

PUBLIC

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UA 03/06 Fear of torture and other ill-treatment/incommunicado detention/possible prisoner of conscience

SYRIA **Muhi al-Din Sheikh A'ali (m), aged around 53, Secretary of the Syrian Kurdish Democratic Unity Party (or Yeketi Party)**

Kurdish activist Muhi al-Din Sheikh A'ali was reportedly arrested by Military Intelligence on 20 December, and is now believed to be detained incommunicado, which puts him at grave risk of torture.

Muhi al-Din Sheikh A'ali is the Secretary of the outlawed Syrian Kurdish Democratic Unity Party. He was apparently detained by men in plain clothes, thought to be Military Intelligence officers, at around 6pm at a cafe in the city of Aleppo, in the north of the country. He apparently attempted to resist arrest, and the men threatened that he "would disappear from the face of the earth". The men drove away with him, and are believed to have taken him to a Military Intelligence interrogation centre.

After five days, his wife and brother went to the al-Sarayan Military Intelligence branch in Aleppo to ask where he was, but were told he was not there. According to one report, Muhi al-Din Sheikh A'ali may have been handed over to State Security (*Amn al-Dawla*). He had reportedly been summoned for questioning by Military Intelligence several times, but apparently ignored these demands.

The activities of the Syrian Kurdish Democratic Unity Party include calling for improved rights for Syria's Kurds, many of whom are denied citizenship and other basic rights. The party is known to be critical of the Syrian regime and its policies, and has spoken of the need to allow Kurds a greater political voice. On 10 December 2006, Kurdish activists reportedly held a peaceful protest in the north-eastern town of Qamishli, in support of Kurdish rights, including the right to Syrian nationality. Police reportedly beat protesters with sticks, injuring some 25 people, one of whom suffered a broken nose and head injuries.

BACKGROUND INFORMATION

Kurds in Syria suffer severe discrimination because of their ethnicity. They make up almost 10% of the population, numbering between 1.5 and two million, but an estimated 200,000 to 360,000 are not recognised as citizens. Kurdish is not recognised as an official language and its use in schools is apparently banned. It is reportedly forbidden to use the language at private celebrations and in the workplace. There are unconfirmed reports that by the summer of 2002 the authorities had raised the maximum sentence for printing in Kurdish, as well as for teaching the language, to five years' imprisonment. Kurds celebrating traditional festivals, such as the Kurdish new year, which takes place in March are subject to arbitrary arrest.

Many Kurds are denied the full provision of education, employment, health care and other rights enjoyed by Syrian nationals. Kurdish human rights defenders and civil society activists who raise such issues or undertake other peaceful activities are particularly at risk of arrest and imprisonment on charges which, to Amnesty International's knowledge, are mostly used against Kurds, including "attempting to sever part of the Syrian territory and annex it to a foreign state". Such charges can lead to unfair trials before the Supreme State Security Court (SSSC) or military courts, whose practices fall far below international standards for fair trial.

In custody, Kurds face torture and other ill-treatment. On 30 May 2005, Sheikh Muhammad Ma'shuq al-Khiznawi, an Islamic religious leader and outspoken figure within the Kurdish community, died 20 days after he "disappeared", apparently in the custody of Military Intelligence agents. When the body was released by the authorities to his family, the official state news agency claimed he had been killed by criminals. His body

apparently showed signs of torture, including the fact that his nose and teeth were broken. He was known for his criticism of violence and terrorism, and had recently called for reforms in Syria and for more dialogue between religious groups. (See UA 131/05, MDE 24/027/2005).

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

- expressing concern that Muhi al-Din Sheikh A'ali is reportedly being held incommunicado at an unknown location;
- calling on the authorities to disclose his whereabouts immediately, and to guarantee that he is not being tortured or otherwise ill-treated;
- reminding the authorities that torture, according to the UN's Special Rapporteur on Torture, is "most frequently practised during incommunicado detention [which] should be made illegal, and persons held incommunicado should be released without delay";
- urging the authorities to allow Muhi al-Din Sheikh A'ali visits from his family, a lawyer of his choosing and any medical treatment he may require;
- calling on the authorities to release Muhi al-Din Sheikh A'ali immediately unless he is to be charged with a recognizably criminal offence.

APPEALS TO:

President

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Syrian Arab Republic

Fax: + 963 11 332 3410

Salutation: Your Excellency

Minister of Defence

His Excellency General
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Ministry of Defence
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Minister of Foreign Affairs

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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 16 February 2007.