

PUBLIC

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UA 156/05 Prisoner of conscience/fear of torture/incommunicado detention

SYRIA Habib Salih (m), aged 55

Habib Salih has been held incommunicado without charge since 29 May. He is at grave risk of torture. Amnesty International considers him a prisoner of conscience, as he appears to have been arrested solely for exercising his right to freedom of expression by publishing articles critical of the government.

He was arrested in his home town of Tartus, on the coast north of the capital, Damascus, and is reportedly held by Military Intelligence there. He had recently written highly critical open letters addressed to the ruling *Ba'ath* party, which were published on Arabic-language internet sites including the Syrian leftist, pro-democracy discussion forum www.rezgar.com and the Damascus Center for Theoretical and Civil Rights Studies website, www.dctcrs.org in advance of the party congress, the first for five years, which began on 6 June.

Habib Salih has been an active participant in debates organised by Syria's main pro-democracy discussion groups, the Jamal al-Atassi Forum and the National Dialogue Forum. He is the founder of the Tartus branch of the National Dialogue Forum. Amnesty International adopted him as a prisoner of conscience in 2001, when he was arrested after he published articles on the Internet under the heading "Letters to the Regional Conference of the Ba'ath Party" which accused the Syrian government of "corruption", "tyranny" and a lack of respect for human rights. He was sentenced to three years' imprisonment by the Supreme State Security Court (SSSC) on charges including "inciting racial and sectarian strife". He was released in September 2004. (For details see UA 226/01, MDE 24/029/2001, 7 September 2001 and updates.)

BACKGROUND INFORMATION

Habib Salih's arrest in 2001 came during the so-called "Damascus Spring" period which followed the election of President Bashar al-Assad, who indicated in his inauguration speech a desire to increase tolerance for free speech and to allow political reforms. This led people to set up a number of forums where public affairs, political reforms and cultural issues were discussed. The authorities started to clamp down on this new freedom of expression in early 2001, and by the summer of that year many of the people who had taken part in these forums had been arrested and sentenced to prison terms for exercising their right to freedom of expression (see AI report *Syria: Smothering freedom of expression: the detention of peaceful critics*, MDE 24/007/2002, June 2002).

In the past few weeks there has been a sudden increase in the authorities' harassment of people they view as critics, including a number of human rights defenders. Several have been detained, some incommunicado, and some have been charged by the SSSC, whose standards fall far short of international standards for fair trial (see AI public statement *Syria: End crackdown on human rights defenders*, MDE 24/034/2005, 25 May 2005). One outspoken critic of the government, Sheikh Muhammad Ma'shuq al-Khiznawi, reportedly "disappeared" on 10 May and died apparently as a result of torture, on 30 May (see UA 131/05, MDE 24/027/2005, 19 May 2005, and follow-up).

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

- calling on the authorities to release Habib Salih immediately and unconditionally, as he is a prisoner of conscience, detained solely for exercising his right to freedom of expression;
- expressing concern that Habib Salih is being held incommunicado and urging that he be allowed visits from his family, a lawyer of his choice and any medical attention that he may require;
- seeking assurances that Habib Salih is not being tortured or ill-treated and reminding the authorities of their obligations under the Convention against Torture (CAT) to which they acceded in 2004;
- reminding the authorities that Article 38 of the Syrian Constitution guarantees freedom of expression for its citizens, and that in detaining Habib Salih, the authorities are breaching their obligations under the International Covenant of Civil and Political Rights, of which Article 19 affirms the right to enjoy freedoms of opinion and expression.

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@civilaffair-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 19 July 2005.