human rights standards and international instruments ratified by the Syrian Arab Republic.

**Addresses:**

· President, His Excellency Bashar al-Assad, Presidential Palace, al Rashid Street, Damascus, Syria Arab Republic, Fax: +963 11 332 3410

· Minister of Defence, His Excellency General, Ali Habib Mahmud, Ministry of Defence, O mayyad Square, Damascus, Syrian Arab Republic, Fax: +963 11 223 7842

· Minister of Justice, His Excellency Mr. Ahmad Hamod Younes, Mazeh "Otstrad", Damascus, Syrian Arab Republic, Fax: +963 11 666 2460

· Minister of Foreign Affairs, His Excellency Wallid Mu'allim, Ministry of Foreign Affairs, al-Rashid Street, Damascus, Syrian Arab Republic, Fax: +963 11 332 7620

· Ambassador Faysal Khabbaz Hamoui, Permanent Mission of the Syrian Arab Republic to UN in Geneva, 72 rue de Lausanne, 1202 Geneva, Switzerland, Fax: +41 22 738 42 75, Email: mission.syria@ties.itu.in

· Embassy the Syrian Arab Republic in Brussels, 1 avenue F.D. Roosevelt, 1050 Brussels, Belgium, Tel: +32 2 554 19 22; Fax: +32 2 648 14 85

Please also write to the diplomatic mission or embassy of the Syrian Arabic Republic in your respective country.

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Paris-Geneva, March 18, 2011

Kindly inform us of any action undertaken quoting the code of this appeal in your reply.

<http://www.fidh.org/32-human-rights-defenders-and-family-members-of>