

EXTERNAL

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@ MEDICAL CONCERN

**Aktham Nu'aysa
Nizar Nayyuf
'Afif Muzhir**

**Muhammad 'Ali Habib, Bassam al-Shaykh, Thabit Murad, Hassan 'Ali,
Hussam Salama, Jadi' Nawfal and Ya'qub Musa**

£SYRIA

Amnesty International is calling for the immediate and unconditional release of the ten human rights activists and prisoners of conscience named above who were sentenced in March 1992 to prison terms of between five and ten years. They have been held in incommunicado detention since their arrest in December 1991 and January 1992 and are currently in Saidnaya prison. There is particular concern for Aktham Nu'aysa and Nizar Nayyuf who are reported to have been badly tortured and for 'Afif Muzhir who is said to have been in ill-health prior to his arrest.

The ten men and others were arrested in connection with a leaflet issued on 10 December 1991 by the Committees for the Defence of Democratic Freedoms and Human Rights in Syria (CDF). The leaflet contained criticisms of human rights violations in Syria and of the procedure for the re-election of President Hafez al-Assad at the beginning of December 1991. They were brought to trial before the State Security Court in a trial commencing on 29 January and were sentenced on 17 March 1992. The above-named were convicted on two separate charges: dissemination of false information and receiving money from abroad. Four others were also tried on charges of withholding information and received sentences of three years' imprisonment. They were, however, released at the end of May 1992 reportedly under a Presidential amnesty announced in March 1992 for 600 political prisoners.

The charges and the State Security Court trial

The CDF is a voluntary organization established in 1989. It has campaigned for the abolition of State of Emergency legislation in force in Syria since 1963, for the release of all political prisoners and for the respect of individual freedoms. The activities of the CDF and the leaflet distributed in December last year were considered to be a crime through "the publication of false information intended to create anxiety and to shake the confidence of the masses in the aims of the revolution" [of 8 March 1963]. The charge of receiving money from abroad is said to relate to a sum of about 25,000 Syrian Lira (about £700) sent to Aktham Nu'aysa, one of the main defendants, by a brother of his who lives in Europe. The prosecution considered this money transfer to be destined for financing the activities of the CDF and, as such, to be a crime punishable by death. Finally, the charge relating to the withholding of information was brought against four others on the grounds that they were aware of the distribution of the CDF leaflet, and possibly of the money transfer, and had failed to inform the authorities. One of those so charged and convicted, now released, was a brother of Aktham Nu'aysa.

Amnesty International had sought authorization to send representatives to observe the trial, but this request was not granted by the Syrian authorities. The trial was held *in camera*, although some relatives of the defendants were permitted to attend the last session. The prosecution called for a sentence of death and the evidence produced in court consisted of the CDF leaflet and of confessions said to have been obtained under torture. Both Aktham Nu'aysa and Nizar Nayyuf are reported to have been severely tortured in pre-trial detention and were unable to walk into the court room unaided. The defendants were represented by 11 lawyers chosen by their families, but the defence lawyers were not permitted adequate time to prepare their case and to produce witnesses. Of the ten currently imprisoned, one received a sentence of 10 years' imprisonment, three a sentence of nine years, one a sentence of eight years, and five a sentence of five years' imprisonment. In addition, they were sentenced to hard labour and to deprivation of their civil rights.

All ten are now held in Saidnaya prison after having spent their pre-trial period of detention in the custody of the Military Intelligence. They remain in incommunicado detention without access to their families or to legal representation. They have no right of appeal, although their sentences have yet to be ratified by President Hafez al-Assad who holds the power to suspend the verdict, order a retrial or reduce the penalties. There is particular concern for three of the prisoners who are said to be in need of medical attention:

Aktham Nu'aysa. Aktham Nu'aysa is aged about 41 and is a lawyer from Lataqiyya. He was arrested on 18 December 1991 by members of *al-Mukhabarat al-'Askariyya* (Military Intelligence) and is reported to have been tortured in *Fara' al-Tahqiq al-Askari*, the Military Interrogation Branch in Damascus. He was admitted to Harasta Military Hospital near Damascus as a result and is also known to have been suffering from kidney problems prior to his detention. At his trial in March 1992 he was visibly still in a poor state and unable to walk unaided. He is still believed to be in need of medical attention. Aktham Nu'aysa has been sentenced to nine years' imprisonment.

Nizar Nayyuf, a 36-year-old sociologist and writer, is also reported to have been tortured at the *Fara' al-Tahqiq al-Askari* Military Interrogation Branch. He too required support during his court appearance and is also believed to be in need of medical attention. He has been sentenced to ten years' imprisonment.

'Afif Muzhir is a 34-year-old jurist. Although no details are available, 'Afif Muzhir is said to have been in ill-health prior to his arrest and there is concern that he is now without access to proper medical care. He has been sentenced to nine years' imprisonment.

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None of these detainees are known to have used or advocated violence. Amnesty International believes them all to have been arrested solely for having peacefully exercised their right to freedom of expression. One of the main objectives of the CDF was to campaign for an end to State of Emergency legislation which has now been in force in Syria for almost 30 years. Under this legislation the security forces enjoy wide powers to arrest and detain anyone suspected of "endangering security and public order". In practice, these powers have been grossly abused, resulting in widespread arbitrary arrest, and the systematic use of torture and ill-treatment by the security forces remains a serious concern in Syria.

INTERNAL

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To: Medical professionals
From: Medical Office / Research Department - Middle East
Date: 15 June 1992

MEDICAL LETTER WRITING ACTION

**Aktham Nu'aysa
Nizar Nayyuf
'Afif Muzhir**

**Muhammad 'Ali Habib, Bassam al-Shaykh, Thabit Murad, Hassan 'Ali,
Hussam Salama, Jadi' Nawfal and Ya'qub Musa**

SYRIA

Keywords

Theme: POCs/ torture/ fair trial/ incommunicado detention/ ill-health/ medical care

Summary

Amnesty International is calling for the release of ten human rights activists sentenced in March 1992 to prison terms ranging from five to 10 years. All were arrested and tried in connection with the activities of the Committees for the Defence of Democratic Freedoms and Human Rights in Syria (CDF). The CDF has been campaigning since 1989 for an end to State of Emergency legislation in Syria, for the release of political prisoners and for the return of individual freedoms. Two of the prisoners, Aktham Nu'aysa and Nizar Nayyuf, are reported to have been badly tortured in pre-trial detention and a third, 'Afif Muzhir, is also said to be in need of medical attention.

Recommended Actions

Letters are requested from medical professionals to the addresses given below:

- expressing concern at the imprisonment of the 10 prisoners as prisoners of conscience and calling for their immediate and unconditional release
- expressing concern at reports that Aktham Nu'aysa and Nizar Nayyuf were subjected to torture and ill-treatment while held in pre-trial detention and seeking information about their present state
- noting that a third prisoner, 'Afif Muzhir, is said to have been in ill-health prior to his arrest and seeking assurances that he and the others will be given regular access to all the medical care and attention they require while they remain in prison

Addresses

His Excellency
President Hafez al-Assad
Presidential Palace
Damascus, Syrian Arab Republic
Telegrams: President al-Assad, Damascus, Syria
Telexes: 419160 munjed ay

His Excellency Muhammad Harba
Minister of the Interior
Ministry of the Interior
Damascus, Syrian Arab Republic
Telegrams: Interior Minister, Damascus, Syria

His Excellency Khalid al-Ansari
Minister of Justice
Ministry of Justice
Masr Street
Damascus, Syrian Arab Republic
Telegrams: Justice Minister, Damascus, Syria

COPIES TO: diplomatic representatives of Syria in your country