

PUBLIC

AI Index: MDE 24/065/2006

25 October 2006

Further Information on UA 142/06 (MDE 24/039/2006, 19 May 2006) and follow-ups (MDE 24/040/2006, 31 May 2006; MDE 24/051/2006, 24 July 2006; MDE 24/057/2006, 2 October 2006) - Fear of torture/incommunicado detention/prisoners of conscience/unfair trial

SYRIA	Anwar al-Bunni (m) lawyer and human rights defender Michel Kilo (formerly written as Michele) (m) writer
Re-arrested:	Mahmoud 'Issa (m), former prisoner of conscience
At risk of re-arrest:	Khalil Hussein (m) former prisoner of conscience Suleyman Shummar (m)

Mahmoud 'Issa was re-arrested on 23 October 2006, one month after being released from detention, where he had been held for four months in connection with his signing of the "Beirut-Damascus Declaration", a document signed by hundreds of Syrian and Lebanese nationals, calling upon their two governments to normalise relations by exchanging ambassadors and defining their shared borders. He was reportedly arrested by members of the security forces who said they were from the Criminal Security department. They now deny holding him and his whereabouts are unknown.

On 19 October, Michel Kilo, another signatory to the Declaration, was ordered to be released on bail of 1,000 Syrian Lira (US \$20) from 'Adra prison near Damascus by a Referral Judge. This follows the decision of an Investigating Judge, who had ordered all charges against Michel Kilo to be dropped, except for the accusation that he circulated information, during a period of "anticipation of war", which "weakens nationalist feelings and incites racial or sectarian strife". His release order appears to have been obstructed when the Public Prosecution issued further charges against him. A different Investigating Judge has now confirmed the new charges, thus preventing the release of Michel Kilo.

The new charges against Michel Kilo include "broadcasting abroad false or exaggerated news" deemed as "damaging to the reputation of the state or its financial standing"; writing "a letter or article intended to incite racial, religious" or "sectarian conflicts"; and insulting the President, government officials or public servants.

Mahmoud 'Issa was charged on 19 October, along with fellow Declaration signatories Khalil Hussein and Suleyman Shummar. All three men had been released on bail on 25 September 2006. The charges they face include circulating, during a period of "anticipation of war", information which "weakens nationalist feelings and incites racial or sectarian strife"; speaking publicly without government permission in a way which could endanger the country or jeopardize its relations with a foreign country;" writing "a letter or article intended to incite racial, religious" or "sectarian conflict"; and insulting the President, government officials or public servants. Khalil Hussein and Suleyman Shummar may also be re-arrested at any time. Michel Kilo, Mahmoud 'Issa, Khalil Hussein and Suleyman Shummar are expected to be tried by the Criminal Court.

Meanwhile, Anwar al-Bunni remains in 'Adra prison. Like Michel Kilo, he has been detained for over five months. On 9 October he was reportedly charged by the Investigating Judge in connection with charges including "broadcasting false or exaggerated news" deemed as "damaging to the reputation of the state or its financial standing"; "joining a political group of an international nature"; and insulting the President, government officials or public servants.

According to our information, Anwar al-Bunni and Michel Kilo have been kept in poor conditions during their detention without adequate bedding or even beds. Amnesty International considers Anwar al-Bunni, Michel

Kilo and Mahmoud 'Issa to be prisoners of conscience, detained solely for exercising their right to freedom of expression.

BACKGROUND INFORMATION

Anwar al-Bunni, Michel Kilo and Mahmoud 'Issa have been subjected to persistent harassment by the Syrian authorities over the years as a result of their work in support of democratic rights. They are three of at least ten Syrian civil society activists arrested by State Security service officers between 14 and 18 May 2006. They were among several hundred Syrian and Lebanese nationals who signed the Beirut-Damascus Declaration. Despite Syria's withdrawal of troops from Lebanon in April 2005, following the assassination two months earlier of the former Lebanese Prime Minister Rafiq al-Hariri, in which senior Syrian and Lebanese intelligence and security service officers were implicated, relations between the two countries remain tense.

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

- expressing your concern that Mahmoud 'Issa is being held at an unknown location and asking for his whereabouts to be made known;
- calling for all charges against Anwar al-Bunni, Michel Kilo, Mahmoud 'Issa, Khalil Hussein and Suleyman Shummar to be dropped since they appear to be a consequence of their exercising their right to express their beliefs;
- calling for the immediate and unconditional release of Anwar al-Bunni, Michel Kilo and Mahmoud 'Issa as they are being held as prisoners of conscience;
- reminding them that, if brought to trial, each of these men must be given a fair hearing in accordance with international standards for fair trial including the right to a hearing by an "independent and impartial tribunal" in accordance with the International Covenant of Civil and Political Rights (ICCPR) to which Syria is a state party;
- seeking assurances that the three men will be well-treated, and not tortured or ill-treated, while in custody;
- urging them to implement measures laid out in the 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 Declaration, which allow for "the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels".

APPEALS TO:

(Please note that it may be difficult to get through to the fax numbers; please keep trying)

President

His Excellency Bashar al-Assad
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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 December 2006.