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Amnesty International

Syria

Covering events from January - December 2004

Hundreds of people were arrested for political reasons. Most of them were Kurds detained following violent disturbances in north-eastern Syria in March during which over 30 people were killed. Many of those arrested were held incommunicado at unknown locations. Torture and ill-treatment, including of children, were widely reported. At least nine people reportedly died as a result. Freedom of expression and association remained severely restricted and scores of people were arrested for political reasons, including some solely involved in peaceful activities. Human rights defenders were harassed although in general they could work more openly than in previous years. Two people were reportedly executed. Over 200 political prisoners, including prisoners of conscience, were released

Background

On 12 March clashes broke out between Arab and Kurdish fans at a football stadium in Qamishli, north-eastern Syria. Security forces responded by firing into the crowd, killing several people. Police attacked Syrian Kurdish mourners the next day, resulting in two days of rioting by Syrian Kurds in several towns in the mainly Kurdish north-east. At least 36 people, mostly Kurds, were reportedly killed and over 100 injured. More than 2,000 people, most of them Kurds, were believed to have been arrested. Most were held incommunicado at unknown locations and there were widespread reports of torture and ill-treatment of detainees, including children. About 200 Kurds remained detained at the end of the year. At least six Kurds were killed while carrying out their military service. No investigations were known to have been initiated into the killings. The predominantly Kurdish areas of north and north-east Syria continued to lag behind the rest of the country in terms of social and economic indicators.

In August Syria acceded to the UN Convention against Torture.

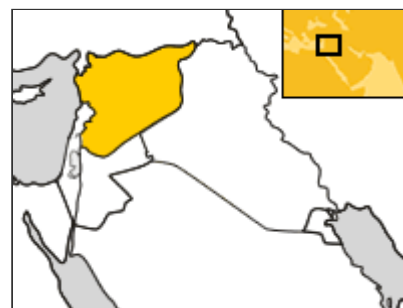
On 2 September the UN Security Council passed Resolution 1559, drafted by the USA and France, calling on foreign forces (that is, Syrian forces) to withdraw from Lebanon and warning against (Syrian) interference in Lebanon's presidential election.

On 26 September in Damascus, 'Izz al-Din al-Sheikh Khalil, a Palestinian, was killed in a car bomb. Israeli security sources reportedly claimed responsibility.

In a cabinet reshuffle on 4 October in which eight ministerial posts changed hands, Ghazi Kan'an, the former head of Syrian intelligence in Lebanon, replaced General 'Ali Hammoud as Interior Minister, and Mahdi Dakhallah, editor of the ruling party's daily newspaper, *al-Ba'ath*, replaced Ahmad al-Hassan as Information Minister.

On 19 October the European Union and Syria initialled an Association Agreement, which contains a clause on human rights, committing both sides to work towards free trade.

On 10 December the UN General Assembly voted 161-2 for Israel to abide by international law in the Golan Heights, which it occupied in 1967.



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

Further information

[Syria: 41 years of the State of Emergency – Amnesty International reiterates its concerns over a catalogue of human rights violations](#)
(AI Index: MDE 24/016/2004)

[Syria: Amnesty International calls on Syria to end repressive measures against Kurds and to set up an independent judicial inquiry into the recent clashes](#)
(AI Index: MDE 24/029/2004)

[Syria: End persecution of human rights defenders and human rights activists](#)
(AI Index: MDE 24/076/2004)

[All AI documents on Syria](#)

Prisoners of conscience

Prisoners of conscience and possible prisoners of conscience remained in prolonged detention without trial or serving sentences imposed after unfair trials. Others were sentenced during 2004.

- On 1 April, four men were sentenced after grossly unfair secret trials before a Field Military Court (FMC) for "attempting to establish a religious organization, involvement in unlicensed social activities and attending unlicensed religious and intellectual classes". Haythem al-Hamwi and Yahya Sharabajee were sentenced to four years' imprisonment, and Mu'atez Murad and Muhammad Shehada to three years' imprisonment. They had been arrested with about 20 others in May 2003 for their involvement in peaceful activities such as discouraging people from smoking and giving bribes, and participating in a silent demonstration opposing the expected US-led invasion of Iraq, in the town of Darya near Damascus.
- Between June and November dozens of Islamist students and clerics were arrested, mostly in the Hama and Qatana areas. Many of those arrested reportedly had links with the banned Hizb al-Tahrir (Islamic Liberation Party) and were to be tried before FMCs. At least 30 remained in detention at the end of the year.
- Of the "Damascus Spring" detainees – people arrested in 2001 during repression of a pro-reform movement – six remained in solitary confinement at the end of the year. In September information emerged that Habib 'Isa had been beaten severely by guards in May 2002, the same month, it was already known, that Dr 'Aref Dalilah was also beaten. Both men were reportedly in need of medical treatment. Two others, Habib Salih and Kamal al-Labwani, were released on 9 September after completing their sentences.
- 'Abd al-'Aziz al-Khayyir remained in Sednaya Prison since his arrest in February 1992. He was sentenced in August 1995 by the Supreme State Security Court (SSSC), whose procedures fall far short of international fair trial standards, to 22 years' imprisonment for membership of the Party for Communist Action.

Releases of political prisoners

More than 200 political prisoners, including prisoners of conscience, were released. Scores were members of the Muslim Brotherhood. Others included members or affiliates of Hizb al-Tahrir or of the pro-Iraqi Ba'th Party. Many had been held beyond the expiry of their sentences. Faris Murad and 'Imad Shiha were released in February and August respectively after being imprisoned in 1975 for membership of the Arab Communist Organization.

Freedom of expression and association

Freedom of expression and association continued to be curtailed.

- On 24 April, 11 university students were arrested by officers of Political Security near Damascus University. Some of the students were among dozens expelled from Aleppo University after peacefully protesting on 25 February against a new law that ended guaranteed employment for engineering graduates. At least seven were reportedly beaten during arrest, and then tortured and ill-treated in custody. They were reportedly beaten and kicked, sometimes while tied to a frame, and subjected to the "flying carpet" torture method whereby the victim is strapped to a piece of wood shaped like the human body and beaten or given electric shocks.
- Nine of the 11 were released on 9 May. Muhammad 'Arab and Muhammad al-Dabas remained detained and their trial began on 26 September before the SSSC. Their lawyer told the court that the students retracted "confessions" they had made as a result of beatings and psychological torture.
- The SSSC sentenced four people for "disseminating false information" via the Internet. On 20 June 'Abdel Rahman al-Shaghouri was sentenced to two and a half years' imprisonment; and on 25 July Haytham Qutaysh received a sentence of four years in prison, his brother Muhammad three years and Yahya al-Aws two years.
 - On 27 June, seven Kurdish men were convicted by the SSSC of "belonging to a secret organization" and "attempting to sever part of the Syrian territory and annex it to a foreign entity". They were arrested on 25 June 2003 for participating in a peaceful demonstration in front of the UN Children's Fund (UNICEF) building in Damascus calling for the rights of Syrian Kurds to be respected. They said they were tortured and ill-treated in detention, and held in solitary confinement in small cells. One detainee, Muhammad Mustafa, stated before the SSSC that he was being held in a toilet. Muhammad Mustafa, Sherif Ramadhan and Khaled Ahmad 'Ali were sentenced to two years' imprisonment. Four others were sentenced to one year in prison and were ordered to be released as they had already spent a year in detention.
 - Kurdish student Mas'oud Hamid was sentenced to five years' imprisonment by the SSSC on 10 October after he posted photographs he had taken of the June 2003 UNICEF demonstration on the Internet. He was convicted of being a member of a "secret organization" and "attempting to sever part of the Syrian territory and annex it to a foreign entity".

Torture and deaths in custody

Torture of political and criminal detainees was widely reported, including of children. At least nine people reportedly died as a result; five of them were Kurds and two had been arrested on their return from exile in Iraq.

- Four Kurdish schoolchildren – Nijirfan Saleh Mahmoud, Ahmad Shikhmous 'Abdallah, Walat Muhammad Sa'id and Serbest Shikhou – all aged 12 or 13, were reportedly tortured in the minors' section of Qamishli Prison after their arrest by Political Security officers on 6 April. They were reportedly beaten with electric cables, had their heads banged together, were ordered to strip almost naked while counting from one to three and were beaten if they did not complete the stripping in time.
- On 1 or 2 August, Ahmad Husayn Hasan (also named as Ahmad Husayn Husayn) died in custody at the Military Intelligence Branch in al-Hasaka, north-eastern Syria, reportedly as a result of torture. He had been detained incommunicado since 13 July. Military Intelligence officers did not allow his family to see the body or have a postmortem conducted.

Violence and discrimination against women

Women's groups called for the lifting of Syria's reservations to the UN Women's Convention, focusing on Article 9 concerning the nationality of children.

The Penal Code continued to fail to afford sufficient protection for women. For example, it declares that a man who spontaneously kills a close female relative committing adultery or in any other extramarital sexual relationship will benefit from a reduced sentence; discriminates against women in cases of adultery; and permits a rapist to escape punishment if he marries the victim. The Personal Code discriminates against women in the areas of marriage, divorce, the family and inheritance. Women's groups called for shelters and legal and counselling services for women and girls who suffer violence, for better documentation of crimes committed against women, and for labour laws to include provisions to punish sexual harassment in the workplace.

Human rights defenders

Human rights defenders faced harassment but in general could work more openly than in the past. Of three unlicensed human rights organizations that operated during the year, members of the Committees for the Defence of Democratic Liberties and Human Rights (CDDLHR) faced particular persecution. Lawyer Aktham Nu'aysa, President of the CDDLHR, was arrested on 13 April. He was put on trial before the SSSC on charges including "publishing false news to cause public anxiety" and "opposing the objectives of the revolution", which could carry a sentence of up to 15 years' imprisonment. The CDDLHR had published an annual report on human rights violations in Syria and led a campaign for the lifting of the state of emergency, in force since 1963, which gives the security forces sweeping powers and established special security courts whose procedures fall short of international fair trial standards. Aktham Nu'aysa had also expressed concerns about the fate of Lebanese people who had "disappeared" in Syria. He was permitted to travel to Europe where, on 8 October, he received the 2004 Ludovic Trarieux International Human Rights Award, but was denied permission on 7 December to travel to attend a human rights conference in Rabat, Morocco.

- CDDLHR members Ahmad Khazim and Hasan Wafwa were arrested in mid-March following their participation in a sit-down protest in Damascus on 8 March calling for the lifting of the state of emergency. They were released on 9 May.

Returnees

Dozens of Syrians were reportedly arrested on their return from exile, often after they had obtained permission from the Syrian authorities to return. Many were suspected of personal or family links with the Muslim Brotherhood. Two men died in custody after being arrested on their return from Iraq.

- It was reported in August that Mus'ab al-Hariri, aged 18, whose parents moved to Saudi Arabia in 1981, remained detained since his arrest in July 2002 during his first visit to Syria. He faced trial before the SSSC, charged with belonging to the Muslim Brotherhood. In 1998 his brothers Yusef and 'Ubada, then aged 15 and 18, were arrested shortly after entering Syria, and sentenced by FMCs for alleged membership of a secret organization. They were released in 2000 and January 2004. All three brothers were reportedly tortured, including by the *dulab* ("the tyre", whereby the victim is forced into a tyre, which is suspended, and beaten with sticks and cables) and *al-kursi al-almani* ("the German chair", whereby the victim is put into a chair with moving parts which bend the spine backwards).
- Information came to light in October that dual Syrian-Canadian national Arwad Muhammad 'Izzat al-Boushi had received a grossly unfair trial before an FMC in July 2003 after which he was apparently sentenced to 12 years' imprisonment for alleged membership of the Muslim Brotherhood. He was

reportedly tortured during the 12 months he was detained awaiting trial. He had left Syria in 1980 and was arrested on 3 July 2002 when he returned to visit his ailing father.

- Syrian-born German national Muhammad Haydar Zammam remained held in prolonged incommunicado detention in solitary confinement at the Palestine Branch (*Far' Falastin*) of Military Intelligence in Damascus since his arrest in November 2001. He was said to be held in appalling conditions in a tiny underground cell. US security forces were reportedly involved in his detention and interrogation in Morocco, where he was initially arrested, and in his secret transfer to Syria. His arrest was reportedly related to his alleged links to al-Qa'ida but he was not charged.

Death penalty

On 5 July the authorities announced that 16 people had been executed in 2002, and 11 in 2003. On 29 August the SSSC sentenced Mahmud al-Nabahan to death for being affiliated to the Muslim Brotherhood, and then commuted the sentence to 12 years in prison. According to Law 49 of July 1980, membership of or affiliation to the Muslim Brotherhood is punishable by death.

On 17 October it was reported that two people were executed in Aleppo, but no further details were made public. On 30 December, two men were sentenced to death by the SSSC, after being convicted of involvement in a bomb attack and gunfight in Damascus in April.

AI visits

Amnesty International repeated requests during the year to visit Syria for research and talks with government officials but received no response from the authorities

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