

Public

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To: Health professionals
From: Medical office / Middle East Program
Date: 28 March 2002

MEDICAL ACTION

**Dr 'Abd al-'Aziz al-Khayyir
Syria**

Key words prisoner of conscience / doctor

Dr 'Abd al-'Aziz al-Khayyir is a physician and member of the *Hizb al-'Amal al-Shuyu'i* (Party for Communist Action, PCA). He has been in custody since 1992 and is currently held in Sednaya prison in Damascus. He was convicted of charges relating to his political affiliation and beliefs rather than any act of violence. He has been adopted by Amnesty International as a prisoner of conscience and the organization is seeking his unconditional release. Dr al-Khayyir is the only remaining member of the PCA to remain in prison. In December 2001, all those imprisoned with Dr al-Khayyir were released as part of a presidential amnesty. Amnesty International does not know why he was exempted from the amnesty.

Recommended actions & addresses

Please write letters in English, Arabic or your own language to the authorities below, using professionally-headed paper if you use this in your profession:

- welcoming the recent releases of political prisoners in Syria;
- expressing concern at the continued detention of Dr 'Abd al-'Aziz al-Khayyir in Sednaya Prison;
- stating that you consider that Dr 'Abd al-'Aziz al-Khayyir is a prisoner of conscience held solely for the expression of his political views;
- noting that he is the sole member of his political group to remain in custody;
- urging the authorities to release Dr 'Abd al-'Aziz al-Khayyir unconditionally.

Addresses

President
His Excellency
President Bashar al-Assad

Presidential Palace
Damascus, Syrian Arab Republic
Salutation: Your Excellency

Minister of Justice
His Excellency
Nabil al-Khatib
Minister of Justice
Ministry of Justice
Al-Nasr Street
Damascus, Syrian Arab Republic
Fax: + 963 11 224 6250
Salutation: Your Excellency

Minister of the Interior
His Excellency
Major-General 'Ali Hammud
Minister of the Interior
Ministry of the Interior
Merjeh Circle
Damascus
Syrian Arab Republic
Faxes: + 963 11 222 3428
Salutation: Your Excellency

Please send copies of your letters to diplomatic representatives of Syria accredited to your country and to:

Minister of Health
His Excellency Dr. Muhammad Iyad al-Shatti
Minister of Health
Ministry of Health
Damascus, Syrian Arab Republic
e-mail: health-min@syriatel.net

Syrian Medical Association
Dr Ramadan Ramadan
Le Président
Ordre des Médecins Syriens
Place Nejme
Damascus
Syrian Arab Republic

World Medical Association
BP 63, 01212 Ferney-Voltaire Cedex
France
e-mail: wma@wma.net

If you receive no reply from the government or other recipients within two months of dispatch of your letter, please send a follow up letter seeking a response, referring to your previous letter(s). Please check with the medical team if you are sending appeals after 31 May 2002, and send copies of any replies you do receive to the International Secretariat (att: medical team).

Monitoring of action

If you have access to e-mail you can help our attempt to monitor letter-writing actions. If you write one, two, three or more letters, please send us an e-mail and let us know. Please write in the subject line of your e-mail the index number of the action and the number of letters you write:

e.g. MDE 24/009/2002 - 3 (if you write 3 letters)

Please send your message to medical@amnesty.org Thank you.

Date: 28 March 2002

IMPRISONED DOCTOR
Dr 'Abd al-'Aziz al-Khayyir
Syria

Introduction

Dr 'Abd al-'Aziz al-Khayyir is a physician and member of the *Hizb al-'Amal al-Shuyu'i* (Party for Communist Action, PCA). He has been in custody since 1992 and is currently held in Sednaya prison in Damascus. He was convicted of charges relating to his political affiliation and beliefs rather than any act of violence. He has been adopted by Amnesty International as a prisoner of conscience and the organization is seeking his unconditional release. Dr al-Khayyir is the only remaining member of the PCA to remain in prison. In December 2001, all those imprisoned with Dr al-Khayyir were released as part of a presidential amnesty. Amnesty International does not know why he was exempted from the amnesty.

Background information

Dr 'Abd al-'Aziz al-Khayyir was arrested in Damascus on 1 February 1992 by members of *al-Mukhabarat al-'Askariyya* (Military Intelligence) in connection with the prohibited *Hizb al-'Amal al-Shuyu'i* (Party for Communist Action, PCA).

'Abd al-'Aziz al-Khayyir was eventually tried and, sentenced in August 1995, by the Syrian State Security Court (SSSC) to 22 years' imprisonment (the longest sentence known to have been handed down by the SSSC) on charges of membership of the PCA. Amnesty International considers 'Abd al-'Aziz al-Khayyir to be a prisoner of conscience who was arrested, detained and convicted for his conscientiously-held beliefs and political affiliation. Four other prisoners put on trial at the same time were also adopted as prisoners of conscience and have now been released.

'Abd al-'Aziz al-Khayyir has been imprisoned on grounds of his membership of the PCA. The PCA is not known to have used or advocated violence.

'Abd al-'Aziz al-Khayyir and his co-defendants were charged collectively with the following offences:

- belonging to an association formed with the aim of changing the fundamental economic and social structure of the state by terrorist means (under Article 306 of the Penal Code);
- carrying out activities opposed to the socialist system of the state (Article 3[a] & Article 4[a] of the Legislative Decree No. 6, 1965);
- opposition to the aims of the revolution (Article 3e & article 4c of the Legislative Decree No. 6, 1965).

The prosecution's indictment was primarily based on an analysis of the political program of the PCA to substantiate the charges. There was no material evidence to prove or even suggest that the defendants had committed or planned any violent or "terrorist" actions as the prosecution claimed, and no reference made to the "terrorist means" as provided for under Article 304 of the Penal Code.

Prison health care

The prison doctors, who are seen infrequently by prisoners, are military police doctors who are newly graduated and, in many cases, carrying out compulsory service in prison. In practice it has been the medically-trained prisoners who have diagnosed and recommended treatment for sick prisoners. The prison doctors themselves are reported to place great value on the opinion of the prisoner-doctors who have much more experience. Simple medication is available within the prison but anything more specialised has to be brought by family members.

In the recent past, Dr al-Khayyir is reported to have been permitted to move more freely around the prison and to have been able to provide medical care to a greater number of prisoners. While this has represented an improvement in the medical care for the prisoners it has apparently increased his workload.