

PUBLIC

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25 May 2005

UA 139/05 Prisoners of conscience/incommunicado detention/fear of torture

SYRIA 'Ali al-'Abdullah (m), journalist and member of Jamal al-Atassi Forum
Dr Suhayr Jamal al-Atassi (f), Chair of Board of Directors of Jamal al-Atassi Forum
Hussein al-'Awadat (m)]
Nahed Badawiyah (f)]
Dr Hazem al-Nahar (m)] Directors of Jamal al-Atassi Forum
Jihad Massouti (m)]
Muhammad Mahfoudh (m)]
'Abdel Nasr Kalhous (m)]
Yusef al-Jihmani (m)]

The nine human rights defenders named above are being held incommunicado in Damascus and are in danger of torture or ill-treatment. All nine are members of the unauthorised civil and political rights group, the Jamal al-Attasi Forum. Amnesty International considers them to be prisoners of conscience, detained solely for the peaceful exercise of their right to freedom of expression.

'Ali al-'Abdullah was arrested by security forces at his home in the town of Qatana, near the capital Damascus, on the night of 15/16 May. He was reportedly held at the al-Jebbeh Political Security detention centre in Damascus before being transferred to nearby 'Adra prison.

As well as being a member of the Jamal al-Atassi Forum, 'Ali al-'Abdullah is a journalist and active member of two other unauthorised groups, the Committees for the Revival of Civil Society and the Human Rights Association of Syria (HRAS). On 7 May, he had read a statement at the Jamal al-Atassi Forum on behalf of Sadr al-din Bayanouni, the exiled leader of the unauthorised organisation, the Muslim Brotherhood (MB). The statement reiterated the MB's opposition to violence, refuted the notion that it calls for a theocratic state and called for political reforms in Syria to allow for the respect of the rights of individuals.

On 24 May, eight members of the Board of Directors of the Jamal al-Atassi Forum, including the Board's Chair, Dr Suhayr Jamal al-Atassi, were arrested from their homes at dawn by security forces and taken to a Political Security branch in Damascus. They are detained incommunicado and without charge. According to reports, they and 'Ali al-'Abdullah will be charged with "promoting an illegal organisation", namely the MB. Under Law 49, membership of the MB is punishable by death, although sentences are usually commuted to 12 years in prison. Amnesty International believes that in the case of these human rights defenders, Law 49 will be interpreted more widely to include "promotion" of the MB. According to reports, 'Ali al-'Abdullah will be tried before the Supreme State Security Court, whose procedures are grossly unfair.

BACKGROUND INFORMATION

Human rights and civil society organizations are not permitted to operate in Syria and human rights defenders have for decades been subjected to human rights violations by the authorities including arbitrary arrest and prolonged detention, torture and ill-treatment, unfair trials and restriction of their movement. The arrest of these nine people appears to be part of a sudden increase in the harassment of human rights defenders and curtailment of their activities (see AI statement MDE 24/034/2005, 25 May 2005, and previous documents including MDE 24/028/2005, 20 May 2005; MDE 24/029/2005, 23 May 2005; UA 131/05, MDE 24/027/2005, 19 May 2005; and UA 140/05, MDE 24/033/2005, 25 May 2005).

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

- calling for the immediate release of the nine people named above, who are prisoners of conscience detained solely for the peaceful exercise of their right to freedom of expression;
- expressing concern that these nine people are being held incommunicado and asking that they be allowed visits from their families, a lawyer of their choice and any medical attention that they may require;
- seeking assurances that the nine are not being subjected to torture or ill-treatment;
- reminding the authorities that torture is, as stated by the UN's Special Rapporteur on Torture, "most frequently practised during incommunicado detention [which] should be made illegal, and persons held incommunicado should be released without delay";
- reminding the authorities that if brought to trial they are entitled to a fair hearing in line with international standards for fair trial, and expressing concerns that the SSSC before which 'Ali al-'Abdullah may be tried falls far short of these standards;
- reminding the authorities that Article 38 of the Syrian Constitution guarantees freedom of expression for its citizens, and that in detaining these people, they are breaching their obligations under Article 19 of the International Covenant of Civil and Political Rights (ICCPR) which affirms the right to enjoy freedoms of opinion and expression (Article 19).

APPEALS 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

His Excellency General Ghazi Kan'an
 Minister of Interior, Ministry of Interior
 Merjeh Circle
 Damascus, Syrian Arab Republic
Fax + 963 11 222 3428
Email: mi@net.sy or admin@civillaffair-moi.gov.sy
Salutation: Your Excellency

His Excellency Muhammad al-Ghafari
 Minister of Justice
 Ministry of Justice
 Al-Nasr Street
 Damascus
 Syrian Arab Republic
Fax: + 963 11 222 3428
Email: moj@net.sy
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 6 July 2005.