

SYRIA

an amnesty international briefing

- **Human rights violations:**
- **Political arrests and preventive detentions under 20-year-old State of Emergency**
- **Arbitrary seizure of suspects by security forces**
- **Torture and cruel, inhuman or degrading treatment**
- **'Disappearances'**
- **Political killings**



SYRIA

**an
amnesty
international
briefing**



First issued November 1983

Amnesty International Publications
1 Easton Street
London WC1X 8DJ
United Kingdom

AI Index: MDE 24/13/83
ISBN: 0 86210 065 8

© Copyright Amnesty International Publications. Original language English. All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording and/or otherwise, without the prior permission of the publishers.

Printed by Redesign, 9 London Lane, London E8.

THIS briefing is part of Amnesty International's worldwide campaign for the international protection of human rights.

Throughout the world thousands of people are in prison because of their beliefs. Many are held without charge or trial. Torture and executions are widespread. In many countries men, women and children have "disappeared" after being taken into official custody. Still others have been put to death without any pretence of legality: selected and killed by governments and their agents.

These abuses—taking place in countries of widely differing ideologies—demand an international response. The protection of human rights is a universal responsibility, transcending the boundaries of nation, race and belief. This is the fundamental principle upon which the work of Amnesty International is based.

- Amnesty International is a worldwide movement independent of any government, political persuasion or religious creed. It plays a specific role in the international protection of human rights:

- it seeks the *release of prisoners of conscience*. These are people detained for their beliefs, colour, sex, ethnic origin, language or religion who have not used or advocated violence;
- it works for *fair and prompt trials* for all *political prisoners* and on behalf of political prisoners detained without charge or trial;
- it opposes the *death penalty* and *torture* or other cruel, inhuman or degrading treatment or punishment of *all prisoners* without reservation.

- Amnesty International is impartial. It does not support or oppose any government or political system, nor does it support or oppose the views of the prisoners whose rights it seeks to protect. It is concerned solely with the protection of the human rights involved in each case, regardless of the ideology of the government or the beliefs of the victims.

- Amnesty International, as a matter of principle, condemns the torture and execution of prisoners by anyone, including opposition groups. Governments have the responsibility for dealing with such abuses, acting in conformity with international standards for the protection of human rights.

- Amnesty International does not grade governments according to their record on human rights: instead of attempting comparisons it concentrates on trying to end the specific violations of human rights in each case.

- Amnesty International has an active worldwide membership, open to anyone who supports its goals. Through its network of members and supporters Amnesty International takes up individual cases, mobilizes public opinion and seeks improved international standards for the protection of prisoners.

Amnesty International's work is based on the United Nations Universal Declaration of Human Rights. The organization has formal relations with the United Nations (ECOSOC), UNESCO, the Council of Europe, the Organization of African Unity and the Organization of American States.

Many thousands of people have been arbitrarily arrested and detained without charge or trial in Syria since the country's state of emergency came into force more than 20 years ago. There have also been reports of torture, "disappearances" and extrajudicial executions carried out by the security forces.

The targets of these human rights abuses have come from a wide range of backgrounds and have included a former President, former government ministers, trade unionists, traders, doctors, lawyers and students—and even a number of children.

On 26 April this year AI submitted a memorandum on its concerns to the Syrian Government and subsequently offered to publish any comments it had. No response was received. A 72-page Report from Amnesty International to the Government of the Syrian Arab Republic based on the memorandum was published on 16 November. The following material is based on the report.

Human rights violations in Syria

Syrian security forces have practised systematic violations of human rights, including torture and political killings, and have been operating with impunity under the country's emergency laws.

There is overwhelming evidence that thousands of Syrians not involved in violence have been harassed and wrongfully detained without chance of appeal and in some cases have been tortured; others are reported to have "disappeared" or to have been the victims of extrajudicial killings carried out by the security forces.

Pattern of arrests

AI's new report on Syria describes a pattern of arbitrary arrests by the security forces using the State of Emergency Law which has been in force throughout the country for more than 20 years. Syrian citizens are liable to arbitrary arrest or abduction and no one can depend on the protection of the law, the report says.

AI has collected the names of over 3,500 people reported arrested and detained without trial in a two-year period up to December 1981. Arrests on this scale result from the power security forces have to seize any suspect at any time without immediate reference to a central authority.

The organization has received reports of relatives being held hostage while security forces sought political suspects. Such hostages have included wives and young children—and in one case three relatives were held hostage in detention for six years before being released in 1980.

Those arrested may be held without charge or trial for years—at the end of October, AI was working for the release of 17 people held in preventive detention



Mijali Nasrawin . . . in his 13th year of preventive detention without charge or trial. A lawyer, aged 44, and a former member of the National Command of Syria's ruling Ba'ath Party, he is held in al-Mezze military prison, Damascus, and is one of a group of people who either served in or were connected with the previous Syrian Government and were arrested reportedly for refusing to cooperate with the present rulers. During the early part of their imprisonment they are reported to have been tortured and denied medical treatment.

for over 12 years and another 300 held for between two and nine years.

Once arrested, political suspects face indefinite incommunicado detention and

possible torture. Even their whereabouts may remain secret.

AI's report lists 23 methods of ill-treatment and torture reported by former detainees, including electric shocks, burnings, whippings with braided steel cable, sexual violations and the forcing of detainees to watch relatives being tortured or sexually assaulted.

Extracts from testimonies by 12 former detainees who alleged torture are cited in the report. They include a 15-year-old schoolboy who said he had been whipped and that his interrogator had threatened to gouge out his eyes if he did not reveal his father's whereabouts.

Another former detainee describes a sound-proofed torture chamber in Aleppo equipped with "torture tools", including electrical apparatus, pincers, scissors, a machine used for sexual violation and an implement for "ripping out finger-nails".

Persistent allegations

The extent, consistency and detail of the allegations which AI has received persistently over the years—some supported by medical evidence—leads the organization to conclude that torture is frequently inflicted in the course of interrogating arrested individuals, both in order to extract a confession and as a punishment.

AI is concerned also about reported "disappearances" in Syria as well as about political killing of selected individuals or groups by the security forces who have also reportedly been responsible for the killing abroad of several opponents of the Syrian Government.

The report cites six cases of alleged mass political killings said to have been carried out by the authorities between March 1980 and February 1982.

AI believes there is an urgent need for the Syrian authorities to control, supervise and monitor the activities of the

security forces, whose powers under the country's emergency legislation have been used for widespread violations of human rights.

State of Emergency Law

The thousands of arbitrary arrests and detentions of political suspects in Syria have been carried out under the State of Emergency Law (SEL) which has been in force since March 1963.

Under this law "all powers of internal and external security" are put at the disposal of a Martial Law Governor (the Prime Minister) who is appointed by the President. The Martial Law Governor delegates emergency functions to the Minister of the Interior, who in turn fulfils the role of Deputy Martial Law Governor.

These two officials may issue "written orders" for, among other things:

"The placing of restrictions on freedom of individuals with respect to meetings, residence, travel and passage in specific places or at particular times. Preventive arrest of anyone suspected of endangering public security and order. Authorization to investigate persons and places. Delegation of any person to perform any of these tasks" (Article 4a of the SEL).

Arresting agents

Article 4a therefore permits wide powers of arrest and preventive detention to be delegated to members of the security forces—who carry out most arrests of a political nature in Syria.



Kamel Hussein, former Syrian ambassador to France and member of the Regional Command of the Syrian Ba'ath Party . . . he has been held under preventive detention since mid-1971.

However, although the Martial Law Governor is invested with "all powers of internal and external security" by the SEL, he does not appear to have overall control of security branch activities and it is not at all clear to what extent security force commanders are answerable to him or to their respective ministries—the Ministries of the Interior and of Defence.

Most reports received by *AI* suggest that whereas in theory these commanders are directly responsible to their ministries and via them to the Martial Law Governor, in practice they answer only to the President, via the Presidential Security Council.

This body is chaired by the President and appears to be the means whereby the heads of the security forces receive their orders.

Legal procedures

Although Syria's state of emergency has produced a number of special measures and led to an expansion of executive powers which are not part of normal criminal procedure, the SEL does not suspend existing legal or administrative procedures—the security forces are still legally bound to operate within the limits of existing laws and established procedures when arresting and detaining suspects.

For example, under the Syrian Code of Criminal Procedure anyone who is arrested has the right to see and keep a copy of the arrest warrant. In practice, however, in most cases

of political imprisonment that have come to *AI*'s attention, no warrant or other authorizing document was produced at the time of arrest.

In a few cases, former detainees have told *AI* they were shown a list with their names on it—but this usually took place after the actual arrest, during interrogation.

AI believes that details about arrests made by the various local branches of the security forces are seldom forwarded immediately to a central authority and are sometimes delayed for weeks or months.

Security force networks

There are several security force networks in Syria, each with its own branches, detention cells and interrogation centres throughout the country, and each possessing its own intelligence service.

These networks operate independently and there appear to be no clear boundaries to their areas of jurisdiction.

For example, the activities of *al-Mukhabarat al-'Askariyya* (Military Intelligence) have not been limited to matters affecting the armed forces but have included the arrest and interrogation of members of prohibited political parties and, after April 1980, of members of medical and engineers' associations.

The *Saraya al Difa* 'an al-Thawra (Brigades for the Defence of the Revolution), headed by the President's brother, Rif'at al-Assad, and said to have between 15,000 and 25,000 members, are based in Damascus primarily to protect the President—but they were reportedly active in Aleppo during house-to-house searches in March 1980 and are also alleged to have taken part in a massacre of prisoners at Palmyra (Tadmur) prison in June 1980.

The *Saraya al Difa* are described by a number of Syrians as being above the law of the land and answerable only to Rif'at al-Assad.

AI has received reports that members of these forces are regularly sent abroad to monitor the activities of Syrian political exiles and to impede such activities through harassment and even violence.

Arbitrary arrests and detentions

The impunity with which security forces may arrest any suspects at any time and hold them without immediate reference to a central authority has led to a pattern of arbitrary arrests and the routine infringement by those forces of the fundamental rights of people in custody.

The extent of such violations may be gauged from reports received by *AI* that relatives—including young children—have been arrested by security forces and held hostage when suspects themselves could not be found.

• In December 1974 Hamud Qabani, a minister in the previous government who had been arrested in June 1971, escaped from the military hospital attached to

al-Mezze prison, Damascus, and fled to Iraq. Seven of his relatives were arrested immediately afterwards—four were held for up to a year and three were held for six years before being released.

• More recently, four brothers, 'Abd al-'Aziz, Qassim, 'Abd al-Majid and Salah, were detained in June 1980 while Military Intelligence searched for their brother, 'Abd al-Jalil, who had fled the country. At the time of the *AI* report's going to press, they were reportedly still in detention—but the rest of the family did not know their whereabouts.

Detention without trial

AI believes that Article 4a of the SEL is used to detain arbitrarily a wide range of people, including non-violent critics of the government.

In many cases such detentions have lasted months or several years.

At the time of going to press, *AI* was working for the release of 17 people who had been in preventive detention for over 12 years and of over 300 similarly detained without trial for between two and nine years.

AI knows too of a number of cases of tried political prisoners who have been kept in prison after the expiry of their sentences on the specific instructions of the Deputy Martial Law Governor or President.

• Zuhair al-Shulak, a Syrian lawyer from Damascus who was reportedly sentenced in 1971 to five years' imprisonment by a state security court, remained in prison after completing his sentence and was eventually released only in April 1980.

AI believes that in many cases the actual decision to prolong the detention without trial of arrested individuals is taken not by a central authority in Damascus but by local security force commanders.

Former detainees have told the organization that the security forces, to help them prolong periods of detention, have blank Preventive Detention Orders signed by the Deputy Martial Law Governor to which the names of detainees may be added after arrest.

The dates on these orders are reportedly filled in at the time of the detainee's release, understating the length of time spent in detention.

This means the vast majority of non-violent political detainees are held without trial under the authority of the security forces without any charges against them or any further legal proceedings.

Their families and lawyers may appeal to the local commander of the security force, the Deputy Martial Law Governor or the President, but there is no legal right to claim wrongful detention and challenge the lawfulness of the arrest.

Families of detainees have told *AI* they were reluctant to approach higher authorities partly because they did not expect



Dr Nour al-Din al-Atassi, former President and Prime Minister of Syria and Secretary General of the Syrian Ba'ath Party, has been held without charge or trial for more than 12 years at al-Mezze military prison, Damascus. He is one of 17 detained former government officials whose release *AI* is at present seeking—all have been held under preventive detention since late 1970-early 1971.

any response and partly for fear of reprisals by the local security forces.

Ill-treatment and torture

Detained security suspects are not brought to court and there appears to be no established procedure whereby a detainee can appeal to an outside authority against ill-treatment during detention.

Allegations of torture or ill-treatment are therefore made only after the detainee has been released, which is often months or several years after the event.

Ever since its 1978 mission to Syria, when it expressed concern in detail about allegations of torture to the Syrian authorities, *AI* has continued to receive reports of torture or ill-treatment of prisoners by the security forces.

The following are extracts taken from separate statements made to *AI* by 12 former detainees, arrested and detained at various times since July 1979.

• "They tied my hands behind my back and put me in the *dullab* [a suspended tyre through which the prisoner is forced]. They beat my legs until I passed out. I could not walk. On the second day they tied my feet and hung me upside down from a tree for about two hours. One of them then came back and whipped me all over

my body, my head and my legs with a braided copper cable until I passed out. He threw water on me to revive me and continued to beat me. They carried me back to the cell as I could not move. On the third day they applied electricity. They tied me down on a piece of wood cut into the shape of a human and used electricity to torture me."

(Student from Aleppo detained from 7 August to 3 September 1980.)

• "They raised my feet and caned them until they bled . . . kicked me, strapped and blindfolded, from the top of the stairs to the bottom . . . applied electricity to the sensitive parts of my body."

(Shopkeeper from Aleppo detained from 5 to 26 May 1980.)

• "My hands and feet were tied and my feet whipped until they became swollen. My torturer threatened to gouge out my eyes if I did not tell them where my father was . . ."

(15-year-old schoolboy held for two days in August 1979.)

• "I was stripped naked. I was put in the *dullab* and caned. My wrists were then tied and I was hung up and whipped on my back and all over my body. . . . Next day I was strapped to a wooden apparatus nicknamed *Bisat al-Rih* (flying carpet) and caned and whipped. I was beaten on the toes until my nails fell out."

(A trader detained from January to April 1980.)

• "The torture room is square and is situated inside another room which is sound-proofed . . . Inside there is an electrical apparatus, a Russian tool for ripping out finger-nails, pincers and scissors for plucking flesh and an apparatus called *al-'Abd al-Aswad* (the black slave) on which they force the torture victim to sit. When switched on, a very hot and sharp metal skewer enters the rear. . . ."

(Student from Aleppo detained from 28 July 1979 to 8 March 1980.)

Denial of rights during detention

In most cases brought to *AI*'s attention, people arrested by the security forces have not been told, on arrest, the official reason for the arrest. At first, while still in custody of the arresting authority, the detainee is kept incommunicado, often in solitary confinement.

There appears to be no clear limit under the procedures followed during the state of emergency to the length of time detainees may be held incommunicado—this may last days, several months or even years.

• By October this year, Riad al-Turk, First Secretary of the prohibited Communist Party Political Bureau, had been held incommunicado without charge or

trial for three years, since his arrest on 28 October 1980. He is alleged to have been tortured and twice taken to intensive care units in Damascus hospitals for treatment. At the time of going to press, his family did not know his whereabouts.

Former detainees have reported that it was during the early stage of their incommunicado detention that they were ill treated or tortured.

'Disappeared' detainees

Since early 1980, *AI* has received reports about the "disappearances" of detainees following their arrest by the security forces, in many instances following the sealing off of whole areas of towns, house-to-house searches and widespread arrests of the inhabitants.

Detainees have frequently been taken away in lorries to unknown destinations, and their families and lawyers have in many cases remained ignorant of their whereabouts for weeks, months and sometimes years. This has given rise to fears that they may have been ill-treated or tortured or that they may be dead.

Attempts by relatives or lawyers to discover the whereabouts of newly arrested detainees are often hindered by the fact that prisoners are held incommunicado for prolonged periods and that they are regularly transferred from one place to another.

Officials have also frequently denied that the person concerned had been apprehended or was in custody, and have refused either to investigate such cases of "apparent kidnapping" or to report fully the results of an investigation.

AI has the names of 38 youths who are reported to have "disappeared" after

their transfer from a prison in the town of Deir al-Zor, eastern Syria, to an unknown destination three months after their arrest in March 1980. Their whereabouts have been unknown to their families for the past three years.

Extrajudicial killings

AI's report cites six cases of alleged mass political killings said to have been carried out by the security forces between March 1980 and February 1982.

They include the reported killing on 27 June 1980 of between 600 and 1,000 inmates of Palmyra Prison suspected of belonging to the banned Muslim Brotherhood. The force responsible for the alleged massacre

is said to have included 350 commandos of the *Saraya al Difa'*.

The report refers also to thousands of killings in February 1982, when the authorities announced that their forces had crushed an uprising in the town of Hama. According to various estimates, between 10,000 and 25,000 people died before order was restored.

The four other cases refer to reported killings in the towns of Jisr al-Shughur in March 1980; Sarmada in July 1980; Aleppo in August 1980; and Hama in April 1981.

AI has not been able to investigate fully the precise circumstances of the killings alleged to have been carried out by the security forces in these cases—but it is deeply concerned about the pattern and increasing number of such reports.

In earlier years, the organization asked the Syrian Government to set up a commission of inquiry to investigate the facts and make public their findings, but the government did not respond to such requests.



This photograph, taken after the authorities had announced that their forces had crushed an uprising in the town of Hama in February 1982, shows buildings reduced to rubble in the ancient quarter of Hadra. Most of the quarter is reported to have been destroyed by artillery fire and tanks during the first four days of fighting. *AI* has received information alleging that *Saraya al-Difa'* troops summarily executed a number of Hadra residents on 19 February.

Recommendations

In its memorandum to the Syrian Government of 26 April 1983, *AI* made the following recommendations.

1. That steps be taken to enforce existing legislation which requires the production of arrest warrants and provides those arrested with direct appeal machinery against wrongful arrest; that the Syrian Government consider revoking all provisions for the preventive detention of political prisoners and that, until preventive detention is abolished, the names of individuals arrested or released be published regularly in the press; that in all cases relatives be informed

immediately of the arrest of the prisoner and the place of detention; that current detention cases be reviewed in order to release all those detained for the non-violent exercise of their human rights.

2. That legal provision be made for any arrested individual to have immediate access to a lawyer; that close relatives be notified of the arrest and allowed to visit the detainee within 48 hours of arrest and that regular visits be permitted throughout the detention period.

3. That an examination of current legislation and practice designed to

prevent abuses by the security forces be carried out and an impartial investigation be initiated into complaints about abuses or excesses by the security forces and allegations of torture or ill-treatment; that those responsible for the infliction of torture be brought to trial and adequate compensation be made to the victims.

4. That a full and impartial investigation be instituted into all cases mentioned in *AI's* memorandum of alleged "disappearance" and extrajudicial execution; and that the findings of the investigation be made public and those responsible punished.

A worldwide campaign . . .

Human rights are a human responsibility. Whenever they are violated people are the victims. They and their families need practical help.

The protection of human rights is an international responsibility. This principle is accepted by major world bodies such as the United Nations; governments are now publicly accountable to the world community for protecting the rights of their own citizens. That accountability includes accepting the right of international organizations to ask questions and express concern when people's rights are curtailed.

Amnesty International works on the basis of the universal human rights standards which the international community has proclaimed. If a state is violating those standards, Amnesty International comes to the defence of the victims.



Amnesty International began in 1961 with a newspaper article, "The Forgotten Prisoners", by British lawyer Peter Benenson. He urged people everywhere to begin working impartially and peacefully for the victims of political persecution. "Open your newspaper any day of the week and you will find a report from somewhere in the world of someone being imprisoned, tortured or executed because his opinions or religion are unacceptable to his government," he wrote. Within a month more than a thousand people from various countries had sent in offers of practical help. They were ready to help collect information on cases, publicize them and approach governments. What started as a brief publicity effort became a growing international movement.

Amnesty International now has more than 500,000 members, supporters and subscribers in over 160 countries and territories. They come from all walks of life, reflecting a wide variety of points of view. Most are organized into small local groups. There are now more than 3,000 groups in Africa, Asia, the Americas, Europe and the Middle East. Each group works on behalf of prisoners held in countries other than its own—emphasizing the need for international human rights work. No group or member is expected to provide information on their own country, nor do they have any responsibility for action taken or statements issued by the international organization concerning their country.

Financial independence

Amnesty International relies for its funding on donations from members and supporters. Its financial independence is vital to ensure its political independence. By far the greatest part of the movement's funds come from small, individual donations, membership fees and local fund-raising efforts. It does not seek or accept government money for its budget.

- You can add your name to Amnesty International's growing campaign. You can become a subscriber, join a local group, send in a donation and support our worldwide appeals. Use the coupon below.

Please detach this form and return to the Amnesty International section in your country or to: Amnesty International Publications, 1 Easton Street, London WC1X 8DJ, United Kingdom.

- I am ready to support Amnesty International's impartial campaign against violations of human rights wherever they occur. Please send me details of Amnesty International's work.
- I enclose a donation of _____ to help sustain Amnesty International's continuing research and action in defence of human rights. (Please make cheques or money orders payable to Amnesty International.)



Name _____

Address _____

Information from Amnesty International

This briefing is part of Amnesty International's publications program. As part of its effort to mobilize world public opinion in defence of the victims of human rights violations, Amnesty International produces a monthly Newsletter, an annual report, and reports, briefings and other documents on countries in all quarters of the globe.

Amnesty International attaches great importance to impartial and accurate reporting of facts. Its activities depend on meticulous research into allegations of human rights violations. The International Secretariat in London (with a staff of 150, comprising some 30 nationalities) has a Research Department which collects and analyses information from a wide variety of sources. These include hundreds of newspapers and journals, government bulletins, transcriptions of radio broadcasts, reports from lawyers and humanitarian organizations, as well as letters from prisoners and their families. Amnesty International also sends fact-finding missions for on-the-spot investigations and to observe trials, meet prisoners and interview government officials. Amnesty International takes full responsibility for its published reports and if proved wrong on any point is prepared to issue a correction.

How to subscribe to Amnesty International

A subscription to Amnesty International will give you access to information about human rights abuses produced on a global, independent and impartial basis. You will also receive details on how you can help the people who are the victims.



Amnesty International Newsletter

This monthly bulletin is a regular update on Amnesty International's work: reports of fact-finding missions, details of political prisoners, reliable reports of torture and executions. It is written—without political bias—for human rights activists throughout the world and is widely used by journalists, students, political leaders, doctors, lawyers and other professionals.

Amnesty International Report

This annual report is a country-by-country survey of Amnesty International's work to combat political imprisonment, torture and the death penalty throughout the world. In describing the organization's work, the report provides details of human rights abuses in over 100 countries. It is probably the most widely read—and most influential—of the many reports published by Amnesty International each year.

----- ✂ -----
Please detach this form and return to the Amnesty International section in your country or to: Amnesty International Publications, 1 Easton Street, London WC1X 8DJ, United Kingdom.

- I wish to subscribe to the *Amnesty International Newsletter* and enclose one year's subscription (£5.00, US\$12.50).
- I wish to subscribe to the monthly *Amnesty International Newsletter* and yearly *Amnesty International Report* and enclose one year's subscription (£10.00, US\$25.00).
- Please send me further details of Amnesty International Publications.



Name _____

Address _____



Amnesty International Publications