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Amnesty International Annual Report 2011 - Syria

Head of state: **Bashar al-Assad**
Head of government: **Muhammad Naji al-'Otri**
Death penalty: **retentionist**
Population: **22.5 million**
Life expectancy: **74.6 years**
Under-5 mortality (m/f): **21/16 per 1,000**
Adult literacy: **83.6 per cent**

The authorities remained intolerant of dissent. Those who criticized the government, including human rights defenders, faced arrest and imprisonment after unfair trials, and bans from travelling abroad. Some were prisoners of conscience. Human rights NGOs and opposition political parties were denied legal authorization. State forces and the police continued to commit torture and other ill-treatment with impunity, and there were at least eight suspicious deaths in custody. The government failed to clarify the fate of 49 prisoners missing since a violent incident in 2008 at Saydnaya Military Prison, and took no steps to account for thousands of victims of enforced disappearances in earlier years. Women were subject to discrimination and gender-based violence; at least 22 people, mostly women, were victims of so-called honour killings. Members of the Kurdish minority continued to be denied equal access to economic, social and cultural rights. At least 17 people were executed, including a woman alleged to be a victim of physical and sexual abuse.

Background

Syria remained under a national state of emergency in force continuously since 1963, which provides the authorities with wide powers of arrest and detention.

In January, a progressive law was adopted to prohibit and criminalize the trafficking of people.

In July, the Ministry of Higher Education prohibited women from wearing the *niqab* (face-covering veil) in universities.

In September, the UN Special Rapporteur on the right to food expressed concern that an estimated 2 to 3 million people in Syria were living in "extreme poverty" and urged the government to develop a comprehensive national strategy aimed at realizing the right to adequate food.

In October, arrest warrants were issued against 33 Lebanese and other nationals in response to a case initiated by Jamil al-Sayyed, one of four senior Lebanese officials who were detained without charge or trial in Lebanon for more than three years in connection with the investigation into the assassination of former Lebanese Prime Minister Rafic Hariri in 2005. The four officials had been released by the Lebanese authorities in 2009 after the prosecutor of the Special Tribunal for Lebanon (STL) confirmed that the STL was unable to indict them within the legal timeframe.

A new law apparently intended to tighten controls on internet-based media was reported to be under consideration.

Repression of dissent

The authorities continued to use state of emergency powers to punish and silence their critics, including political activists, human rights defenders, bloggers and Kurdish minority rights activists. Critics were arbitrarily arrested and detained for long periods without trial or imprisoned after unfair trials before the Supreme State Security Court (SSSC) or military or criminal courts. Human rights NGOs could not obtain licences to operate, exposing members who are lawyers to disciplinary action by the government-controlled Bar Association. Hundreds of people considered to be dissidents, including former political prisoners and members of their families, were barred from travelling abroad; some were barred from working in the public sector.

- Muhannad al-Hassani, a leading human rights lawyer, was sentenced to a three-year prison term in June after the Damascus Criminal Court convicted him of "weakening nationalist sentiment" and disseminating "false news" by publishing information about unfair trials before the SSSC on the internet. He was held at 'Adra prison near Damascus where, in October, he was assaulted by a criminal inmate who had been moved into his cell.
- Haytham al-Maleh, aged 79, a human rights lawyer and government critic, was sentenced to three years in prison in July after being convicted of "weakening nationalist sentiment" and disseminating "false news" on account of comments he made in a telephone interview with a foreign satellite TV channel in September 2009. He was held at 'Adra prison, prompting concern for his health; he suffers from diabetes and other ailments.
- Three senior members of the unauthorized Kurdish Yekiti Party continued to be detained incommunicado at 'Adra prison and on trial before the SSSC. Hassan Saleh, Ma'rouf Mulla Ahmed and Muhammad Ahmed Mustafa were charged with "aiming at separating part of the Syrian lands" and "joining a political or social international organization", and faced long jail terms if convicted. They were arrested shortly after they allegedly called for Kurdish areas of Syria to be granted autonomy at a Yekiti Party conference in December 2009.
- Raghdah Sa'id Hassan, a writer, was arrested in February, detained incommunicado for three months and then charged with "weakening nationalist sentiment" and spreading "false news". At the end of 2010, she remained held at Douma women's prison and on trial before a military criminal court.
- Radeef Mustafa, a lawyer and leading figure in the unauthorized Kurdish Committee for Human Rights in Syria (RASED), faced disciplinary proceedings by the Syrian Bar Association for engaging in these activities and criticizing the state of emergency in articles he published on the internet; he was at risk of being banned from working as a lawyer.
- Suhair Atassi, President of the unauthorized Jamal Atassi Forum, a pro-democracy discussion group, was one of at least seven human rights defenders and political activists who were prevented from travelling abroad.

Counter-terror and security

Suspected Islamists and suspected members of the banned Muslim Brotherhood faced arbitrary arrest, prolonged detention, torture and other ill-treatment, and unfair trials, usually before the SSSC which rarely imposes prison sentences of less than five years. Those convicted of belonging to the Muslim Brotherhood were sentenced to death but their sentences were immediately commuted to 12-year prison terms. Hundreds of convicted Islamist prisoners were held at Saydnaya Military Prison, where conditions were harsh.

- The fate and whereabouts of Nabil Khilioui, a suspected Islamist detained by Military Intelligence officials in August 2008, remained unknown; he was a victim of enforced disappearance.
- Usra al-Hassani was arrested on 2 January and held incommunicado for several months. She was still held without charge at 'Adra prison at the end of the year. She had previously been detained incommunicado for almost a year prior to July 2009 for contacting an international organization about her husband's detention by US authorities at Guantánamo Bay.
- Ziad Ramadan, a former work colleague of a suspect in the 2005 assassination of former Lebanese Prime Minister Rafic Hariri, remained detained since July 2005 without charge and in harsh conditions at the Palestine Branch of Military Intelligence in Damascus, although the STL had informed the Syrian authorities that it saw no grounds for his detention.

Torture and other ill-treatment

Torture and other ill-treatment were used extensively and with impunity in police stations and security agencies' detention centres. According to reports, suspected Islamists and members of the Kurdish minority were subject to particularly harsh abuse. The SSSC and other courts often convicted defendants on the basis of "confessions" alleged to have been extracted under torture or other duress.

- 'Abdelbaqi Khalaf, a Syrian Kurdish pro-democracy activist detained in September 2008, was reported to have been shackled by his wrists to a wall for eight days, tortured and otherwise ill-treated during more than a year in incommunicado detention. In August 2010 it was reported that he was being tortured to force him to "confess" to killing two members of the security forces. He was held at 'Adra prison.

In May, the UN Committee against Torture expressed concern about "numerous, ongoing and consistent" reports of torture by law enforcement and investigative officials, at their instigation or with their consent, particularly in detention facilities, and criticized the "quasi permanent" status of state of emergency legislation which "allows the suspension of fundamental rights and freedoms". The government did not respond and had not implemented any of the Committee's many recommendations by the end of 2010.

Deaths in custody

Eight deaths in custody possibly as a result of torture were reported; none was known to have been investigated by the authorities.

- Jalal al-Koubaisi died in Criminal Security custody within days of his arrest on 27 May, apparently for encouraging people to shop at a particular store. He was held incommunicado. On 1 June, his family was told to go to a hospital to collect his body. The body had bruising and other marks indicating that he may have been tortured. No official investigation was known to have been held.

Impunity

The authorities took no steps to account for thousands of people, mostly Islamists, who disappeared in the late 1970s and early 1980s, and others abducted in Lebanon by Syrian forces or by pro-Syrian Lebanese and Palestinian militias, who then handed them over to Syrian forces in the years before they withdrew from Lebanon in April 2005. The authorities also failed to disclose what occurred at Saydnaya Military Prison in July 2008, when 17 prisoners and five other people were reported to have been killed and since when there has been no information or known contact with 49 prisoners held there at the time. In May, the UN Committee against Torture urged the government to carry out an independent investigation and to "inform the families of those prisoners if their relatives are alive and still held in prison".

- Nizar Ristnawi, a prisoner of conscience and one of the 49 Saydnaya prisoners whose fate remained unknown, should have been released on 18 April 2009 when his four-year prison term expired. In March 2009, the UN Working Group on Arbitrary Detention declared his detention to be arbitrary and urged the government "to take the necessary steps to remedy his situation".

Discrimination and violence against women and girls

Women faced discrimination in law and in practice, and high levels of violence, particularly within the family. Laws assigning inferior status to women as compared to men, notably the Personal Status Law governing marriage and its dissolution, inheritance and other matters, remained in force. Such discrimination was reinforced by social customs.

Women and girls were inadequately protected from violence within the family: the Penal Code prescribes lower penalties for murder and other violent crimes committed against women when defence of family "honour" is considered a mitigating factor. At least 16 women, two men and four children under the age of 18 were reported to have been victims of so-called honour killings. In November, a joint study by the government and the UN Population Fund reported that one in three women suffers domestic violence in Syria. The government was reported to be planning to establish a National Family Protection Unit and a National Observatory for Domestic Violence.

Discrimination – Kurdish minority

Kurds, who comprise up to 10 per cent of the population and live mostly in the north-east, continued to experience identity-based discrimination, including restrictions on use of their language and culture. Tens of thousands of Syrian Kurds were effectively stateless, further restricting their access to social and economic rights.

- Luqman Ibrahim Hussein and three others were detained for 39 days apparently for observing a protest of one minute's silence on 10 September in 'Amudah. They were protesting against Legislative Decree 49 of 2008, which further restricted housing and property rights in border areas, including the predominantly Kurdish-populated north-east border areas. On 9 November, while free on bail, the four were sentenced to one month in prison but were not detained as they had already spent over a month in jail.

Refugees and asylum-seekers

Syria continued to host hundreds of thousands of Iraqi refugees who had access to its education and health infrastructures, but continued to be denied the right to work.

On 1 February, the authorities and UN agencies permanently closed the desolate camp at al-Tanf in the border area between Iraq and Syria, where Palestinian refugees who were long-term residents of Iraq had lived. Out of the 1,300 Palestinian refugees who had lived at different times in the camp, around 1,000 were relocated to third countries while the rest were temporarily moved to al-Hol camp in north-east Syria.

Death penalty

Death sentences continued to be imposed and at least 17 people were executed, although the true number may have been much higher. The authorities rarely disclose information about executions.

- Eliaza al-Saleh, Ahmed al-'Abbas and Mazen Bassouni were executed on 4 November. All three had been convicted of murdering Eliaza al-Saleh's husband. Evidence that she had suffered years of physical and sexual abuse by her husband was apparently ignored at her trial and appeal. Her family learned of her execution three days after it was carried out.

In December, Syria was one of a minority of states that voted against a UN General Assembly resolution calling for a worldwide moratorium on executions.

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