

PUBLIC

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UA 42/08 Fear of torture and other ill-treatment/incommunicado detention /medical concern

SYRIA 'Aisha Afandi, (f) aged 48, Syrian Kurd
Kawthar Taifour, (f), aged 50, Syrian Kurd

'Aisha Afandi and Kawthar Taifour, who are both members of Syria's minority Kurdish community, are currently believed to be held in incommunicado detention at the women's section of al-Maslamieh prison in Aleppo. They have been without charge or trial since their arrest by members of State Security, the security police, on 28 November 2007.

The two women do not have access to legal counsel or contact with their families, and there is concern that they could be subjected to torture or other ill-treatment. They are being held together with criminal prisoners and suspects. Amnesty International considers them to be possible prisoners of conscience, detained solely for their peaceful exercise of their right to freedom of expression and association.

The authorities have not disclosed the reason for their arrest but it appears that this may be linked to peaceful demonstrations by members of Syria's Kurdish minority on 2 November 2007 in the cities of Qamishli and 'Ein al-'Arab (Qoubani).

Both women are members of the unauthorized Democratic Union Party (PYD). 'Aisha Afandi's husband, Saleh Muslim, is a leading member of the PYD and has been on the run, in fear of arrest, since 27 November 2007. 'Aisha Afandi was arrested at 4am on 28 November 2007 at her home in 'Ein al-'Arab (Qoubani) city. She reportedly suffers from a brain cyst which affects blood flow to the brain and which can cause a loss of consciousness, especially in stressful situations, raising concern for her health in detention.

Concern for the two women has been heightened by the situation of fellow PYD member 'Uthman Sulaiman who was also arrested on 27 November 2007. A former member of the Syrian parliament, he was held incommunicado at al-Maslamieh prison until his release on 8 February 2008. He was held for his alleged involvement in organising the demonstrations on 2 November 2007. Reportedly, 'Uthman Sulaiman's detention contributed to a sharp deterioration in his health and he died on 18 February 2008. He suffered from advanced colon cancer, and was in a coma in intensive care from the time of his release until his death 10 days later.

BACKGROUND INFORMATION

Kurds in Syria are subject to serious human rights violations, as are other Syrians, but as a group they also suffer from identity-based discrimination, including heavy restrictions placed upon the use of the Kurdish language and culture. In addition, a large proportion of the Syrian Kurds are effectively stateless and, as such, they are denied the full provision of education, employment, health and other rights enjoyed by Syrian nationals, as well as being denied the right to have a nationality and passport. Those deemed to be associated with Kurdish political parties or groups who may raise concerns about the treatment of Kurds in Syria are vulnerable to arbitrary arrest and detention and in many cases to torture and other ill-treatment. They face charges including belonging to "illegal" organisations and "attempting to sever part of the Syrian territory and annex it to a foreign state". These 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 (see UA 3/06, MDE 24/002/2007, 5 January 2007).

On 2 November 2007 the Syrian security forces used live bullets and tear gas to disperse some 200 Syrian Kurds who participated in two peaceful demonstrations in Qamishli and 'Ein al-'Arab (Qoubani) cities called for by the PYD to protest against Turkish threats to invade Kurdish areas in northern Iraq. The security forces reportedly used excessive force, causing the death of 'Issa Khalil Malla Hussein aged 24, in Qamishli and injuries to at least four others from both cities. Scores of Kurds were arrested, including women and children, following these two demonstrations but most were released shortly afterwards, except for 15 people who remain in detention and are facing trial before the Syrian Military Court on charges of "inciting sectarian strife" Article 307 of the Syrian Penal Code and joining "political or international group without the permission of the government" (Article 288).

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

- expressing concern that 'Aisha Afandi and Kawthar Taifour are reportedly being held incommunicado in women's section in al-Maslamieh prison and are being detained together with convicted criminal prisoners;
- calling on the authorities to provide immediate guarantees that 'Aisha Afandi and Kawthar Taifour are not being tortured or otherwise ill-treated;
- urging them to allow 'Aisha Afandi and Kawthar Taifour visits from their families, lawyers of their choosing and any medical treatment they may require, and reminding them that 'Aisha is reported to suffer from a brain cyst for which she may require medication;
- calling on the authorities to release 'Aisha Afandi and Kawthar Taifour immediately unless they are to be charged with a recognizably criminal offence.

APPEALS TO:

President

His Excellency Bashar al-Assad
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Damascus, Syrian Arab Republic
Fax: + 963 11 332 3410
Salutation: Your Excellency

Minister of Defence

His Excellency General Hassan Ali Turkmani
Ministry of Defence
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Minister of Justice

His Excellency Muhammad al-Ghafari
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Fax: +963 11 666 2460
Salutation: Your Excellency

Ministry of Interior

General Bassam Abdel Majid
Ministry of Interior
'Abd al-Rahman Shahbandar Street
Damascus, Syrian Arab Republic
Fax: + 963 11 222 3428
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 1 April 2008.