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Appeal Case – Syria Unable to Move: Freedom of Movement restricted for Human Rights Defenders (and Others)

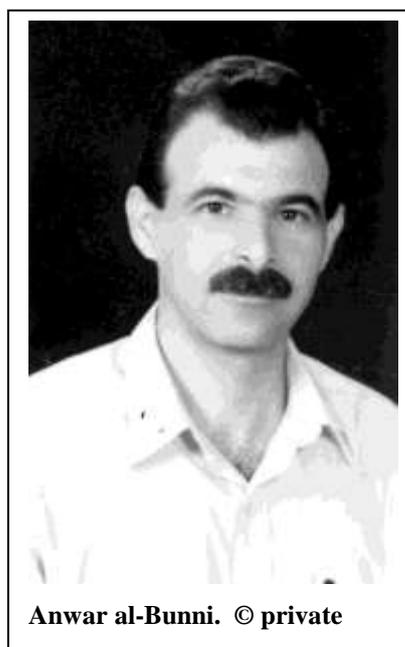
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AI INDEX: MDE 24/073/2005

This *Appeal Case* publicises one of the forms of harassment and human rights violations suffered by human rights defenders, amongst others, in Syria. It highlights cases of individuals who are forbidden from leaving the country, denied passports, and put under house arrest.

Amnesty International calls upon the Syrian authorities to put an end to the pattern of restrictions of freedom of movement imposed on human rights defenders and reiterates its call to cease all other forms of harassment against them. The call follows the recommendation of the UN Human Rights Committee that the Syrian authorities “end all harassment and intimidation of human rights defenders” and a reported increase in the number of human rights defenders and other Syrians being prevented from travelling.

On 14 July 2005 human rights lawyer **Anwar al-Bunni** was prevented from travelling to Geneva, Switzerland, where the UN Human Rights Committee was to consider the Syrian government’s third periodic report on its implementation of the International Covenant on Civil and Political Rights (ICCPR). He learnt of the restriction only at Damascus airport when he was told that State Security had issued Decision 251 banning him from travel, without giving an explanation. He had received an earlier ban in October 2003.



Anwar al-Bunni. © private

The day after the UN Human Rights Committee session, on 19 July, the Department of Immigration and Passports refused to issue a passport to **Yasin al-Haj Salih**, a doctor, journalist, human rights defender and former prisoner of conscience. No explanation was given. Yasin al-Haj Salih spent 16 years in prison, including 14 years in detention without trial, for

membership of the Communist Party Political Bureau and for “opposing the goals of the revolution”. In June 2005, Amnesty International wrote to the Syrian authorities requesting that Yasin al-Haj Salih be granted permission to travel to Lebanon to participate in an Amnesty International workshop there; no response was received and Yasin al-Haj Salih was unable to travel.

On 5 August of **Dr Kamal al-Labwani**, a former prisoner of conscience and founding member of the Political Prisoners Support Committee, had his home in al-Zabadani, near Damascus, cordoned off by security officers who refused to allow anyone to enter or leave the building for 12 hours. The action was apparently intended to prevent the first meeting of the Liberal Democratic Gathering, an unauthorised opposition group. Dr al-Labwani, who was arrested in 2001 and sentenced to three years’ imprisonment for having attended a political seminar, told Amnesty International that a friend who had tried to visit him at his home was told by a security officer that “this man must be killed; we have sent a group...to assassinate him”.



In May 2005 **Nahed Badawiya**, an administrative committee member of the Jamal al-Atassi Forum, a political discussion group, was detained for one week after one of the Forum members, ‘Ali al-‘Abdullah,¹ read a statement at their meeting on behalf of the exiled leader of the Muslim Brotherhood (MB). The MB is banned in Syria. Among other things, the statement called for political reform in Syria. Nahed Badawiya was also threatened with the expulsion of her husband, **Salama Kayla**, a Palestinian journalist who has lived in Syria for 25 years. In June, the Political Security department reportedly gave instructions at all Syrian border points to deny him re-entry to the country. Salama Kayla, was thus unable to travel to France for a yearly check-up for leukaemia at a Paris hospital. His next scheduled appointment is on 14 September 2005, but there is concern that if he goes he may not be allowed to return to Syria. Salama Kayla was a prisoner of conscience from 1992 to 2000, on charges of "opposing the objectives of the revolution".

Human rights lawyer **Razan Zaytouneh** – coordinator of the Syrian Human Rights Information Link – has been banned from leaving the country since the summer of 2002, when she was informed of the ban by State Security officers. She has been denied the opportunity of participating in a number of human rights-related workshops and conferences in other countries.

¹ ‘Ali al-‘Abdullah remains in ‘Adra prison charged with “promoting an illegal organisation” in relation to his reading of the MB statement.

Muhammad Ra'dun, the head of the unauthorised Arab Organisation for Human Rights – Syria (AOHR-S) has been detained without charge since 22 May 2005 and is suffering from ill-health and is denied appropriate medical treatment. Prior to his arrest he had been prevented from travelling to Egypt to attend meetings in March 2005 and in November 2004. His AOHR-S colleague **Mahmoud al-Aryan** has also been prevented from travelling to attend conferences in Egypt and in Lebanon.

Human rights lawyer/attorney **Haytham al-Maleh**, head of the unauthorised Human Rights Association of Syria, remains prohibited from travel



Muhammad Ra'dun. ©private



Haytham al-Maleh. ©private

abroad. In December 2004 he was prevented from leaving the country when he was due to travel to France at the invitation of the French government to participate in Human Rights Day celebrations there.

Despite repeated travel bans from the Syrian authorities, **Aktham Nu'ayse**, head of the unauthorised Committees for the Defence of Democratic Liberties and Human Rights and former prisoner of conscience, has more recently been permitted to leave the country. In July 2005, he attended the UN Human Rights Committee session in Geneva, for its consideration of Syria's report concerning its implementation of the ICCPR.

Yusra al-Masri has publicised the case of her teenage son Mus'ab al-Hariri who was arrested on his arrival with her in Syria in July 2002. He was sentenced in June 2005 after a grossly unfair trial to six years' imprisonment on charges of belonging to the Muslim Brotherhood (MB). Yusra al-Masri has been prohibited from leaving the country to join her Syrian husband in Saudi Arabia, where the family has lived since 1981. [See AI public statement, *Seventeen-year-old sentenced after unfair trial*, MDE 24/040/2005, 20 June 2005].

Additionally, tens of thousands of stateless Kurds are unable to leave or return to Syria, as they are denied Syrian nationality and official travel documents. In addition, scores of Syrians – notably human rights defenders and former political prisoners and prisoners of conscience – are currently prohibited from travelling abroad. Such restrictions constitute a violation of their right to freedom of movement, and undue interference with their rights to freedom of expression and association and with their right to strive to promote and protect human rights.

Background

In 2005 scores of Syrians, including children, have been arrested following their return from abroad. They and others arrested in previous years remain detained incommunicado without charge or pending trials, and are at risk of torture. In the past three years, at least ten people who were arrested upon return to Syria have “disappeared” and several have died, seemingly as a result of torture and ill-treatment. Particularly at risk appear to be those with present, past or familial connections with the unauthorised Muslim Brotherhood (MB). Such violations are taking place despite assurances of safe return being given to former political exiles. Thousands of Syrians remain in exile. [See AI public statement, *Ongoing risks for Syrian returnees*, MDE 24/025/2005, 13 May 2005].

Other people currently detained on account of their human rights activities include **Yassin al-Hamwi** and **Muhammad 'Ali al-'Abdullah**, who are held in ‘Adra prison, near Damascus. They were arrested on 26 and 27 July, respectively, following the inaugural meeting of the Committee of the Families of Prisoners of Opinion and Conscience. They are reportedly charged with “establishing a secret society” and “defaming the public administration”, and will be tried before the military court. AOHR-S member **Nizar Ristnawi** remains detained in ‘Adra prison also, reportedly still without charge since his arrest on 18 April. [See also, AI public statement, *End crackdown on human rights defenders*, MDE 24/034/2005].

Further, while there are no reliable official records, it is estimated that between 200,000 and 360,000 of Syria’s Kurds are not entitled to Syrian nationality, even though they were born in the country and they have no other nationality. In addition to being denied the rights enjoyed by nationals, these stateless Kurds are not issued passports or other travel documents, and so may not legally leave or return to Syria. [See AI report, *Kurds in the Syrian Arab Republic one year after the March 2004 events*, MDE 24/002/2005, March 2005].

What can you do?

You can write to the Syrian President, Bashar al-Assad, in English, Arabic, French, or your own language:

- **expressing concern at the restrictions of freedom of movement that are imposed on human rights defenders, former political prisoners and prisoners of conscience;**
- **pointing out that such restrictions contravene Article 12 of the ICCPR, which Syria has willingly ratified and is obliged to uphold;**
- **urging the Syrian authorities to end the travel restrictions imposed on the above-mentioned individuals;**
- **urging the Syrian authorities to implement the recommendations of the UN Human Rights Committee, particularly with regard to human rights defenders, and to respect the 1998 UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.**

Please write or send a fax to:

His Excellency President Bashar al-Assad

President of the Republic

Presidential Palace

Abu Rummaneh, Al-Rashid Street

Damascus, Syrian Arab Republic

Fax: + 963 11 332 3410

Salutation: Your Excellency

To see the HRC's full concluding observations on Syria, please go to:

<http://www.ohchr.org/english/bodies/hrc/hracs84.htm>