

PUBLIC

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31 March 2006

UA 73/06 Incommunicado detention/fear of torture/prisoners of conscience

SYRIA 'Ali al-'Abdullah (m) aged around 55, journalist
Muhammad 'Ali al-'Abdullah (m), his son

Journalist 'Ali al-'Abdullah and his son Muhammad 'Ali al-'Abdullah were arrested on 23 March. They are reportedly held incommunicado at an unknown location and are at grave risk of torture and other ill-treatment.

On 22 March, prior to their arrest, 'Ali and Muhammad al-'Abdullah were outside the Supreme State Security Court (SSSC) alongside family members of defendants appearing before the court. Relatives of those being tried by the SSSC commonly wait outside the court when they know their relatives will be brought from their place of detention to hearings. Since family members are not known to have been admitted to the court over the years, it is a way of seeing their detained relatives and a form of peaceful protest against the SSSC, whose procedures fall far short of international standards for fair trial. 'Ali and Muhammad al-'Abdullah reportedly intervened when some police officers harassed the families. Their intervention apparently led to an argument between an officer and Muhammad 'Ali al-'Abdullah regarding the continuing use of the State of Emergency Laws in Syria.

Shortly after the argument, 'Ali al-'Abdullah was summoned to appear before the President of the SSSC. The President threatened to have Muhammad beaten if he attended outside the court again. The following day at 11am, 'Ali al-'Abdullah was arrested at his home in the town of Qatana, on the outskirts of Damascus. At around 5pm the same day, security officers returned and arrested his son, Muhammad, as well as a cousin, Saleh, who was visiting the family. Saleh was reportedly released an hour later.

Amnesty International believes 'Ali and Muhammad al-'Abdullah are prisoners of conscience held solely for the peaceful expression of their views. During 2005, 'Ali al-'Abdullah spent over five months and Muhammad 'Ali al-'Abdullah spent three weeks in detention, again for peacefully expressing their opinions (see UA 139/05, MDE 24/032/2005 and follow-ups, and UA 203/05, MDE 24/056/2005 and follow-ups). Another of 'Ali al-'Abdullah's sons, 'Omar, is being held incommunicado, reportedly in the town of Harasta, just outside Damascus, simply because he is involved in a pro-democracy youth movement (see UA 41/06, MDE 24/029/2006).

BACKGROUND INFORMATION

Amnesty International has repeatedly condemned the State of Emergency Legislation (SEL) in Syria. It has been in force for 43 years and has resulted in thousands of suspected political opponents of the government being detained, tortured and held incommunicado without charge or trial, some for over two decades. Others have been convicted and sentenced to lengthy prison terms after grossly unfair trials before the SSSC or the military court. It allows for the establishment of special courts for the trial of state security and political cases without recourse to ordinary court procedures and guarantees. Proceedings before the SSSC fall far short of international fair trial standards. Defendants do not have the right of appeal and have restricted access to their lawyers. "Confessions" allegedly extracted under torture are admissible as evidence.

The SEL allows the Syrian authorities to restrict the right to freedom of expression by permitting the censorship of correspondence, communications and information media. It is inconsistent with the requirements of human rights law, including Article 4 of the International Covenant on Civil and Political Rights (ICCPR) to which Syria is a state party. In April 2001, the Human Rights Committee, which monitors states' implementation of the ICCPR, expressed concern over the SEL, which it said "does not provide

remedies against measures limiting citizens' fundamental rights and freedoms". The Committee recommended that the SEL be "formally lifted as soon as possible".

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Arabic, English, French or your own language:

- calling on the authorities to release 'Ali and Muhammad al-'Abdullah immediately and unconditionally as they are prisoners of conscience held solely for their peaceful work in defence of human rights;
- expressing grave concern at reports that they are being held incommunicado at an unknown location, putting them at grave risk of torture;
- urging the authorities to ensure that 'Ali al-'Abdullah and Muhammad 'Ali al-'Abdullah are not subjected to torture or other ill-treatment;
- reminding the authorities that 'Ali and Muhammad al-'Abdullah must be given immediate access to a lawyer of their own choosing, their family and any medical attention they may require;
- reminding them that Article 38 of the Syrian Constitution guarantees freedom of expression for its citizens, and that in detaining these people, they are breaching their obligations under Article 19 of the International Covenant of Civil and Political Rights (ICCPR) which affirms the right to enjoy freedoms of opinion and expression (Article 19).

APPEALS TO:

President

His Excellency Bashar al-Assad
Presidential Palace
al-Rashid Street
Damascus
Syrian Arab Republic

Fax: + 963 11 332 3410

Salutation: Your Excellency

Minister of Defence

His Excellency General Hassan Ali Turkmani
Ministry of Defence
Omayyad Square
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Syrian Arab Republic

Fax: +963 11 223 7842

Salutation: Your Excellency

Minister of Foreign Affairs

His Excellency Walid Mu'allim
Ministry of Foreign Affairs
al-Rashid Street
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Syrian Arab Republic

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Salutation: Your Excellency

COPIES TO: diplomatic representatives of Syria accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 11 May 2006.