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Syria: Release human rights defender Aktham Nu'aysa immediately

Amnesty International today condemned the continued arbitrary detention of Syrian human rights defender Aktham Nu'aysa, 53, head of the Committees for Defence of Democratic Liberties and Human Rights in Syria (CDDLHR). Aktham Nu'aysa was arrested on 13 April and referred yesterday to the Supreme State Security Court (SSSC).

"Aktham Nu'aysa should be released immediately and all charges against him dropped", said Amnesty International.

After over a week of incommunicado detention at an unknown location, and with health conditions including an irregular heartbeat and a kidney complaint, both of which require medication, Aktham Nu'aysa reportedly suffered a stroke and was taken to Tishrin Hospital. He is now said to be in solitary confinement in Sednaya prison. Amnesty International considers him a prisoner of conscience, arrested solely because of his work in defence of human rights.

On 22 April he appeared before the SSSC in Damascus, apparently in a miserable state of health and being physically supported by two security officers. His lawyer was briefly allowed to attend, and was informed that the charges against him include "carrying out activities contrary to the socialist system of the state" and "opposing the objectives of the revolution". The charges were brought under the provisions of the state of emergency law and could carry a sentence of up to 15 years in prison.

The charges against Aktham Nu'aysa are believed to be related to his human rights activities and those of the CDDLHR. The CDDLHR recently published an annual report on human rights violations in Syria, has led a campaign for the lifting of the state of emergency, reported on the human rights violations against Syrian Kurds in March and April, and had repeated its concerns for the fate of scores of Lebanese who have "disappeared" in Syria. Two of Aktham Nu'aysa's colleagues, Ahmad Khazim and Hassan Watfi, are also being held incommunicado at unknown locations since their arrests on 15 and 16 March respectively.

BACKGROUND

A founding member of the CDDLHR, Aktham Nu'aysa was detained as a prisoner of conscience from 1991 to 1998, because of his human rights work. In 1992 he was sentenced to nine years in prison after a grossly unfair trial by the SSSC. He was tortured and ill-treated in custody. Amnesty International organized numerous actions to help secure his release, and he was eventually freed two years before the end of his sentence. Since then, the security forces have harassed him constantly because of his involvement with the CDDLHR. They have also threatened his family, and in 2003 attacked and beat his mother to intimidate him.

Amnesty International considers trials held before the SSSC to be grossly unfair. Its verdicts are not subject to appeal, and it is not bound by the rules of the Code of Criminal Procedures. SSSC trials are also unfair because defendants have restricted access to lawyers; judges, especially the President of the Court, have been granted wide discretionary powers, and confessions allegedly extracted under duress or torture are accepted as evidence.

Amnesty International has expressed grave concern at the continuing enforcement of the State of Emergency Legislation (SEL) in Syria which has been in force for 41 years and has resulted in thousands of suspected political opponents 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 military or state security courts. The SEL is inconsistent with the requirements of human rights law, particularly 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 in Syria 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"